Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 8:51 a.m. A quorum present—40:

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

PRAYER

The following prayer was offered by Pastor Ron McCants, Christian Heritage Church of Tallahassee:

Almighty God, we bow before you today with humility. We thank you for your grace. We thank you, God, that you are with us in all the affairs of our lives. As our forefathers, many centuries before, paused to ask your wisdom and seek your counsel, so we do today. The legislation that is before us today is critical.

We thank you for the servants who serve the public good in the great State of Florida and in our great nation. We ask today that you would give refreshing in mind, body, and spirit. We ask that you would cause your great grace to be poured out upon us, and we accept the responsibility and thank you for the honor that we have to serve the people of the great State of Florida, realizing the things that will be transacted in this building today will affect the lives of countless millions of people for generations to come. So we pause and bow before you and simply seek your wisdom. In your great name, we pray. Amen.

PLEDGE

Senate Pages, Victor Chrispin, Jr. of Jacksonville; Shelbi McCall of Mayo; and Amelia Smith of Tallahassee, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Walter Flesner III of Cape Coral, sponsored by Senator Benacquisto, as doctor of the day. Dr. Flesner III specializes in Family Practice.

ADOPTION OF RESOLUTIONS

At the request of Senator Latvala—

By Senator Latvala—

SR 2146—A resolution recognizing the Clearwater Marine Aquarium for its extraordinary efforts in rehabilitating the dolphin "Winter" and for bringing hope and encouragement to those around the world who have prosthetics.

WHEREAS, when a young dolphin was brought to the Clearwater Marine Aquarium with injuries sustained when she was caught in a crab trap, a chain of events was set into motion which brought worldwide attention to issues surrounding wildlife conservation and the development of prosthetic devices that allow individuals to resume active, whole lives, and

WHEREAS, the dolphin, named "Winter" by those at the Clearwater Marine Aquarium who worked to save her life, won the hearts of all who heard of her plight, which was made even more desperate when her injuries forced the amputation of her tail, and

WHEREAS, the efforts of the Clearwater Marine Aquarium to rehabilitate Winter, which are the subject of the acclaimed 2011 Warner Brothers film "Dolphin Tale," stimulated the economy of the City of Clearwater, the Tampa Bay area, and this state, and

WHEREAS, Hanger Prosthetics and Orthotics, Inc., developed Winter's plastic tail and Winter's Gel, which is now used by thousands of people who have prosthetics, and

WHEREAS, Winter and her story have inspired countless individuals who have prosthetics, especially children and veterans returning from the wars in the Middle East, and

WHEREAS, the film "Dolphin Tale" provided a world stage for the mission of the Clearwater Marine Aquarium, which is education, rescue, and rehabilitation, and

WHEREAS, the Board of Directors and staff of the Clearwater Marine Aquarium, and all involved in Winter's rehabilitation, are deserving of public recognition for their heroic efforts, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes the Clearwater Marine Aquarium for its extraordinary efforts in rehabilitating the dolphin "Winter" and for bringing hope and encouragement to those around the world who have prosthetics.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Clearwater Marine Aquarium as a tangible token of the sentiments of the Florida Senate.

—**SR 2146** was introduced, read and adopted by publication.

At the request of Senator Thrasher—

By Senator Thrasher—

SR 2148—A resolution designating Christopher M. Still as Artist in Residence of the Florida Legislature.

WHEREAS, born in 1961, Christopher M. Still is a native Floridian who received a full scholarship through a national competition to the Pennsylvania Academy of Fine Arts, where he earned awards for outstanding accomplishment in painting, a European Travel Fellowship, and the Pennsylvania Governor's Award for outstanding accomplishment in Fine Art, and

WHEREAS, Christopher M. Still continued his studies with courses in human anatomy at Jefferson Medical School and apprenticeship in traditional techniques in Florence, Italy, and

WHEREAS, in 1986, Christopher M. Still returned to the Tampa Bay area to explore his home state through his art, creating an impressive body of work that includes 10 murals in the chamber of the Florida House Of Representatives and the official state portrait of Governor Lawton Chiles, and

WHEREAS, the works of Christopher M. Still are included in the collections of the Appleton Museum of Art, in Ocala; the Florida Governor's Mansion; the Florida House of Representatives; the Smithsonian Institute, in Washington, D.C.; the John and Mable Ringling Museum of Art, in Sarasota; the Museum of Fine Arts, in St. Petersburg; and many others, and

WHEREAS, in 2010, Christopher M. Still was inducted into the Florida Artists Hall of Fame, and

WHEREAS, Christopher M. Still's work has, with extraordinary technical and compositional skill, uniquely portrayed the history and beauty of his native state, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That Christopher M. Still is designated as Artist in Residence of the Florida Legislature.

