

Legislative Link

A legislative update provided by the United Way of Florida, Inc.

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JUSTICE FOR JUVENILES? ... NOT!

Every session, there is a human service proposal that goes so far beyond the realm of reason that public outrage ultimately forces it into glorious oblivion. The most infamous of late was the proposal in 2000 that Healthy Start should be regionalized and downsized. This year, it will hopefully be the ludicrous proposed cuts to prevention programs in the Department of Juvenile Justice (DJJ).

Of course, justice is in the eye of the beholder. What is justice for a troubled youth? Most in our society would (hopefully) say it translates into trying to help those youth become well adjusted, contributing members of society. Outrage surrounding proposed juvenile justice cuts exists because the cuts would emasculate the few successful programs in place to provide that help.

The proposed cuts are so at odds with what reason should compel us to do that Senator Steve Wise, tongue firmly in cheek, has filed a bill (SB 1038) that would eliminate the Department of Juvenile Justice and place troubled youth in the Department of Corrections. The bill highlights the irony of the proposed cuts by taking the philosophy underlying them to their rational end. It's not a pretty sight.

In crafting his proposed 2003-2004 proposed state budget, Governor Bush had to deal with the harshest fiscal realities this state has experienced in recent history. The task he faced – and that the Legislature now faces – was indeed a daunting one. Funding existing programs, growth in existing programs, and constitutional mandates dwarfs the state's ability to pay.

Hopefully, the 2003 Florida Legislature will be able – and willing – to identify and embrace positive strategies to address this funding quagmire. The Senate has already listened to hours of testimony by human service providers and service recipients regarding the critical need for a multitude of state funded programs.

Let's hope the Legislature can find a way around this difficult challenge. Otherwise, there will be no "justice" for those troubled youth, or for the thousands of Florida residents who rely on the state for an array of life supporting and sustaining services.



Helping all children succeed for life.
An initiative of the United Way of Florida,
Publix Super Market Charities, Inc. and
Bank of America.



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QUOTE OF THE DAY...

"For years I have labored with the idea of reforming the existing institutions of the society, a little change here, a little change there. Now I feel quite differently. I think you've got to have a reconstruction of the entire society, a revolution of values."

Martin Luther King, Jr., Harper's Magazine, August 1967.

SENATE RIGHT-ON ON SCHOOL READINESS

Kudos to the Senate Select Committee on Constitutional Amendment Implementation! It is recommending that Florida’s school readiness system – for the first time in its frenzied history – be studied and considered over a reasonable period of time intended to ensure good decision making and successful implementation of the constitutionally mandated Pre-k program.

Unheard of!

Arguably, the circumstance that has caused more pain and suffering for Florida’s fledgling school readiness system has been the unreasonable – many would say ludicrous – time frames within which local school readiness coalitions and the Partnership for School Readiness have been forced into service. Regardless of any other issue that may divide various constituencies, the issue of making the most fundamental decisions regarding school readiness over a period of time allowing for reasoned dialogue, discussion, and resolution of the issues is a welcomed possibility.....Next week, more on school readiness and the pre-k amendment.

DEDICATED REVENUE SOURCE FOR AFFORDABLE HOUSING IN JEOPARDY

According to the Florida Housing Coalition, over 700,000 Florida families are in immediate need of affordable housing. The Governor’s budget proposal eliminated the State Housing Trust Fund and the Local Government Housing Trust Fund, sending those dedicated documentary stamp tax revenues to General Revenue, where there are no strings attached to their allocation. Removing the dedicated funding source leaves housing appropriations in the hands of legislators each year and in a position to be raided for other areas of need.

The Governor’s budget recommends funds from general revenue for housing programs; however, they are \$94.5 million less than the amount that would be available from the dedicated revenue in the trust funds. For more information, contact the Florida Housing Coalition (www.flhousing.org) or the Florida Housing Finance Corporation (www.floridahousing.org).

THE YEAR’S BEST (ACTUAL) HEADLINES OF 2002

*"Police Begin Campaign to Run Down Jaywalkers"
"Iraqi Head Seeks Arms"*

FIRST INCREASE IN THE NUMBER OF POOR CHILDREN IN 8 YEARS - For the first time in eight years, the number of American children living below the poverty line has increased, according to data released last September by the U.S. Census Bureau. The number of poor children living in extreme poverty has increased even more, from 4.8 million in 2000 to 5.1 million in 2001. In 2001, 44 percent of poor children lived in families with income below one-half of the poverty line (\$7,064 for a family of three), up from 41 percent the year before.

MEDICAID FACT - 2.2 million low-income women, children, elderly, and disabled qualify for Medicaid programs in Florida. That’s one in eight Floridians, whose needs represent one of the fastest growing areas of state government.

TERM LIMITS – While 32 of the Florida Senate’s current 39 members have previous legislative experience, over half of the Representatives in the House are new, with 30 of them in their first terms, and 55 in their second. The implications are significant, particularly as they relate to the \$50+ billion budget, where the Chair of the House Appropriations Committee, Bruce Kyle is in only his third term.

KUDOS TO GOVERNOR BUSH – By selecting Former Senate President Toni Jennings as Florida’s first female Lieutenant Governor, Governor Bush also signified his intent to run with a proven, respected, and savvy leader. As Senate President, Jennings was the savior of many human service programs that would have been decimated by the House had she not fought for them. She will bring a voice of reason and good-sense to the table, characteristics that will be in dire need over the next few months.

