

Legislative Link

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

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STATE CREATES 55,000 LATCH-KEY KIDS??

For more than 25 years, subsidized child care funds have been used to provide both “child care” for infants, toddlers and preschoolers, and before and after school care for school-age children. Florida’s subsidized child care budget is about \$580 million, of which close to \$100 million is being used this year to provide before and after school services to about 55,000 at risk children.

Unfortunately, one of the many early care and education statutory provisions that was repealed by the 2001 Legislature was the provision that authorized use of subsidized child care funds for before and after school services; neither the Partnership for School Readiness nor local School Readiness Coalitions have statutory authority to apply subsidized child care funds for those programs. Consequently, more than 50,000 school age children and their families are at risk of losing these services. The results could be disastrous.

Numerous studies show that low-income parents must have before and after school care for their children in order to attain and maintain employment. Likewise, latch-key children are at far greater risk than their peers for being abused, getting into trouble, and not doing well in school.

HB 1135 by Representative Nan Rich and SB 1810 by Senator Wasserman Schultz would allow the Partnership and Coalitions to continue to use subsidized child care funds to provide these invaluable services. Hopefully, the 2002 Legislature will recognize the adverse consequences of failing to authorize the use of subsidized child care funds for before and after school care, and pass these good bills.



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



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“Excellence is an art won by training and habituation. We do not act rightly, because we have virtue or excellence, but rather we have those because we have acted rightly. We are what we repeatedly do. Excellence, then, is not an act but a habit.” – Aristotle

BILLS HEARD LAST WEEK

HB 523 (Ball) Community Human Services Infrastructure - Includes state attorney and public defender among those persons who may be added to membership of local community alliance for human services.

Last Action: 1/24/02 Favorable by Child and Family Security 6-0

HB 863 (Joyner) Moses General Miles Act - Authorizes Institute on Urban Policy and Commerce at FAMU to develop grant program for pilot projects in assisted living facilities to provide non-institutional long-term care for elderly persons in urban distressed communities.

Last Action: 1/30/02 Committee Substitute (CS) Favorable by Elder and Long-Term Care 9-0

SB 158 (Wasserman Schultz) Florida Infant Crib Safety Act - Prohibits commercial users from manufacturing, remanufacturing, retrofitting, selling, contracting to sell or resell, leasing, or subletting specified cribs determined to be unsafe for use by infants; prohibits transient public lodging establishments from offering or providing for use specified cribs determined to be unsafe for use by infants; provides exemptions.

Last Action: 1/23/02 CS by Commerce and Economic Opportunities 7-0

SB 302 (Burt) Juvenile Detention - Authorizes court to continue to hold juvenile in detention if court finds that juvenile is a clear and present danger to himself or herself or to community; requires that court specify by written order the need for and benefits derived from continued detention; provides for future repeal, etc.

Last Action: 1/30/02 CS by Children and Families 7- 0

SB 596 (Health, Aging and Long Term Care Committee) Long Term Care - Provides legislative findings and intent regarding needs of state's elderly population; requires AHCA and Department of Elder Affairs to submit plan to Governor and Legislature for reducing nursing-home-bed days funded under Medicaid program; provides additional requirements for AHCA in determining need for additional nursing-facility beds; establishes Office of Long-Term-Care Policy within Dept. of Elder Affairs.

Last Action: 1/29/02 CS by Health, Aging and Long-Term Care 10-0

SB 598 (Peaden) Community Mental Health Services - Requires that DCF expand community mental health services by implementing programs that emphasize crisis services, treatment, rehabilitation, support, with case management.

Last Action: 1/24/02 CS by Children and Families 6-0

SB 716 (Peaden) Domestic Violence Program - Requires DCF to operate domestic violence program; specifies program purposes; repeals provision regarding "Prevention of Domestic and Sexual Violence Program"; specifies amount of funds available for use by DCF and FDLE; repeals provisions regarding funding for Prevention of Domestic and Sexual Violence Program.

Last Action: 01/24/02 Favorable with 1 amendment by Children and Families 6-0

SB 734 (Children and Families Committee) Family Services - Redefines terms "domestic violence", "family or household member," and "dating relationship" for purposes of cases involving domestic violence; requires Supreme Court to develop pre-suit mediation pilot programs and provides requirements for programs; revises timeframe for completing parenting course; repeals provisions regarding Florida Family Visitation Network, etc.