—**SR 2148** was introduced, read and adopted by publication.

MOTION

On motion by Senator Thrasher, the rules were waived and time of recess was extended until 10:00 p.m.

BILLS ON THIRD READING

Consideration of **CS for SB 752** and **HB 4087** was deferred.

CS for CS for CS for HB 1205—An act relating to drug-free workplaces; amending s. 112.0455, F.S.; revising the definition of the term "job applicant," defining the term "random testing," and removing the definition of the term "safety-sensitive position" for purposes of the Drug-Free Workplace Act; requiring drug testing to be conducted within each state agency's appropriation; authorizing a state agency to conduct random drug testing every 3 months; providing testing selection requirements; removing provisions prohibiting a state agency from discharging or disciplining an employee under certain circumstances based on the employee's first positive confirmed drug test; removing provisions limiting the circumstances under which an agency may discharge an employee in a special risk or safety-sensitive position; providing that an agency may discharge or discipline an employee following a first-time positive confirmed drug test result; authorizing an agency to refer an employee to an employee assistance program or an alcohol and drug rehabilitation program if the employee is not discharged; requiring participation in an employee assistance program or an alcohol and drug rehabilitation program at the employee's own expense or at the expense of a health insurance plan; requiring the employer to determine if the employee is able to safely and effectively perform the job duties assigned to the employee while the employee is participating in the employee assistance program or alcohol and drug rehabilitation program; deeming that certain specified job activities cannot be performed safely and effectively while the employee is participating in the employee assistance program or alcohol and drug rehabilitation program; requiring the employer to transfer the employee to a job assignment that he or she can perform safely and effectively while the employee participates in the employee assistance program or alcohol and drug rehabilitation program; requiring the employer to place the employee on leave status while the employee is participating in an employee assistance program or an alcohol and drug rehabilitation program if such a position is unavailable; authorizing the employee to use accumulated leave credits before being placed on leave without pay; amending s. 440.102, F.S.; revising the definition of the term "job applicant" as it pertains to a public employer; removing the definition of the term "safety-sensitive position" and replacing it with the definition for the term "mandatory-testing position;" providing that an employer remains qualified for an insurer rate plan that discounts rates for workers' compensation and employer's liability insurance policies if the employer maintains a drug-free workplace program that is broader in scope than that provided for by the standards and procedures established in the act; authorizing a public employer, using an unbiased selection procedure, to conduct random drug tests of employees occupying mandatory-testing or special-risk positions if the testing is performed in accordance with drug-testing rules adopted by the Agency for Health Care Administration; requiring that a public sector employer assign a public sector employee to a position other than a mandatory-testing position if the employee enters an employee assistance program or drug and alcohol rehabilitation program; amending s. 944.474, F.S.; revising provisions governing employees of the state correctional system, to conform to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for CS for CS for HB 1205** was passed and certified to the House. The vote on passage was:

Yeas—26

Mr. President	Evers	Margolis
Alexander	Fasano	Norman
Altman	Flores	Oelrich
Benacquisto	Gaetz	Richter
Bennett	Gardiner	Simmons
Bogdanoff	Hays	Storms
Dean	Jones	Thrasher
Detert	Latvala	Wise
Diaz de la Portilla	Lynn	

Nays—14

Braynon	Joyner	Sachs
Bullard	Montford	Siplin
Dockery	Negron	Smith
Garcia	Rich	Sobel
Gibson	Ring	

CS for HB 7055—An act relating to administrative authority; providing legislative findings; providing legislative intent; amending s. 20.02, F.S.; clarifying the authority of the Governor; amending s. 20.03, F.S.; revising the definition of the terms "head of the department" and "secretary"; defining the term "to serve at the pleasure"; clarifying supervisory powers of appointing authority; amending s. 20.05, F.S., re-