PROPOSED JUVENILE JUSTICE BUDGET CUTS

For many years, Florida's Children's Services Councils have been at the forefront of efforts to encourage innovative and creative programs that emphasize prevention rather than treatment. Prevention programs make sense not just from a policy perspective, but from a fiscal standpoint as well. Every dollar spent to prevent delinquency will save much more than one dollar in state funds that would otherwise be spent on incarceration. Governor Bush's proposed 2003-2004 state budget contains significant budget reductions for the Department of Juvenile Justice (DJJ). These cuts would signal the death knell for virtually all prevention, diversion and front-end treatment programs.

The proposed cuts threaten to wreak havoc on an already overburdened delinquency system. Day treatment programs that serve over 3,000 youths have been targeted for elimination. Among the cuts is a \$9.7 million cut to the PACE Center for Girls, which offers training and technical assistance designed to assist girls at risk or involved in the juvenile justice system.

The Governor is proposing moving Children in Need of Services/Families in Need of Services (CINS/FINS) programs from DJJ to the Department of Children and Families with a major cut in funding. Only \$1.6 million from General Revenue and \$10.4 million in TANF funds are allocated for FY 2003-04. As a result, many shelters will be forced to close their doors and judges and law enforcement officials will have limited options for truant, ungovernable and runaway children.

The Governor's proposed budget shifts the cost of juvenile detention programs and misdemeanor probation to Florida's 67 Counties. Many counties will be forced to slash existing community services or raise taxes. Some counties, along with the Children's Services Councils are already nearing the state imposed legal limit on property tax rates and will be unable to absorb the burden of footing the bill for these programs. *(This article contributed by the Children's Services Council of Broward County.)*

<p>TANF - WHERE'S THE MONEY GOING?</p> <p>The Governor's budget proposal includes \$488,457,712 in Temporary Assistance for Needy Families (TANF) funds appropriated to several state agencies for multiple programs. This does not include the \$184,823,736 he recommends transferred to the Child Care Development Fund and the Social Services Block Grant. Under the Governor's proposal, TANF funds would be distributed, as in previous years, to the Departments of Health and Children and Families, and the Agency for Workforce Innovation. Within DCF, these funds are directed to Healthy Families, protective investigations, CINS/FINS, mental health and substance abuse services, homeless assistance, and adoption subsidies, among others programs. In the Department of Health, TANF dollars support teen pregnancy prevention, abstinence education, school health, Children's Medical Services, and the Ounce of Prevention. Within the Agency for Workforce Innovation, subsidized child care and regional workforce boards are among the recipients of TANF funds. The recommended appropriations are similar to those made in last year's budget.</p>	<p>BLUE RIBBON PANEL UPDATE</p> <p>The Department of Children and Families presented an update to the Governor's Blue Ribbon Panel on January 13, 2002. This progress report shows the status of the recommendations, actions taken, results and next steps. It is available on-line at</p> <p>http://www.state.fl.us/cf_web/news/jan13report.pdf</p> <hr style="border-top: 1px dashed black;"/> <p>ON THE MOVE</p> <p>Frank Brogan resigned this week from his post as Lt. Governor to become President of Florida Atlantic University.</p> <p>Rep. Carey Baker's chamber desk chair was wrapped in a yellow ribbon as a reminder of his service overseas in the National Guard.</p>
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- *Number of federal trademark cases dismissed since July with opinions stating that the plaintiff is "advised to chill": 2*

GOVERNOR PROPOSES MOVE FOR STATE LIBRARY

Aiming for greater accessibility, higher utilization, and a financial savings to the state, the Governor has proposed the transfer of the State Library's circulating collection to the Nova Southeastern University Library, Research and Information Technology Center in Broward County.

The State Library circulating collection consists of approximately 354,837 volumes and would continue to be available to residents statewide through the interlibrary loan program. This includes 326,670 works of general fiction and non-fiction, 11,417 bound periodicals, and 16,750 audiovisual materials.

Under this proposal, the existing State Archives and Florida Collection will continue to be maintained by the Department of State and Community Partnerships in Tallahassee. Additionally, this newly proposed agency will provide access to financial and technical support for Florida's 469 public libraries, and

coordinate statewide library initiatives and programs, including the interlibrary loan program.

The transfer will save the state \$10.2 million over the next four years; however, the plan would give Nova \$5 million to move and maintain the collection over the next four years. Although an agreement for this transfer was announced on February 25, 2003, the funding for the \$5 million is subject to the approval of the Legislature. Leadership of both houses have publicly opposed the move. They are not alone. An on-line petition sponsored by the Florida Historical Society gathered over 13,000 verified signatures that were sent to the Governor and Legislature.

Letter from the Governor regarding the transfer:

http://www.myflorida.com/myflorida/government/governorinitiatives/library_letter.html

Florida Historical Society: <http://www.florida-historical-soc.org>

Favorite Country Song Titles:

I Sold A Car To A Guy Who Stole My Girl, But It Don't Run So We're Even
If the Phone Don't Ring, You'll Know It's Me

INTERIM PROJECTS

Legislative committee staff conduct interim projects during the months the legislature is not in session. These reports are presented to committees and often developed into proposed committee bills. Recent Senate interim projects focused on the retention of protective investigators and protective investigative supervisors, management practices of family service counselor supervisors, and included a review of the Florida Kidcare Program administration. Mandatory reviews were also conducted of public records exemptions for addresses of domestic violence victims and information in Kidcare applications.

