



Week 1

SESSION OPENS THIS WEEK

The 2013 Legislative Session began this week with a bit more optimism in the air than in recent years. Budget-positive for the first time in six years, legislators, agencies and advocates all are thankful to have some room to maneuver without focusing on budget cuts all session. New leadership in both the Senate and House have proclaimed this a new day of mutual respect and cooperation between the two bodies. Senate President Don Gaetz (R-Niceville) pledged that his top priority will be ethics reform, while House Speaker Will Weatherford (R-Wesley Chapel) has stated his top priorities will be ethics reform, pension reform and the expansion of digital education options.

The opening of session brought Gov. Rick's Scott's third "State of the State" address. Gov. Scott reiterated his position to provide pay increases to all public school teachers and rebates for manufacturing. He also defended his support for Medicaid expansion, acknowledging the potential stimulus to the state economy that tens of billions of federal dollars it will bring. Speaker Weatherford has pledged that the House will seek alternative solutions to cover the uninsured.

This session, the Florida Children's Council and its partners will work closely with the Legislature and the Governor to preserve funding for Early Learning, VPK and KidCare, among other programs, and to enhance, where possible, the quality and availability of services to a greater number of children. Please stay tuned to the weekly *Capitol Connection* and the related [Legislative Advocacy Center](#) for the latest updates on bills affecting Florida's children and families.

BUDGET

Although the state has a surplus of approximately \$1.5 billion, members are still going through the exercise of zero-base budgeting and agency reductions initially. Agencies began to unveil their schedule VIII-B budgets in front of a number of committees this week and members were presented with base budget spreadsheets to review. It is estimated that an initial budget will be developed prior to the late-March Easter/Passover recess.

Senate Appropriations Chair Joe Negron (R-Stuart) informed budget chairs that they should expect their allocations next week. There is no word yet on when the House budget chairs will see theirs. There will be much to contend with relating to the budget to include the effects of sequestration, Medicaid expansion, state pension, increasing teacher salaries and overall education investment.

STATE & LOCAL REVENUES

Special Districts

Legislation to revamp independent special districts has been filed for consideration this session. [SB 538](#) by Sen. Jeremy Ring (D-Palm Beach) and Sen. Joe Negron (R-Stuart) and [HB 881](#) by Rep. Lake Ray (R-Jacksonville) would require local general-purpose governments to approve public facilities' projects of single-county independent districts that have property taxing authority. The bill also requires these districts to include an ex-officio, non-voting representative of the local general-purpose government as a member of the district board. The Children's Services Councils along with hospital districts are exempted from most of the provisions of the bill. This week, Senate Community Affairs took up a strike all amendment to SB 538, which rewrote the original version of the bill. The amendment as proposed, establishes a process for administrative consolidation of independent districts (e.g. staffing/personnel, contracting and purchasing responsibilities, IT functions, facilities management, etc.). Children's Services Councils were among the independent special districts exempted from most of the requirements of the amendment. Concerns and questions were raised by a number of committee members, but the bill was voted favorably with the understanding that these will be addressed prior to the next committee hearing. The next stop for SB 538 is the Senate Finance & Tax Committee. HB 881 awaits consideration by the House Local & Federal Affairs Committee.

Property Tax Relief Proposals

Bills for the 2013 Session are still coming out of bill drafting, but the plethora of omnibus property tax relief bills have been minimal in comparison to previous sessions, although it's still early in the process. Legislation has been filed to provide tax relief for certain leasehold interests and improvements to land owned by the federal government and its military branches: [SB 354](#) by Sen. Thrasher (R-Jacksonville) and [HB 531](#) by Rep. Jimmy Patronis (R-Panama City). Proposals have been filed to make changes to the existing property tax exemption for affordable housing property owned by Florida-based limited partnerships, [SB 740](#) by Sen. Wilton Simpson (R-New Port Richey) and [HB 921](#) by Rep. Ron Renuart (R-Ponte Vedra Beach). [SB 828](#) by Sen. Rene Garcia (R-Miami) and [HB 1341](#) by Rep. Manny Diaz (R-Miami) would grant a facility used to house school district programs property tax relief.