Last Action: 1/24/02 CS by Children and Families 6-0

SB 1018 (Burt) Joint Resolution Lawton Chiles Endowment Fund- Constitutional amendment to authorize Legislature to appropriate investment income from Lawton Chiles Endowment Fund as provided by general law and to limit use of principal of endowment fund to emergencies that relate to children's health or welfare programs or community-based health and human services.

Last Action: 1/29/02 Favorable by Health, Aging and Long-Term Care 9-0

2002 TAX REFORM??

Most readers have probably heard or read about Senate President John McKay's proposal to change Florida's tax system. Here's some background....

Florida's Tax System: Background

President McKay points out that the state's sales tax was placed into Florida's Constitution in 1949 – at a 3% rate - when Florida was the 20th most populated state, at 2.25 million. The intent was to entice individuals and businesses to move to the state. The only major new tax since 1949 was created when Governor Ruben Askew implemented a corporate income tax in the early 1970's.

Today Florida is the 4th largest state, with a population approaching 17 million. In addition to the substantial societal and economic changes that have taken place in the last 53 years, McKay points out that Florida is becoming increasingly dependent on a relatively shrinking resource; in 1964 the sales tax applied to about 68 percent of Florida's economic activity, while today it applies to only 55 percent.

Part of the reason is because Florida annually exempts more from its sales tax than it collects, exempting about \$23 billion each year and collecting about \$17 billion.

President McKay's Proposal

President McKay is proposing a constitutional amendment to go on the 2002 ballot that will change Florida's tax structure. The ballot initiative has five major components. It would:

- Lower the state sales tax rate from 6 percent to 4.5 percent.
- Keep sales tax exemptions on groceries, rent, prescription drugs, health care services, and basic phone service.
- Remove about \$9.5 billion in exemptions, including services such as advertising and attorney's and architectural fees.
- Eliminate certain other taxes including taxes on individual alcoholic drinks and the intangibles tax on investments.

- Require a three-fifths majority in both the House and Senate to raise the sales tax rate in the future or to add additional exemptions.

Once the law is in place, lawmakers would come back in 2004 to reinstate some of the exemptions in order to ensure the state takes in the same amount of money as the year before.

IN A Nut Shell: President McKay wants to lower the sales tax from 6 percent to 4.5 percent and offset the resultant loss of revenue by eliminating sales tax exemptions for purchase of accounting and attorney services, advertising, and other services that would largely be paid by businesses.

He Says, She Says

McKay stresses that his proposal is not a tax increase. It would be revenue neutral, raising the same amount of money initially as does the current tax structure. He also points out that the plan would save the average Florida household about \$150 a year, provide a more stable funding mechanism for state government, and be more equitable to low income households.

Governor Bush has voiced his opposition to the bill, but has agreed that reasoned debate should be held, while House Speaker Tom Feeney has vowed to kill it. Both echo the contentions of the state's business community that the increased taxes paid by businesses will result in higher prices for everyone and further deteriorate Florida's business friendly environment.

Where the Proposal Stands

Seeking to preserve the \$235 million exemption its members enjoy, the Florida Association of Broadcasters has joined the state's largest business organizations and begun an aggressive advertising campaign to convince voters that the proposal is fatally flawed.

Allegations have flown in both directions, as the proponents and opponents charge that their adversaries are, if not lying, intentionally misleading the public.

Prognosis

President McKay's proposal passed the Senate last Thursday 31-9, but, without extraordinary (divine?) intervention will die in the House. In this year of reapportionment politics, such intervention may not be totally out of the question.

Some examples of the apparent irrationality of Florida's sales tax system:

TAXABLE	EXEMPT
Movie tickets	Movie-production equipment
Dog and cat food	Feed for poultry, ostriches, dairy cows, and race horses
Purchase of pet dog	Purchase of racing dog from breeder
Little League equipment bought out of state	Professional team's sports equipment that is removed after the season
Chocolate-covered peanuts	Bag of peanuts
Candy apple	Apple
Tea in liquid form	Tea bags
Lemonade	Lemon Juice
Interior decorator's services	Pubic stenographer's services
Party boat fee	Charter fishing boat fee
Foreign flags	U.S. and Florida flags

Source: Florida Administrative Code, Florida Department of Revenue

EXEMPTIONS THAT COULD BE REPEALED

<u>Sales Tax Exemption</u>	<u>Estimated Value</u>
Chartering fishing boats	\$30.3 million
Funerals	\$20.7 million
Feed for poultry and livestock, including racehorses and ostriches	\$19.8 million
Religious items, such as Bibles, prayer books, and hymnals	\$8.7 million
Property leases for movie productions	\$4.4 million
Florida and U.S. flags	\$1.7 million
Items sold by parent-teacher associations to raise money for schools	\$1.6 million
Tickets for theatre, opera and ballet events put on by non-profit groups	\$1.6 million
Super Bowl tickets	\$800,000
Skybox rentals for high school or college football games	\$700,000

ARE YOU A SUBSTANCE ABUSER?