These and other Senate Interim Reports can be viewed on-line at www.flsenate.gov.

FLORIDA'S NOT ALONE - Shortly before Thanksgiving, the National Governors Association issued a report declaring that states from coast to coast are facing "the most dire fiscal situation since World War II". Among others, California is facing a \$21 billion budget gap, and New York is facing a \$10 billion deficit, at the same time New York City is seeking assistance from the state to close its municipal funding gap of more than \$6 billion.

Boy, Have Times Changed....

"After deciding to blockade Cuba, President Kennedy sent a special envoy, Dean Acheson, to France's President Charles de Gaulle. Acheson offered to show him the photographs. De Gaulle refused. 'This is more evidence,' he said, 'and great nations such as yours would not take a serious step if there were any doubt about evidence.' *Newsweek*, February 10, 2003.

FEDERAL REAUTHORIZATION: A MUST

As this newsletter went to press, Congress was engaged in discussions regarding reauthorization of four programs critical to the early care and education of our children. They are:

- Child Care and Development Block Grant (CCDBG) – The CCDBG is the major federal child care program, providing funding to states to help parents pay for the care of their choice, whether in family child care homes, with relatives, or in child care centers. In fiscal year 2001, the CCDBG was funded at \$4.8 billion, providing services to over 2 million children from low-income working poor families. On January 24, the Senate voted 69 to 29 to pass HJR 2, the revised and pared down version of the combined spending bill for fiscal year 2003 that was left unfinished last year. The bill would cut CCDBG funds by about \$60.9 million, which would result in about 38,000 fewer children having access to childcare assistance. (The bill would also cut about \$29 million from after school programs.)
- Head Start – Head Start provides comprehensive services for low-income three and four year old children and, through Early Head Start, services low-income families with children under three and pregnant women. The program targets children living at or below the federal poverty level (\$15,020 for a family of three in 2002). Regulations also require that Head Start programs

reserve at least 10 percent of those slots for children with disabilities. In 2002, Head Start served over 915,000 children.

- Child and Adult Care Food Program (CACFP) – The CACFP provides nutrition education and reimbursements to help child care providers serve meals and snacks to over 2.6 million children in child care centers, after school programs, Head Start programs, and family child care homes. Since 1996, when reimbursements to family childcare providers were sharply cut, there's been a 14 percent drop in the number of family childcare homes participating in the program.
- Individuals with Disabilities Education Act (IDEA) – Two components of IDEA are up for reauthorization – Part C, and Section 619. Part C supports developmental services for infants and toddlers up to age 3, and their families. It served about 230,000 children in 2000. Section 619 provides special education and related services to preschool age children with disabilities, and served 598,000 children in 2000.

The Children's Defense Fund, and other advocates at the national level are requesting that Congress increase funding for all of these programs. Call your Congress people today to let them know what you think.

***It occurs to me now,
I never see you smiling anymore.
Friends praise your humor rich, your phrases turning on a thin dime.
For me your wit is honed to killing sharpness.
But I never catch you simply smiling, anymore.
I Shall Not Be Moved.
By Maya Angelou***

BILLS FILED TO OVERHAUL ADMINISTRATION OF STATE'S MENTAL HEALTH AND SUBSTANCE ABUSE PROGRAMS

Bills aimed at restructuring administration of Florida's mental health and substance abuse system so that it can more effectively serve people who need publicly-funded treatment services will be in the spotlight this legislative session. Proponents of the move say an independent and specialized organization will have greater capacity to respond to advances in treatment interventions and translate them into practice in the community.

One proposal has been filed by Tampa Rep. Sandra Murman. Her bill (HB 433) would create an independent Agency for Mental Health and Substance Abuse Services within the Department of Children & Families. The new agency would be a separate budget entity and would be responsible for all state-funded mental health and substance abuse services, including mental health institutions.

Another approach is taken in a bill filed by Sen. Evelyn Lynn, R-Ormond Beach. Lynn's bill would move mental health programs only to the Department of Health, but would leave substance abuse programs in DCF. Sen. Durell Peaden, R-Crestview, is also filing a bill to reorganize administration of mental health and substance abuse programs. His bill is expected to be identical or similar to Murman's.

Creation of a specialized agency with greater visibility and "empowered leadership" is being advocated by the Florida Council for Behavioral Healthcare (FCBH), which represents nearly 70 community mental health centers and other behavioral health organizations. The Florida Alcohol & Drug Abuse Association is also advocating for an autonomous behavioral health agency.

"For years, mental health and substance abuse services have taken a back seat to the overwhelming demands of the child welfare system," said FCBH President Bob Constantine, Ph.D. "If these programs remain in the department, the priority given to mental health and substance abuse services is not likely to improve. In fact, the more aggressive child safety agenda being undertaken by DCF will probably further reduce attention to mental health and substance abuse issues."

In its 2001 report to the Legislature, the Florida Commission on Mental Health and Substance noted the lack of leadership needed to articulate a strategy for the overall improvement of the system. "The absence of a single point of accountability has made governance of the system far more difficult than architects of the original public system anticipated," the report said.

Constantine said his organization's board of directors would have preferred creation of a separate department of mental health and substances. "However, we agreed that regardless of what organization option is ultimately adopted, it should include key elements." Among those are:

- Separate offices for mental health and substance abuse, each with its own director and appropriate administrative support staff.
- Independent budget authority for mental health and substance abuse programs.
- Line authority over field staff to ensure greater consistency in policies, quality standards and data requirements across the state.
- Responsibility for directing and managing all state mental health and substance abuse appropriations now allocated to DCF, as well as those behavioral health services funded through Medicaid.
- A specified leadership role to collaborate with other state agencies providing mental health and substance abuse services and help them remain current with new developments in treatment interventions and service delivery.