EARLY LEARNING

Related to School Readiness

Sen. John Legg (R-Lutz) filed a bill relating to school readiness programs revising the duties of the Office of Early Learning (OEL) within the Department of Education (DOE). [SB 1722](#) is identical to last year's [HB 5103](#), which proposed significant changes to the governing statute of the School Readiness program and was vetoed by the Governor. This bill is serving as placeholder bill until the Education Committee releases final language later. As it is written, the bill would require:

- Pre-assessment and post-assessment of children enrolled in school readiness programs
- Early learning coalitions to annually contract with school readiness providers using a standardized statewide contract
- Early learning coalitions to operate within spending caps
- Reduction of services to school-age children
- Processes for investigations of fraud or overpayment in the school readiness program

Creation of the School Readiness Allocation Conference if passed, SB 1722 would take effect July 1, 2013.

Relating to Voluntary Prekindergarten Education Programs

Sen. Rene Garcia (R-Hialeah) filed a bill relating to Voluntary Prekindergarten Education Programs, which would develop and adopt performance standards that address the age-appropriate progress of students in the development of student learning growth. [SB 1624](#) would also direct DOE to require that a school district administer the statewide kindergarten screening in a student's primary language.

Flat-funding for Early Learning

Base budgets were presented in the Appropriations Committee on Education, which is chaired by Sen. Bill Galvano (R-Bradenton). Although Early Learning funding is currently flat, pushing for an increase in funding will be a priority.

Early Learning Workshop

At the House Education Committee meeting on Thursday, legislators reported findings from their "homework assignment," which was assigned by Chair Marlene O'Toole (R-Lady Lake) at the previous meeting. Each member was assigned to tour an Early Learning Coalition and service provider operating outside of his or her own district. Most were impressed by the early learning communities they visited, providers and coalition executives alike. Rep. Michael Bileca (R-Miami) reported that the current data systems "left a lot to be desired" and would benefit from the long-awaited Early Learning Information System (ELIS). Rep. Janet Adkins (R-Fernandina Beach) reported that the ELC she visited spoke to the benefits of the QRIS rating system, improved financial accountability measures and increased use of management best practices. Rep. Joe Saunders (D-Orlando) echoed calls from other committee members that the Legislature must ensure all providers are of the highest quality. Chair O'Toole expressed concern with delays in the implementation of the ELIS system, also hoping to bring the developers before the committee to explain the reason for the delays. Additionally, she wanted to identify and

implement the best evaluation system, ensure the best accountability practices and improve transparency.

HEALTHY CHILDREN

Patient Protection and Affordable Care Act (PPACA)

Although the contentious decision facing the Florida Legislature regarding Medicaid expansion is focused on adults, since the expansion for children to 138 percent federal poverty level was not affected by the Supreme Court ruling, children are impacted by whatever decision is made as it is well known that when parents gain insurance, their children are more likely to gain and retain coverage as well. As a result, many children's health advocates have expressed their support for the expansion of Medicaid to adults.

Office of Economic and Demographic Research Chief Economist Amy Baker presented numbers in front of a joint PPACA committee on Monday, and the House committee later surprised many by voting earlier than expected against Medicaid expansion Monday. The vote fell along party lines. Although they had appeared to be leaning towards accepting the expansion, the Senate committee delayed their decision. Sen. Negron said he wanted to make sure to "get it right." In his inaugural address to the House, Speaker Will Weatherford made his case for opposing the expansion, despite pledging to defend the social "safety net," which he said supported his family when his infant brother was very ill. Without House support, the Medicaid expansion as envisioned by the Affordable Care Act, appears to be off the table for the time being. Legislators may be discussing an alternative insurance method, which is influenced by the Indiana-Arkansas model, where eligible participants would be given subsidies to purchase private insurance.

Florida KidCare Program

Two KidCare bills have been filed that would dramatically expand health coverage to underserved children, but both bills face a long road to adoption. Concerns have been expressed by committee staff on the fiscal impact of these bills, so advocates will work with legislators and staff to inform them of the availability of funds in the program, the true cost of these bills, and the benefits and savings that result from expanded children's health coverage.