Senate Bill 636 and House Bill 701 have been filed for legislative consideration during the 2002 Legislative Session, and they're causing a stir among civil libertarians. The bills would require pharmacists to report to the Department of Legal Affairs the name, address and other information relating to any individual who is prescribed controlled substances by their physician, dentist, etc. The Department would be required to maintain a database containing this information that could be used to expedite identification of substance abusers. Even the name and contact information of an aging family member who is terminally ill and needs pain medication would be added to the database.

Of course, some individuals become addicted to pain medications and, as a result, commit crimes, among other things. Legislators this session will be asking whether or not everyone who receives such medication should have their name, address, and prescription information catalogued by the state.

KUDOS TO PFIZER

Pfizer Pharmaceutical Company launched its Share Card Program on January 15th. The program allows 1) individuals who are 65 or older, or otherwise Medicare eligible, 2) who have individual gross annual incomes below \$18,000 or joint gross incomes below \$24,000, 3) and who are without prescription coverage to receive a Pfizer for Living Share Card. For \$15 per month each, Share Card holders will be able to fill all of their prescriptions with Pfizer prescription drugs, as well as two co-promoted drugs. There is no membership or enrollment fee, the Share Card will be accepted at most retail pharmacies in the United States, and there is no limit on the number of prescriptions or medications.

Enrollment will be open on February 1st, and on March 1st cards will be able to be used at participating retail pharmacies. For additional information on the Pfizer program or to receive an application to participate, call 1-800-717-6005, or visit www.pfizerforliving.com.

- All of sub-Saharan Africa has fewer fixed telephone lines than Manhattan alone. (Newsweek, August 27, 2001)
- Half of the people living in Africa survive on less than \$2 a day. (Newsweek, August 27, 2001)
- Who says the Japanese is becoming more aggressive? ... Following their surrender in World War II, Japanese citizens became highly skeptical of the need for military actions to solve their problems. In fact, the skepticism is so deep that, in recent polls, almost half the country opposes using the army even if Japan were invaded! (Newsweek, August 27, 2001)

MEMBER PROJECTS = TURKEYS?

Legislators have submitted requests to spend more than \$3 billion more next year on member – or district – projects than they did this year. These projects, many badly needed by their communities, are often called “turkeys” because most do not receive much legislative scrutiny. Senators have requested \$1.56 billion in member projects, while House members have requested \$1.51 billion. Of course, these requests come on the heels of a \$1 billion budget cut that was made just last month by the Legislature during its second 2001 special session. While there is a clear difference of opinion among observers regarding member projects, many legislators believe they are a significant and legitimate part of a legislator’s job. After all, most legislators believe they were elected to represent their local constituents and “bring home the bacon”.

While single member districts do allow legislators to hold that view – and in many ways encourage it – the member projects certainly should be put in the context of the overall state budget, a budget that is in bad shape. Some of the special projects include \$850,000 for a softball complex, \$2 million for equestrian facilities, and \$275,000 to analyze garbage generated at Florida prisons. Governor Bush, who has vetoed more member projects than any Governor in history – having slashed almost \$1 billion in member projects over the last three years - is likely to keep his veto pencil sharpened during the final year of his first term.

PRISON POPULATION GROWS

During the 1990's, Florida's prison population grew about 2.5 times faster than the general population, according to the US Census Bureau. Census figures show that 71,319 prisoners were behind bars in Florida's 106 prisons last year, a 60.7 percent increase over the 44,381 prisoners incarcerated in 1990. By contrast, Florida's general population increased by only 24 percent, from about 13 million to more than 16 million during the same period. The biggest reason for this increase in prisoners is the Legislature's "Get Tough on Crime" position during the 90's. The biggest impact is the law that bars early release and requires that most inmates serve at least 85 percent of their sentences. Last year, inmates were serving at least 80 percent of their sentences, on average, versus 34 percent in 1992.