Constantine said those elements are contained in Murman's bill, along with the mandate that the new agency ensure that children and families in the child protection system have access to needed mental health and substance abuse services.

If Murman's bill passes, DCF will be required to convene a transition team by July 1, 2003. A transition plan would be due Nov. 1, 2003, and the new agency would begin operations on Oct. 1, 2004.

(This article contributed by the Florida Council For Community Mental Health.)

GOVERNOR BUSH'S PROPOSED 2003-04 BUDGET

Generally...

- Factoring out the accounting changes, this year's spending proposal is about \$54 billion, about **\$4 billion or 8 percent more than the current budget**. More than \$2 billion would be borrowed to begin building new classrooms that would be financed by the state's communication's tax. Another huge chunk – about \$1 billion – would go to pay for new public school students and Medicaid growth. The other budget area to receive significant spending increases is DCF, with a proposed \$138 million increase to hire more than 300 caseworkers and raise the salaries of current workers.
- Bush puts the blame for the budget woes squarely on Amendment IX, the controversial **Class Size Amendment**. The Governor was quoted in several papers: "It truly does have a solar eclipse-like effect on the budget and state policy."
- Bush **reallocates money** from college students, businesses and business professionals, city and county governments, environmental programs, and human service programs, and funnels hundreds of millions of new dollars into skyrocketing Medicaid and public school enrollment, and funding of the voter approved class-size amendment.
- The Governor has declared reading as his top priority. Indeed, one of the bright spots in his proposed budget is a \$19 million increase – to \$30 million – for **Just Read, Florida!** – a reading initiative intended to ensure all Florida students read at grade level by the end of 3rd grade. Coupled with an expected \$51 million in federal reading grant money, Just Read, Florida! And other reading initiatives total more than \$80 million next year to spend on reading initiatives.
- No pay raises for **state workers**; eliminates 2,905 state positions; state employees would pay higher insurance premiums beginning July 1; \$130 million to continue bonus plan for state employees (in the past 2 sessions legislators have funded general pay increases of 2.5 percent, in addition to bonuses of \$1,000 or less for top performers).
- Does not include the \$100 million sought by **high-speed rail** proponents to start constitutionally mandated system between Tampa and Orlando.
- The Florida **Legislature has the final say**. The only bill it is constitutionally required to pass is the budget bill, and it can contain all or none of the Governor's requests, or anything between.

Revenue...

- Continued phase out of the **intangibles tax** – extended this year to those with \$500,000 portfolios - will result in a loss of \$116 million this year, about the same as the proposed \$111 million cut for universities.
- Worst of all, the state would dig itself deeper into debt, spending about **\$1.5 billion in one-time revenues** to meet tomorrow's needs.
- About **20 percent of the state's sales tax revenues are paid by tourists**, which could evaporate overnight with war.
- The budget pits **K-12 education against universities** and colleges by putting class size against budget cuts and tuition increases in higher education.

Governor's Budget (continued)

- Bush would resurrect the **sales tax holiday**, a nine day period for tax-free clothes shopping and month long tax holiday on book purchases, costing the state about \$60 million in lost tax revenue.
- The Bush plan seeks legislative approval for a five year, \$2.8 billion bond backed by growth in the **telecommunication tax revenues** to pay for the class size amendment.
- By next year, Florida will be just **\$1.57 billion shy of its credit cap**, far less than the \$2.4 billion worth of classrooms state economists have predicted the state will need to build to comply with the first year requirements of the class size amendment. State law limits Florida's debt to no more than 7 percent of the money available to repay the loans.
- Democrats argue that the **\$6 billion in tax cuts** Bush and the Republicans have passed since 1999 have compounded the problem. During that same time, the state borrowed \$3.8 billion for schools, roads, and environmental lands. Debt repayment now constitutes \$1.4 billion of the state's annual \$50 billion budget. Republicans contend that if the state had not cut those taxes and instead had increased the state budget, Florida would be facing an even tougher budget cutting session than it is now. By the end of 1999, Florida's debt was \$16.8 billion, compared to \$5.8 million in 1990.

Juvenile Justice...

- Reduces Department of Juvenile Justice operating budget by about **\$53 million**, from a total of \$630 million.
- Virtually eliminates **prevention and treatment programs**.
- Effective October 1, the proposed budget would **shift \$64.3 million to counties** the burden jailing juveniles who are waiting for courts to determine whether they're delinquents, similar to the way in which adults are handled in the system currently.
- The Florida Network of Youth and Family Services, representing 32 shelters for runaways statewide – **CINS/FINS**, estimated its budget would be cut from \$27 million to \$12 million.
- Proposes eliminating \$9.7 million for **PACE Center for Girls**, a Jacksonville-based education and treatment program with 19 Florida centers. The proposal would cut the organization's budget by half.
- Provides **\$2.3 million to open three additional juvenile detention centers** statewide, including a 50-bed residential center in St. Johns County.
- Proposes an additional **\$75.7 million to build 4,148 additional prison beds** for adults in the Department of Corrections.
- The Governor's budget cuts \$32 million for runaway shelters and counseling, turning the **responsibilities over to DCF** with only a fraction of the money.

Education...