lating to powers and duties of department heads; incorporating constitutional allocation of executive authority; creating s. 120.515, F.S.; declaring policy regarding executive authority with respect to the Administrative Procedure Act; amending s. 120.52, F.S.; revising the term "agency head" to clarify supervisory powers of the appointing authority; amending s. 11.242, F.S.; providing for removal of duplicative, redundant, or unused rulemaking authority as part of the reviser's bill process; repealing s. 14.34(3), F.S., relating to the Governor's Medal of Merit; repealing rulemaking authority; amending s. 15.16, F.S.; deleting authority of the Department of State to adopt rules relating to the issuance of apostilles; repealing s. 15.18(7), F.S., relating to international and cultural relations; repealing rulemaking authority of the Secretary of State with respect to entering into contracts that are primarily for promotional services and events; amending s. 16.60, F.S.; deleting authority of the Attorney General to adopt rules relating to mediation proceedings; repealing s. 17.0416(2), F.S., relating to the authority to provide services on a fee basis; repealing rulemaking authority of the Department of Financial Services with respect thereto; repealing s. 17.59(3), F.S., relating to safekeeping services; repealing rulemaking authority of the Chief Financial Officer for the proper management and maintenance of the collateral management service; repealing s. 25.371, F.S., relating to the effect of rules adopted by the Supreme Court on statutory provisions; repealing s. 28.43, F.S., relating to the adoption of rules in relation to ss. 28.35, 28.36, and 28.37, relating to duties of the Florida Clerks of Court Operations Corporation and clerks of the court; repealing s. 35.07, F.S., relating to power of the district courts of appeal to make rules and regulations; repealing s. 39.001(11), F.S., relating to rulemaking authority of Executive Office of the Governor with respect to the protection of children under chapter 39; amending s. 39.0137, F.S.; deleting rulemaking authority of the Department of Children and Family Services with respect to enforcement of the federal Indian Child Welfare Act and federal Multi-Ethnic Placement Act of 1994; repealing s. 39.824(1), F.S.; repealing a provision requesting the Supreme Court to adopt rules of juvenile procedure for purposes of pt. XI, ch. 39, relating to guardians ad litem and guardian advocates; amending s. 63.167, F.S.; repealing rulemaking authority of the Department of Children and Family Services relating to the establishment and operation of the state adoption information center; repealing s. 88.9051, F.S., relating to authority of the Department of Revenue to adopt rules to implement the Uniform Interstate Family Support Act; amending ss. 97.026, 97.0555, and 97.061, F.S.; repealing rulemaking authority of the Department of State under the Election Code; repealing s. 101.56062(3), F.S.; repealing rulemaking authority of the department relating to standards for accessible voting systems; amending ss. 103.101 and 106.165, F.S.; repealing rulemaking authority of the department relating to conduct of the presidential preference primary and use of closed captioning and descriptive narrative in television broadcasts; amending s. 110.1055, F.S., relating to rulemaking authority of the Department of Management Services with respect to chapter 110, relating to state employment; deleting obsolete language; repealing s. 110.1099(5), F.S.; repealing rulemaking authority of the department relating to education and training opportunities for state employees; repealing s. 110.1228(7), F.S.; repealing rulemaking authority of the department relating to participation in the state group health insurance and prescription drug coverage programs by small counties, small municipalities, and district school boards located in small counties; amending s. 110.12301, F.S.; repealing rulemaking authority of the department relating to dependent eligibility verification services for the state group insurance program; repealing s. 112.1915(4), F.S.; repealing rulemaking authority of the State Board of Education relating to death benefits for teachers and school