UP IN SMOKE

As part of its 1997 settlement with the tobacco industry, Florida will receive about \$13 billion over 25 years. When it received its first installment payment from the cigarette companies four years ago, the Legislature appropriated \$70 million to start the Youth Tobacco Control Program, an education program intended to keep youth from smoking. The campaign was highly effective.

The Florida Department of Health reports that the program played a key role in reducing smoking by middle school students by 47 percent, and by 30 percent among high schoolers. The campaign was viewed nationally as a great success.

In 1998, \$70 million was allocated out of the tobacco funds for the Youth Tobacco Control Program. Last year, the Legislature reduced that amount by almost half, allocating \$37.3 million to the program. During

the Special Session, that funding was reduced by 20 percent, to \$29.8 million. Governor Bush has suggested cutting yet another million dollars from the program next fiscal year.

Given the long-term fiscal impact of smoking on the state, together with other associated personal and societal costs, the American Cancer Society and other advocates are pressing the Legislature to allocate more of the tobacco funds for the youth education campaign.

The tobacco funds, like trust funds across the board, are being used to replace general revenue in numerous programs by the Legislature. This replacement results in fewer dollars being available for the campaign.

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- **Percentage changes since 1998 in the amount Americans spend each year on prescription drugs: +40**
 - **Estimated amount Tiger Wood's caddie made last year: \$1,000,000**
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CORPORATE INCOME TAX CREDIT TAKEN

Last year, the Legislature passed the Corporate Income Tax Credit Scholarship Program, a voucher type program that allows Florida corporations to receive a dollar-for-dollar corporate income tax credit for providing funds to scholarship organizations that pay up to \$3,500 for a low-income child to attend a private school, or up to \$500 in transportation costs for a student to transfer from one public school to another. Florida Power and WCI Communications became the first corporate contributors to the program earlier this month when they each donated the maximum \$5 million allowed under the statute.

211 BILL APPROVED

Last July, the Federal Communications Commission authorized use of the telephone number "211" for community information and referral services. Last Monday, the Health Services Task Force took the first step toward authorizing a statewide, Florida 211 Network.

Comprised of the Department Heads from all state departments providing health care services and co-chaired by the Health and Human Services Appropriations Subcommittee chairs from the House and the Senate, Representative Murman and Senator Silver respectively, the Task Force recommendation should carry considerable weight during the 2002 Legislative Session. Last Monday, the Task Force approved sending its bill to the Legislature, and Senator Silver filed it (SB 1276).

Known as the "Florida Health and Human Services Access Act," the bill provides for phased implementation of a comprehensive, automated system for access to health care services in the state of Florida. The first phase will be a pilot project in one or more contiguous counties to demonstrate the feasibility of integrating eligibility determination for health care services with information and referral services. Upon demonstration of the feasibility of the first phase, and subject to appropriation of necessary resources, a detailed implementation plan is required to be developed for the care management component of the new system.

The intent of the legislation is to establish a pilot project to demonstrate the feasibility of combining the easy access to information provided by information and referral services with a streamlined and simplified approach for determining eligibility for state funded health care. Focusing on the benefit eligibility component of the system, the pilot project is required to include simplified access through coordination with information and referral telephone systems, which does not preclude the use of other methods of application for state funded health services, including mail in applications, office visits, or online applications by the internet.

A Health Care Access Steering Committee, comprised of the Secretaries of Health Care Administration, Children and Family Services, Elder

Affairs, and Health, and a representative of the Florida Alliance of Information and Referral Services, is created to oversee the pilot project. In consultation with the Steering Committee, the Agency for Health Care Administration (AHCA) is required to implement the pilot project using a single form of electronic application for state services, yet permitting application through various entry points. The pilot project must focus on developing a process for eligibility application which is linked to a shared database that will have the capability to sort or store information by families as well as by individuals; permit electronic input and storage of data; and include an initial screening component for referring applicants to other health and human services.

The information and referral provider in the site selected by the pilot project must, among others: 1) execute a memorandum of understanding with local community volunteer placement centers, 911, and other emergency response agencies; 2) implement or be in the process of implementing a shared, web-based, information and eligibility database with community health providers and funders; 3) provide comprehensive I&R services, 24 hours per day, 7 days per week; 4) obtain teletypewriter and multi-language accessibility, either onsite or through a translation service; and 5) become accredited within three years by a nationally recognized information and referral accrediting agency.