- **\$899 million increase for education** – \$247 per student, a 4.65 percent increase. If this passes, the average increase in K-12 spending for the past five years under Bush would be \$760 million. About half of the proposed increase for next year would be required to come from counties (i.e. property taxes)
- More than **67,500 additional children** are expected to enter Florida's 2.5 million-student K-12 education system next year, costing taxpayers another \$351 million.

Governor's Budget (continued)

- First year cost of implementing **Class Size Amendment** is about \$3 billion.
- **Universities would lose** \$111.5 in general revenue and \$76 million from campus construction funds are reallocated to K-12 schools..

Counties...

- Bush's budget may result in **higher taxes**: the \$64 million required of counties to house juveniles until their hearings and the additional \$417 million earmarked to schools from increases in the taxable value of real estate also could translate into tax increases.
- The Governor's plan **transfers more than \$200 million** worth of programs to the state's 67 county governments.
- According to the county governments, Governor Bush's proposed budget includes 16 large funding cuts to counties, including cuts in everything from recycling grants to mobile home fees. The Florida Association of Counties estimates that these cuts could result in **increased property taxes amounting to some \$237 million**, or force dramatic cuts in community services.

Human Services...

- Health and Social Services - \$6.3 billion – an overall \$1.1 billion increase, including \$255 million more for the Department of Children and Families.
- The Governor's plan would boost the DCF budget by \$256 million – half of what DCF Secretary Jerry Regeir requested – to about \$4 billion. Most of the increases deal with child welfare spending (up by 16 percent) assistance for the developmentally disabled, and domestic violence shelters.
- A program that helps about 143,000 poor people pay for **hearing aids and eyeglasses** would be slashed this coming summer by about \$17 million.
- Medicaid recipients who go to the **emergency room** when the emergency room doctor determines that their cases are not true emergencies will be required to pay a \$15 fee, thereby hoping to reduce the number of Medicaid patients going to emergency rooms.
- An already 10,000-person waiting list for **developmentally disabled services** will balloon under the budget.
- The amount of money the state spends on **child welfare services** doubled from \$414 million in 1998 to \$847 million in 2002, according to the Governor's Office. Bush's budget would direct \$48 million toward better pay of the Department's front line staff, caseworkers, and their supervisors. Another \$28 million would go toward hiring additional staff.
- Seeks an additional **376 DCF case workers** and proposes raising their starting salary by about \$4,000, to roughly the national average, about \$34,000 a year.
- \$109.4 million in **Silver Saver Program** (a \$6.5 million increase).

Basic Math

- *Time between slipping on a peel and smacking the pavement: 1 bananosecond.*
- *Weight an evangelist carries with God: 1 billigram*

UNFORTUNATE CONVERGENCE

. . . The worst budget year in recent history (\$2-\$4 billion deficit).

. . . Skyrocketing costs for implementing recent Constitutional amendments.

. . . Turmoil between the houses and within the ruling party (divergent).

. . . A triumvirate of insurance crises – worker's comp, med mal, and PIP.

. . . A proposed Governor's budget that slices and dices almost everything.

. . . Difficult economic times increasing citizens' needs, and less money to assist them.

. . . A child welfare system in dire need of repair.

. . . Juvenile justice prevention programs, medically needy, Medicaid transportation, and a host of other issues that, left un-addressed, will result in lost human and economic potential, and even death.

Not enough money.

The factors above – and more – have converged to catapult the 2003 legislative session into unknown and tumultuous waters.

The Governor's budget – highlighted and low-lighted in this issue - has set the tone for the session. Once again, human service advocates will feel lucky merely to maintain funding levels for quality programs. As well they should.

Once again, the Senate stands poised to battle the House, and to a slightly lesser degree the Governor, regarding the need to consider new revenues. The outcome of this battle will be highly determinative of how many of our programs are addressed.

It has never been more important for you – and people you know – to contact your legislators regarding the importance of human service programs you are associated with. For the past two weeks, the Senate has urged recipients of state services to testify before key committees to make a compelling case for continuing funding for the services they receive. Thanks to the leadership and vision of Senate President Jim King and Senate Appropriations Chair Ken Pruitt, the Senate is willing to think outside the box to minimize the damage to human service programs. But they need our help.

Contact your legislators today, tomorrow, and throughout the session to implore them to do what's necessary to protect the well being of those we serve. It will serve all of us well.

FUNNY SIGNS

On a Plumbers truck: "When your Pipes are Plugged Call The Rocket, I clean your pipes not your Pocket"

On a Plumbers truck: "We repair what your husband fixed."

TOBACCO TRUST FUND UPDATE

The Tobacco Settlement Agreement between the State of Florida and several major tobacco companies took place on August 25, 1997.

The following year (1998–99), the Lawton Chiles Endowment Trust Fund was created. It received \$1.7 million over the course of five years. According to the legislation in section 215.5601 3 (b), Florida Statutes, allocation of these funds ends this fiscal year (2002–03).

In 1998 the settlement was amended and called for five additional annual payments totally \$1.75 billion beginning in 1999. These additional payments end next coming fiscal year (2003–04). Interestingly, this figure is near the amount that was dedicated to the Chiles Endowment.

The tobacco settlement has been referred to by some as the Lottery for Human Services programming. Over the past six years, the Legislature has used the settlement to fund programs in the Agency for Health Care (AHCA), Department of Children and Families (DCF), Department of

Elder Affairs (DOEA), Department of Health (DOH), and even in the Department of Business Regulation (DBR).