administrators; amending s. 118.12, F.S.; repealing rulemaking authority of the Department of Revenue relating to certification of a civil-law notary's authority; repealing s. 121.085(1), F.S.; repealing authority of the Department of Management Services relating to submission of information necessary to establish a member's claim of creditable service under the Florida Retirement System; repealing s. 121.1001(4)(b), F.S.; repealing rulemaking authority of the Division of Retirement relating to administration of the Florida Retirement System Preservation of Benefits Plan; repealing s. 121.4503(3), F.S.; repealing rulemaking authority of the Department of Management Services relating to the Florida Retirement System Contributions Clearing Trust Fund; amending s. 121.5911, F.S.; deleting rulemaking authority of the department relating to maintaining the qualified status of the disability retirement program and the Florida Retirement System Pension Plan; repealing s. 125.902(4), F.S.; repealing rulemaking authority of the Department of Children and Family Services relating to children's services council or juvenile welfare board incentive grants; repealing s. 154.503(4), F.S.; repealing rulemaking authority of the Department of Health relating to the Primary Care for Children and Families Challenge Grant Program; amending s. 159.8081, F.S.; repealing rulemaking authority of the Department of Economic Opportunity relating to the manufacturing facility bond pool; amending s. 159.8083, F.S.; repealing rulemaking authority of the department relating to the Florida First Business allocation pool; repealing s. 159.825(3), F.S.; repealing rulemaking authority of the State Board of Administration relating to terms of bonds; repealing s. 161.75, F.S.; repealing rulemaking authority of the Department of Environmental Regulation and the Fish and Wildlife Conservation Commission relating to the Oceans and Coastal Resources Act; repealing s. 163.462, F.S.; repealing rulemaking authority of the Department of Community Affairs relating to the Community Redevelopment Act of 1969; repealing s. 163.517(6), F.S.; repealing rulemaking authority of the Department of Legal Affairs relating to the Safe Neighborhoods Program; repealing s. 175.341(2), F.S.; repealing rulemaking authority of the Division of Retirement relating to firefighter pensions; repealing s. 177.504(2)(e), F.S.; repealing rulemaking authority of the Department of Environmental Protection relating to the Florida Public Land Survey Restoration and Perpetuation Act; repealing s. 185.23(2), F.S.; repealing rulemaking authority of the Division of Retirement relating to municipal police pensions; repealing s. 255.25001(2), F.S.; repealing rulemaking authority of the Department of Management Services relating to determining whether a lease-purchase of a state-owned office building is in the best interests of the state; repealing s. 257.34(7), F.S.; repealing rulemaking authority of the Division of Library and Information Services of the Department of State relating to the Florida International Archive and Repository; repealing s. 364.0135(6), F.S.; repealing rulemaking authority of the Department of Management Services relating to the promotion of broadband adoption; amending s. 366.85, F.S.; repealing rulemaking authority of the Division of Consumer Services of the Department of Agriculture and Consumer Services relating to the Florida Energy Efficiency and Conservation Act; repealing s. 409.5092, F.S.; repealing rulemaking authority of the Department of Children and Family Services relating to permission for weatherization; amending s. 501.142, F.S.; repealing rulemaking authority of the Department of Agriculture and Consumer Services relating to retail sales establishments and authority to sanction violations of such rules; amending s. 985.682, F.S.; conforming a cross-reference; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **CS for HB 7055** was passed and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Evers	Montford
Alexander	Fasano	Negron
Altman	Flores	Norman
Benacquisto	Gaetz	Oelrich
Bennett	Garcia	Richter
Bogdanoff	Gardiner	Simmons
Dean	Hays	Storms
Detert	Jones	Thrasher
Diaz de la Portilla	Latvala	Wise
Dockery	Lynn	