The pilot project will include eligibility determinations for Medicaid, MediKids, Healthy Kids, KidCare, and other state and local publicly funded health and social services programs as determined appropriate by the Steering Committee.

By June 30, 2004, the Steering Committee must submit to the Governor and Legislature an evaluation of the pilot project which addresses, among others, the following questions: 1) What has been the impact of the pilot project on improving access to the process of determining eligibility? 2) Based on the experience of the pilot project, what is the projected cost of statewide implementation?; 3) What has been the impact of the pilot project on case load trends in publicly funded programs and what is the projected impact of statewide implementation?

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The bill also authorizes the planning, development, and implementation of a statewide Florida 211 Network, which shall serve as the single point of coordination for information and referral for health and human services. The objectives of the Florida 211 Network include providing comprehensive and cost effective access to health and human services information, improving access to accurate information by simplifying and enhancing state and local information and fostering collaboration among information and referral systems; electronically connecting information and referral systems; and establishing and promoting standards for data collection and distribution. The bill provides that in order to participate in the Florida 211 Network, a provider of information and referral services must be certified at the Agency for Health Care Administration. The Agency shall develop criteria for certification as recommended by the Florida Alliance of Information and Referral Services, and shall adopt the criteria administrative rules. If any provider of information and referral services or other entity leases a 211 number from a local exchange company and is not certified by the Agency, the Agency shall request that the Federal Communications Commission to direct the local exchange company to revoke the use of the 211 number.

CHILD DEATH REVIEW REPORT RELEASED

The second annual report of the Florida Child Abuse Death Review Team (CADRT) was recently released and presented to legislators. The report documents information regarding the 30 children who died in 2000 as the result of abuse or neglect. While there were additional child deaths during this time period resulting from child abuse, the scope of the reviews is limited to those cases in which the Abuse Hotline had previously accepted at least one prior report. In the 60 death cases reviewed by the CADRT in 1999 and 2000:

- 72% of the children were younger than six years of age
- 88% of the children had three or more family risk factors present at the time of death.
- Prior services were deemed inappropriate or inadequate in 21% of cases
- The CADRT concluded that 82% of the deaths were preventable

For a copy of the report, visit <http://www9.myflorida.com/cms/cadrindex.html>

NEW ELDER AFFAIRS CHIEF TAKES HELM

Appointed earlier this month by Governor Jeb Bush, Terry White assumed his duties as Secretary of the Department of Elder Affairs on January 22, 2002. Most recently, White served as executive director of Senior Solutions of Southwest Florida, the Area Agency on Aging in Ft. Myers. His previous professional experience includes 12 years with the

Ohio Department of Aging. White is currently president of the Florida Association of the Area Agencies on Aging and has previously served on the Florida Commission on Long-Term Care, the Lawton Chiles Endowment Fund Advisory Council, and the Board of Directors of the Greater Fort Myers Chamber of Commerce.

SURCHARGE ON DCF CONTRACTS IN GOVERNOR'S BUDGET

Following the recommendation of the Department, the Governor's Budget proposes to shift funds from various sources throughout the Department of Children and Families to the Administrative Trust Fund to implement an alternative funding mechanism which will fund the staff required to manage,

administer, and monitor DCF contracts. Under this proposal, DCF will assess a 5 percent surcharge on each of the contracts managed by the department. This fee will be calculated on the contract amount and paid by the contractor. This issue has yet to be discussed by the Health and Human Services

Appropriations committees, as the legislative budget

process has just begun.

COMMUNITY BASED CARE LEGISLATION WILL IMPROVE CURRENT SYSTEM

HB 755 (Rep. Murman) and SB 632 (Sen. Peaden) address the concerns of current lead agencies and providers by:

- Extending Community Based Care Transition

DCF must initiate the competitive procurement process in each county by January 1, 2003 with the full transfer of all foster care and related services completed by December 31, 2004. The bills also require DCF to implement a model comprehensive residential services program in any county in which the full transfer is not accomplished by December 31, 2004.

- Mandating Increased Insurance Coverage

The lead agency and their subcontractors must require that staff who transport client children and families in their personal automobiles obtain minimum bodily injury liability insurance in the amount of \$100,000 per claim/\$300,000 per incident on their personal automobiles. Net economic damages would be limited to \$1 million per liability claim and \$100,000 per auto claim.