Next year (2003–04), \$506,600 million will be available from the Tobacco Settlement, \$400,000 more than during this fiscal year.

(This article contributed by the Juvenile Welfare Board of Pinellas County.)

2003 UNITED WAY OF FLORIDA LEGISLATIVE ISSUE PAPERS

REVENUE MAXIMIZATION

Background:

Each year, Congress appropriates billions of dollars to individual states for specific health and human services. Many of these funds are made available to states on a matching basis, with the federal government sometimes even doubling funds used as match by the states. Unfortunately, Florida leaves millions of these dollars “on the table” in Washington, where they revert to the federal treasury or are used by other states to address their needs.

The Governor and Florida Legislature have successfully implemented strategies to draw down many federal funds using state general revenue dollars. During the 2003 Legislative session, the Florida Revenue Maximization Initiative will propose legislation that will build on those efforts by identifying ways by which community funds can be used as match to draw down even more federal money, without increasing the need for additional state general revenues.

Legislation being sought by the Initiative provides incentives for state agencies to partner with local communities to identify and utilize local funds (United Way, Children’s Services Council, local government, etc.) as match to draw-down millions of additional federal dollars for preventative and child and family services in Florida. These funds will supplement state funding without requiring additional state revenues (i.e., no new taxes). In addition, state agencies will be reimbursed for all costs they incur in undertaking these local partnerships, so there will be no cost to the state to draw down these additional millions.

THE UNITED WAY OF FLORIDA SUPPORTS LEGISLATION ENCOURAGING STATE AGENCIES TO AGGRESSIVELY PURSUE – IN PARTNERSHIP WITH COMMUNITIES THROUGHOUT THE STATE - OPPORTUNITIES TO USE LOCAL FUNDS TO DRAW DOWN ADDITIONAL FEDERAL FUNDS FOR HEALTH AND HUMAN SERVICES.

- Florida leaves millions of dollars “on the table” in Washington – if we don’t use them, another states will.
- Millions of additional federal dollars can be leveraged using local monies to fill gaps in critically needed services.
- Using local funds to draw down additional federal dollars is revenue neutral on the state budget, requiring neither a tax increase nor increased general revenue obligations by the state.
- Every opportunity should be taken to vest local communities with the ability to succeed in community-based initiatives, such as school readiness and child welfare.

The Wisdom of Will Rogers

Never slap a man who’s chewing tobacco.
Never miss a good chance to shut up.
Always drink upstream from the herd.

DIRECT SUPPORT ORGANIZATIONS

The 2002 Florida Legislature passed HB 1177, authorizing the Department of Children and Family Services and the Department of Elder Affairs to establish Direct Support Organizations (DSOs). "Direct Support Organizations" are Florida non-profit corporations charged with raising funds, receiving grants, gifts, and bequests, and making expenditures for the benefit of state agencies and their projects and programs. The Legislature was unable to quantify the impact passage of the bill might have on Florida's health and human service charities.

DSOs are already authorized in statute for many departments and programs, including the Department of Education, District School Boards, Community Colleges, the Department of Corrections, and the Department of Juvenile Justice.

On May 24, 2002, Governor Bush vetoed HB 1177. In his veto message, he stated "...I have emphasized the importance of partnering with communities and the private sector and transforming our health and human service delivery system from one that is government-based to one that is community-based. Encouraging state agencies to reinforce themselves through the establishment of direct service organizations expands and promotes government and therefore is counter to this goal."

Senator Wise (SB 58) and Representative Gottlieb (HB 41) have filed legislation for consideration by the 2003 Legislature that would authorize creation of DSOs by the Department of Children and Families and the Department of Elder Affairs.

The United Way of Florida opposes legislation authorizing creation of direct support organizations (DSOs) for health and human services during the 2003 Legislative Session.

- Governor Bush had it right – human service DSOs constitute an improper role for government.
- United Way and other charitable organizations raise a significant amount of money that is already allocated to programs supported by the Departments of Children and Families and Elder Affairs. Creation of DSOs would result in competition between the departments and charitable organizations for those same dollars.

There is no evidence creation of DSOs would result in additional contributions being made to support human services.

FSECC: DMS REIMBURSEMENT

Background: In 1993, the Florida State Employees' Campaign was placed into Florida Statutes, and was renamed the Florida State Employees' Charitable Campaign (FSECC; s.110.181, F.S.). Pursuant to that law, the Florida Department of Management Services (DMS) provides staff support to the FSECC Steering Committee, which is comprised of state employees and charged with overseeing the Campaign. This support includes reviewing campaign brochures and pledge cards, enforcing eligibility requirements, reviewing and recommending agencies for acceptance or rejection, ensuring participants are properly registered with appropriate state agencies, etc.

Before 1993, DMS funded this staff position. The 1993 statute, however, requires that if the Legislature does not fund the position, DMS must be reimbursed for it out of gross FSECC contributions, not to exceed two percent (about \$20,000) of the total campaign. From 1993-1997, DMS was reimbursed by FSECC fiscal agents about \$17,000 annually. Since 1998, the Legislature has annually appropriated \$17,000 to fund the position, thereby negating the need to pay for it with FSECC funds.

State employee contributions to the FSECC are intended to be used for charitable purposes, to help people in need. Instead, up to \$20,000 of those contributions can be used to offset the state's cost for conducting the campaign - a cost that thousands of other large public and private employers absorb as a cost of supporting their employees and being good corporate citizens. The \$17,000 investment by the state yields more than \$2.9 million, which reduces the need for at least that amount of state funding for hundreds of individual and family support services.