[SB 548](#) by Sen. Detert would allow Federally Qualified Health Centers to presumptively enroll children deemed eligible in the Florida KidCare Program for a brief period of time (30-60 days) while their application is being formally processed. This service, which is already available for pregnant women, will allow children to receive critical immediate treatment and follow up care, including services and medication, and will also improve enrollment capacity. The House companion is [HB 689](#) by Rep. Gayle Harrell (R-Stuart).

Sen. Rene Garcia's (R-Hialeah) [SB 704](#) would remove a five year prohibition and allow children of legal immigrants in the United States less than five years to be eligible for KidCare since the federal government now provides a match for these children. This bill has been referred to the Senate Health Policy and Children, Families and Elder Affairs Committees; Appropriations Subcommittee on Health and Human Services; and Appropriations Committee. The House companion for this bill, [HB 4023](#) by Rep. Jose Diaz (R-Miami) is currently awaiting a hearing in the House Healthy Families Subcommittee. Both bill sponsors have requested that their bills to be placed on the agenda of the first committee of reference. For proponents of the bills, it is timely to thank the sponsors for supporting children and also contact committee leadership to help get the bills heard.

TAKE ACTION: We need your help in one or more of the following ways:

- 1) Contact the bill sponsors and thank them for sponsoring this important legislation;
- 2) Use the Council's [Legislative Advocacy Center](#) to find your Senator and Representative and ask them to co-sponsor the bills; and
- 3) Contact the Chairs of the first committee of reference ([Sen. Bean](#) and [Rep. Harrell](#)) and let them know how important these bills are to you and ask that the bills be heard quickly.

Children's Initiatives

Rep. Reggie Fullwood (D-Jacksonville) filed a bill establishing the "New Town Success Zone" in Duval County and "Parramore Kidz Zone" in Orange County, modeled after the successful Harlem Children's Zone and Miami Children's Initiative, which allows projects to be managed by non-profit corporations that are not subject to control, supervision, or direction by any department of state. [HB 411](#) had its first reading on Tuesday.

Vision Screening of Preschool Students

Sen. Rene Garcia (R-Hialeah) filed a bill ([SB 614](#)) requiring district school boards to conduct vision screenings on students entering prekindergarten or kindergarten. The bill would require comprehensive eye examinations of students who fail to pass vision screenings.

Background Screening

Sen. Rene Garcia (R-Hialeah) filed [SB 1112](#) related to inter-agency data sharing for employee background screening information. The bill would authorize the Department of Highway Safety and Motor Vehicles to share photographs or digital images of driver licenses with the Agency for Health Care Administration.

Other bills affecting children's health and safety:

Infant Death

[SB 56](#) by Sen. Alan Hayes (R-Umatilla) provides birth center clients with education on safe sleep habits. Public testimony by the SIDS Alliance (a group representing Sudden Infant Death Syndrome parents) was critical of the bill's loosening of autopsy requirements and investigations. The CDC has guidelines for autopsy of SIDS that could be adopted. Senate Children, Families and Elder Affairs Chair Eleanor Sobel (D-Hollywood) stated that the committee would need to hear from the medical examiner in order to determine the best protocols. Due to all of the issues raised by the public testimony, the bill was temporarily postponed. If passed by the committee at a future date, the next step is the floor. Its companion, [HB 83](#) by Rep. David Santiago (R-Deltona), is currently in the House Health Care Appropriations Committee.

Booster Seats

[SB 66](#) by Sen. Thad Altman (R-Melbourne) and [HB 3](#) by Rep. Irv Slosberg (D-Delray Beach) have not yet been heard in either the Senate or the House. This bill would require a restraining device for children ages seven or younger who are shorter than a specified height.

Texting While Driving

After many years of trying, a bill banning texting while driving is moving through both houses. [SB 52](#) by Sen. Nancy Detert (R-Venice Beach) passed its first committee this week. [HB 13](#) by Rep. Doug Holder (R-Sarasota) is on the agenda for House Transportation at 1 p.m. on Thursday. Sen. Detert noted that the bill was a compromise bill in that texting while driving will be a secondary offense, but that this was a significant step and that “a law is a law.”