- Creating Uniform Statewide Policies for Contract Monitoring

The department must adopt written policies and procedures for monitoring the lead agency contract.

- Streamlining Documentation Procedures

The contracts must ensure that each community-based agency furnish information on its activities in all cases in client case records. A provider may not discontinue services on any voluntary case without prior written notification to the department 30 days

before planned closure. If the department disagrees with the recommended case closure, written notification to the provider must be provided before the case closure date.

- Permitting Dual Licensure

Provides that a dually licensed home shall be eligible to receive both an out-of-home care payment and a subsidized child care payment for the same child pursuant to federal law, allowing foster parents to stay home with their pre-school age children.

- Requiring Development of a Shared Earnings Program

The department shall develop a statewide proposal regarding the long term use and structure of a shared earnings program which returns a portion of federal revenues earned in excess of the budgeted amount to the lead agency and addresses the financial risk to eligible lead agencies resulting from unanticipated caseload growth or from significant changes in client mixes or services eligible for federal reimbursement.

- Expanding Authority to Establish Child Welfare Targeted Case Management Projects

The Agency for Health Care Administration, in consultation DCF, may establish a targeted case-management project in those counties with a lead agency. Existing general revenue will be used as a match for these Medicaid dollars, which can be used to reduce caseloads and increase prevention services.

In addition, the bills provide for the assessment of children for placement in residential group care who are 11 years of age, have been in licensed family foster care for six months or longer, and who have moved more than once.

A Committee Substitute for SB 632 was approved unanimously by the Senate Children and Families Committee last week and now moves to the Health and Human Services Committee. The House bill has not yet been heard.

“A popular government without popular information or the means of acquiring it, is but a Prologue to Farce, or a Tragedy, or perhaps both. Knowledge will forever govern ignorance. And a people who mean to be their own governors must arm themselves with the power which knowledge gives.” -----James Madison

TRANSPORTATION DISADVANTAGED SEEK LEGISLATIVE SUPPORT

This week advocates for the transportation disadvantaged visited the Capitol to educate legislators on the transportation needs of Florida's elderly, disabled, low income citizens and children at risk who have no transportation to medical, employment, training and other essential services. They are also seeking support for an increase to the Transportation Disadvantaged Trust Fund through SB100 and HB141. This legislation would generate additional funding by extending the current \$1.50 registration and renewal fee on cars for private use and trucks weighing 5,000 pounds or less to include certain trucks and trailers, motorcycles, tag transfers and temporary tags. The Transportation Disadvantaged Trust Fund, created in 1989, is funded at approximately \$24 million annually, but has not received increased funding in nearly eight years. Further resources could result in an estimated 1-2 million additional trips per year.

CHILDREN'S HANDS EMBRACE CAPITOL

In a building where the atmosphere has changed dramatically under tighter security measures, one symbol of Session remains the same: Making its annual appearance this week- the display of thousands of children's construction paper hands in the Capitol Rotunda. While the focus of Children's Week 2002 has been community events highlighting children and family issues, the annual Children's Day Press Conference in the Capital Courtyard provided an opportunity for advocates to bring attention to the critical needs of Florida' children and families early in the legislative session. The press conference featured the best spokespersons for these issues- children themselves. Also, Mrs. Rhea Chiles presented the 2002 Chiles Advocacy Awards to Senate President John McKay and Partnership Board for School Readiness Chair, David Lawrence for their outstanding efforts to improve the quality of life for Florida's children and their families.

CONCERN FOR SUMMER HUNGER

HB1321 and SB1314, sponsored by Representative Greenstein and Senator Wise, respectively, would create the "Children's Summer Nutrition Act" requiring the Department of Education to develop a plan to ensure that, by the summer of 2003, children living near elementary schools in which 50 percent or more of the children are eligible for free or reduced-price school meals will have access to the federal Summer Food Service Program. Under the provisions of the bill, the Summer Food Service Program must operate for at least 40 days during the summer months in each of the eligible elementary schools or in another facility within five miles of an eligible school. A waiver may be granted by the department if a school district can demonstrate that an alternate provider already sponsors the Summer Food Service Program within a five-mile radius of the school for 40 days or that the school is participating in the National School Lunch Program during the summer months. It is estimated that over 179,000 children would be affected by this legislation, the cost of which could be covered by federal dollars and existing resources.

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