The United Way - together with the other charities that state employees allow to participate in their annual campaign - must use state employee contributions to pay DMS for its campaign staff support. Those contributions would otherwise go to help needy citizens. This reduces the amount of money available to help people in need, and is contrary to the intent of state employees who contribute to the campaign.

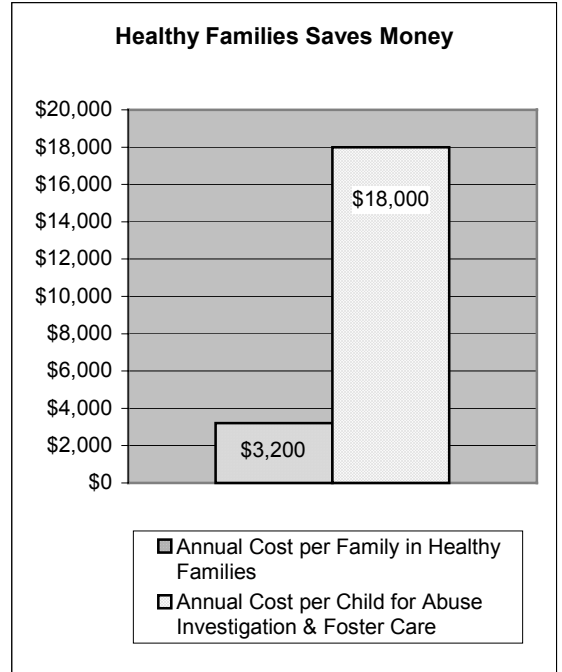
The United Way of Florida urges the 2003 Florida Legislature to appropriate funds to the Department of Management Services for providing staff support for the Florida State Employees' Charitable Campaign.

HEALTHY FAMILIES FLORIDA FUNDING

Background: Every five days, a child dies from abuse or neglect in Florida. Nationally, the Healthy Families program has a 20+-year history of successfully preventing child abuse.

These two facts compelled the 1998 Florida Legislature to pass legislation and appropriate \$10 million to create the Healthy Families Florida program. Contracted by the Florida Department of Children and Families to the Ounce of Prevention Fund of Florida, Healthy Families Florida is a voluntary, community-based, intensive home visiting program intended to help parents strengthen their families, thereby reducing family dysfunction which results in an array of negative social outcomes.

The 2002 Florida Legislature appropriated Healthy Families Florida its “base” budget of \$22.2. These funds are being used, together with a 25 percent local match, to provide funding to 38 Healthy Families sites in 49 counties, serving more than 10,000 families during FY 2000-2001 in zip code areas with the highest incidences of child abuse and neglect.



Department of Children and Families (DCF) Secretary, Charles Regier, has recommended that the 2003 Florida Legislature appropriate an additional \$12 million to the Healthy Families program, raising its total appropriation to \$34.2 million. These funds would allow the program to serve thousands of new families in areas already being served and in additional high-risk areas.

THE UNITED WAY OF FLORIDA SUPPORTS AN INCREASED APPROPRIATION TO HEALTHY FAMILIES FLORIDA BY THE 2003 FLORIDA LEGISLATURE.

- Unless we want to continue footing increasingly exorbitant bills for “back-end” services, “prevention” must become a priority for our state. Healthy Families is a proven prevention program that should be maintained as a priority by the State.
- The costs of adverse social outcomes that can be avoided through use of Healthy Families Florida far outweigh the costs of the program. (It costs \$22,000 for one child abuse investigation plus a year of foster care, but only \$3,200 annually to serve an entire family through Healthy Families.)

- *Amount the Bush Administration paid this year to buy back oil and gas drilling leases off Florida’s coast: \$115,000,000*
- *Factor by which this exceeds the price that the Reagan Administration received for selling them: 7*

SCHOOL READINESS FUNDING

Background: The 1999 Florida Legislature passed the “School Readiness Act”. The Act fundamentally reconfigured Florida’s early care and education system by placing the state’s two largest early care and education programs – subsidized child care and the Pre-kindergarten Early Intervention Program – under the direction and control of the Florida Partnership for School Readiness and local school readiness coalitions. The intent of the Act is to provide a better early care and education system for all of Florida’s children. By passing it, the Legislature recognized that providing a positive and rich early childhood experience for children can play a huge role in determining their future academic and social success.

In November 2002, Florida voters overwhelmingly approved an amendment to the Florida Constitution requiring implementation by 2005 of a universal, voluntary, quality pre-kindergarten program for all four year olds.

The 2003 Legislature may implement the pre-k amendment in a variety of ways. Governance, structural, operational, and funding issues relating to the new pre-k program are all on the table. How they are decided will have a profound impact on all other school readiness programs.

In January, 2003, A broad-based group of representatives from virtually all constituencies engaged in the school readiness arena proposed a set of Core Values intended assist the 2003 Legislature in its deliberations about the pre-k/school readiness issues. The group included representatives from the Partnership (staff), local coalitions, school districts, Success By 6, United Way, pre-k providers, private providers, central agencies, faith based groups, family child care, before-and-after school care, subsidized child care, Head Start and other advocates. The Core Values are:

- Retain a single unified administrative structure for birth to 5, and school-age child care (do not separate out UPK from existing child care and school readiness programs).
- Implementation must not adversely impact birth to 3 and before/after school care.
- Must be a private/public partnership that allows public, private, and faith-based providers to participate.
- Parent choice options must be available, and parent involvement must be incorporated to the maximum extent possible.
- Scientific research-based curricula must be required and encompass a strong early literacy focus.