CHILD WELFARE

Foster Care

[SB 1036](#) by Sen. Nancy Detert (R-Venice) and [HB 1315](#) by Rep. Keith Perry (R-Gainesville) would expand foster care to age 21; allow youth who stay in foster care to choose to stay in their foster home, group home or in another supervised environment such as a college dormitory, shared housing, apartment or another housing arrangement; focus on education for foster children and youth and on keeping them stable in school; provide supports to succeed in postsecondary education; and continue the Road to Independence stipend for students in colleges/universities. Both bills have been referred to committees and are on first reading.

[SB 164](#) by Sen. Nancy Detert (R-Venice) and [HB 215](#) by Rep. Ben Albritton (R-Bartow) is also referred to as the Quality Parenting for Children in Foster Care Act. It recognizes the importance of providing the child with the most family-like living experience possible, encourages foster parents and other caregivers for children in foster care to allow their children to participate in activities at school and in the community, gives caregivers of children in out-of-home care the latitude to decide what is best for their children, allows children in out-of-home care to participate in normal activities and more. The bills passed their first committee stops unanimously, and are now in the Senate Judiciary Committee and the House Health & Human Services Committee, respectively.

[SB 1468](#) by Sen. Tom Lee (R-Brandon) and [HB 1241](#) Rep. Neil Combee (R-Polk City) would require an attorney for a dependent child with disabilities to be appointed in writing, ensures that the appointment continues in effect until the attorney is permitted to withdraw or is discharged by court or until case is terminated and provides that an attorney be adequately compensated for his or her service. Both bills are on first reading. The Senate version has been referred to committees and the House version is awaiting committee assignments.

JUVENILE JUSTICE

DJJ Presentation

Secretary Wansley Walters presented the Department of Juvenile Justice’s Roadmap to System Excellence at the Senate Appropriations Subcommittee on Criminal and Civil Justice meeting. While the members were supportive of shifting resources from the deep end, such as from residential programs to the front-end (i.e. prevention), Chair Rob Bradley (R-Orange Park) expressed interest in ensuring that community services were expanded to lesser-served parts of the state. Sen. Rene Garcia (R-Hialeah) expressed an interest in greater parental involvement and an assessment for determining whether families of juvenile offenders were eligible for other social services programs. Sec. Walters responded that there are new family-based therapy services available now and that family engagement was a major focus.

Juvenile Justice Bills

Recent activity on juvenile justice bills includes:

Relating to Juvenile Justice Education

[HB 441](#) by Rep. Janet Adkins (R-Fernandina Beach) would enhance transition services by requiring that local school districts, DJJ reentry personnel and local workforce personnel be part of a youth's transition planning. It would also require that school districts consider the needs of individual youth when they return to school and enhance career and technical training. This bill seeks to improve accountability, enhance access to virtual education and require state and federal education dollars to follow the youth who generate them. The companion bill is [SB 1406](#) by Sen. Aaron Bean (R-Fernandina Beach). The bill has not yet been heard in either the Senate or the House.

Relating to Juvenile Justice Circuit Advisory Boards and Juvenile Justice County Councils

[SB 676](#) by Sen. Greg Evers (R-Pensacola) seeks to streamline juvenile justice circuit boards and juvenile justice county councils by merging them into a single entity: juvenile justice circuit advisory boards, which are to be established in each of the 20 judicial circuits. Except in single-county circuits, each juvenile justice circuit advisory board shall have a county organization representing each of the counties in the circuit. The county organization shall report directly to the juvenile justice circuit advisory board on the juvenile justice needs of the county. The bill specifies that the purpose of each juvenile justice circuit advisory board is to provide advice and direction to the Department of Juvenile Justice in the development and implementation of juvenile justice programs and to work collaboratively with the department in seeking improvements and policy changes to address the emerging and changing needs of Florida's youth who are at risk of delinquency. Each member of the juvenile justice circuit advisory board must be approved by the secretary of the department, except for certain specified members. SB 676 was passed favorably by Senate Criminal Justice Committee on a 6 to 1 vote, and is on the agenda to be heard in the Senate Judiciary Committee on March 12. Its companion, [HB 617](#) by Rep. Ray Pilon (R-Sarasota), has not yet been heard in the House Criminal Justice Subcommittee.