**THE UNITED WAY OF FLORIDA URGES THE 2003 FLORIDA LEGISLATURE TO
ADOPT THE CORE VALUES IDENTIFIED ABOVE AS THE DEFINITIVE
IMPLEMENTATION PARAMETERS FOR THE CONSTITUTIONALLY MANDATED PRE-
KINDERGARTEN PROGRAM.**

The Core Values identified above will ensure that Florida’s pre-kindergarten and school readiness programs are the highest quality, most family friendly, cost efficient, and integrated programs possible. A carefully designed delivery system that effectively embraces these Core Values will have as its end product children who have the social, emotional, physical and learning readiness skills shown to be predictors of school success. This must be our ultimate goal.

HOUSE APPROVES TANF REAUTHORIZATION BILL (H.R. 4)

Reducing child care eligibility, education and training while increasing work requirements

Current law requires states to have 50% of their welfare recipients engaged in federally-defined "work". If a state chooses to serve two-parent families, those families are calculated separately, and a state must have 90% of them in federally-defined "work".

The TANF Reauthorization Bill (H.R. 4), recently passed by the House of Representatives in Washington, will increase the 50% work requirement by 5% per year until it reaches 70% in 2007. No separate calculation is required for two-parent families. In addition there will no longer be a reduced 20-hour work week for mothers with children under six.

In 2002 the Congressional Budget Office estimated it would take \$10 billion to cover current child care assistance needs and added work requirements--and this does not even take into account increased demand during poor economic times.

The House has not come close to funding its proposed changes. It proposes only a \$1 billion increase over 5 years in Child Care Development Fund discretionary funding (CCDF), only \$200 million a year, barely equal to the cost of inflation and not nearly enough to meet the need. In addition, discretionary funds must be appropriated annually and compete with other programs.

As a result, according to the Child Welfare League of America, HR 4 will provide funding for only 1 child out of every 7 children eligible for the program. According to the Administration's own budget, the number of children who will receive child care subsidies is projected to drop by 200,000 by 2007.

Welfare-to-work families need training and education to get good jobs to take care of themselves and their families. Even so, the House TANF bill removes higher education opportunities and limits work-related training to no more than 16 hours of activities defined by the state.

TANF today means far more than a welfare check. More than one million working families receive TANF-funded benefits and services — like child care and transportation assistance— to help them keep their jobs and make ends meet. The House TANF bill will undercut funding for these work supports, forcing more families out of the workforce and onto "workfare" as they remain part of the working poor.

The House TANF bill would make it harder, not easier, for states to help families become self-sufficient. The new work participation requirements will push cash-strapped states to substitute low-paying jobs for jobs that pay a living wage and offer promotion and financial security.

Welfare-to-work research confirms that programs that mix work and training improve outcomes for welfare-to-work recipients, but the House TANF bill instead forces "work first" programs on states and families.

Unfortunately, HR 4 continues a disturbing trend - The real value of the federal TANF block grant has fallen by 13.5 percent since 1996.

Remember: This is only the House version. The Senate has yet to unveil its proposal.

(This article contributed by the Juvenile Welfare Board of Pinellas County.)

THE SILVER SAVER DRUG PROGRAM – THE BANE OF ELDERS?

Toward the end of the 2002 Session, Governor Bush unveiled a new prescription drug plan, now known as the Silver Saver Plan. The Plan was promoted as a way utilize the existing state pharmacy assistance program that provided up to \$80 a month to seniors between 90% and 120% of poverty and that was totally funded with state dollars. The Silver Saver program expansion is based on a new federal waiver that will allow the state to draw down federal matching Medicaid dollars.

The Silver Saver program provides up to \$160 coverage per month, double the amount provided under the old state pharmacy assistance program, and covers seniors from 88% to 120% of poverty at. This was to pick up seniors cut off of the Meds/AD (Medicaid for the aged and disabled program). Because federal match money is involved, more seniors are eligible for the Silver Saver Plan, although it is estimated that the program only covers about 2% of seniors in Florida or 60,000 recipients.

But the federal waiver that allows the state to implement the Silver Saver Program has some little-known financial strings attached that could destroy the ability of the state to serve thousands of seniors in the future; the most problematic being a five-year cap as part of a block grant on Medicaid spending for all Senior citizen programs.

By accepting the federal waiver, the state has agreed to a global cap on all Medicaid spending on people over 65. This cap is not limited to prescription drugs; it applies to all spending on seniors, including nursing homes, long-term care, and community based services. Essentially, Florida has agreed to accept \$16.7 billion in Medicaid dollars for seniors spread over five years, about \$3.34 billion per year. After the five year period, the state will only be allowed to receive 8% annual Medicaid increases per year for senior services. If the state accesses more than it's block-granted amount (\$16.7) during the next five years, the amount that it accesses in excess of the \$16.7 million will be deducted from the funds it is eligible to receive in subsequent years.

This component was not discussed by the legislature, nor does it appear specifically in the waiver request. Instead, it is in the attachments included in the waiver contract.

More information can be found regarding the Pharmacy Plus Waivers on the Families USA website. (<http://www.Familiesusa.org>)

(This article contributed by Karen Woodall.)

*"I don't do drugs anymore 'cause I find I get the same effect just standing up fast."
"If flying is so safe, why do they call the airport the terminal?"*

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