Nays—11

Braynon	Margolis	Siplin
Bullard	Rich	Smith
Gibson	Ring	Sobel
Joyner	Sachs	

Consideration of **CS for CS for SB 1718** was deferred.

CS for CS for CS for HB 1263—A bill to be entitled An act relating to the Department of Health; amending s. 20.43, F.S.; revising the purpose of the department; revising duties of the State Surgeon General; eliminating the Officer of Women's Health Strategy; revising divisions within the department; amending s. 20.435, F.S.; eliminating the Florida Drug, Device, and Cosmetic Trust Fund as a trust fund under the department; amending s. 154.05, F.S.; providing that two or more counties

may combine for the operation of a county health department under certain circumstances; providing criteria for such an agreement; specifying that an interlocal agreement may only be terminated at the end of a contract year; requiring the parties to give written notice to the department no less than 90 days before the termination; amending s. 215.5602, F.S.; conforming references; amending s. 381.001, F.S.; revising legislative intent; requiring the Department of Health to be responsible for the state public health system; requiring the department to provide leadership for a partnership involving federal, state, and local government and the private sector to accomplish public health goals; amending s. 381.0011, F.S.; revising duties and powers of the department; repealing s. 381.0013, F.S., relating to the department's authority to exercise the power of eminent domain; repealing s. 381.0014, F.S., relating to department rules that superseded regulations and ordinances enacted by other state departments, boards or commissions, or municipalities; repealing s. 381.0015, F.S., relating to judicial presumptions regarding the department's authority to enforce public health rules; amending s. 381.0016, F.S.; allowing a county to enact health regulations and ordinances consistent with state law; repealing s. 381.0017, F.S., relating to the purchase, lease, and sale of real property by the department; repealing s. 381.0025, F.S., relating to penalties; amending s. 381.003, F.S.; revising provisions relating to the department's responsibility for communicable disease prevention and control programs; amending s. 381.0031, F.S.; permitting the department to conduct studies concerning epidemiology of diseases of public health significance; specifying that the list of diseases of public health significance is based on the recommendations to be nationally notifiable by the Council of State and Territorial Epidemiologists and the Centers for Disease Control and Prevention; authorizing the department to expand the list if a disease emerges for which regular, frequent and timely information regarding individual cases is considered necessary for the prevention and control of a disease specific to Florida; amending s. 381.00315, F.S.; authorizing the department to declare, enforce, modify, and abolish quarantines of persons, animals, and premises for controlling communicable diseases or providing protection from unsafe conditions that pose a threat to public health; requiring the department to establish rules for conditions and procedures for imposing and releasing a quarantine; requiring specific provisions to be included in rules; providing that the rules established under this section supersede all rules enacted by other state agencies, boards, or political subdivisions; providing that a violation of the rules established under the section, a quarantine, or requirement adopted pursuant to a declared public health emergency is a second-degree misdemeanor; providing penalties; repealing s. 381.0032, F.S., relating to epidemiological research; repealing s. 381.00325, F.S., relating to the Hepatitis A awareness program; amending s. 381.0034, F.S.; deleting an obsolete qualifying date reference; repealing s. 381.0037, F.S., relating to legislative findings and intent with respect to AIDS; amending s. 381.004, F.S.; deleting legislative intent; conforming cross-references; amending 381.0046, F.S.; requiring the department to establish dedicated HIV and AIDS regional and statewide minority coordinators; deleting the requirement that the statewide director report to the chief of the Bureau of HIV and AIDS within the department; amending s. 381.0051, F.S.; deleting legislative intent for the Comprehensive Family Planning Act; amending s. 381.0052, F.S., relating to the "Public Health Dental Program Act"; repealing unused department rulemaking authority; amending s. 381.0053, F.S., relating to the comprehensive nutrition program; repealing unused department rulemaking authority; repealing s. 381.0054, F.S., relating to healthy lifestyles promotion by the department; amending s. 381.0056, F.S., relating to the "School Health Services Act"; deleting legislative findings; deleting the requirement that school health programs funded by health care districts or entities be supplementary to and consistent with the act and other applicable statutes; amending s. 381.0057, F.S., relating to funding for school health services; deleting legislative intent; amending s. 381.00591, F.S.; permitting the department to apply for and become a National Environmental Laboratory Accreditation Program accreditation body; eliminating rulemaking authority of the department to implement standards of the National Environmental Laboratory Accreditation Program; amending s. 381.00593, F.S.; removing unused rulemaking authority relating to the public school volunteer health care practitioner program; amending s. 381.0062, F.S., relating to the "Comprehensive Family Planning Act"; deleting legislative intent; conforming a cross-reference; amending s. 381.0065, F.S., relating to regulation of onsite sewage treatment and disposal systems; deleting legislative intent; defining the term "bedroom"; conforming cross-references; conforming provisions to changes made by the act; providing for any permit issued and approved by the Department of Health for the installation, modification, or repair of an onsite sewage treatment and disposal system to transfer with the title of the property; providing conditions under which governmental entities are prohibited from requiring certain inspections and systems; providing applicability; providing an exception; providing circumstances in which an onsite sewage treatment and disposal system is not considered abandoned; providing for the validity of an onsite sewage treatment and disposal system permit if rules change before final approval of the constructed system, under certain conditions; providing that a system modification, replacement, or upgrade is not required unless a bedroom is added to a single-family home; deleting provisions requiring the department to administer an evaluation and assessment program of onsite sewage treatment and disposal systems and requiring property owners to have such systems evaluated at least once every 5 years; deleting obsolete provisions; creating s. 381.00651, F.S.; requiring a county or municipality containing a first magnitude spring to adopt by ordinance, under certain circumstances, the program for the periodic evaluation and assessment of onsite sewage treatment and disposal systems; requiring the county or municipality to notify the Secretary of State of the ordinance; authorizing a county or municipality, in specified circumstances, to opt out by a vote of 60 percent of the governing board; authorizing a county or municipality to adopt or repeal, after a specified date, an ordinance creating an evaluation and assessment program, subject to notification of the Secretary of State; providing criteria for evaluations, qualified contractors, and repair of systems; providing for certain procedures and exemptions in special circumstances; defining the term "system failure"; requiring that certain procedures be used for conducting tank and drainfield evaluations; providing for certain procedures in special circumstances; providing for contractor immunity from liability under certain conditions; providing for assessment procedures; providing requirements for county health departments; requiring the Department of Health to allow county health departments and qualified contractors to access the state database to track data and evaluation reports; requiring counties and municipalities to notify the Secretary of Environmental Protection and the Department of Health when an evaluation program ordinance is adopted; requiring the Department of Environmental Protection to notify those counties or municipalities of the use of, and access to, certain state and federal program funds and to provide certain guidance and technical assistance upon request; prohibiting the adoption of certain rules by the Department of Health; providing for applicability; repealing s. 381.00656, F.S., relating to a grant program for the repair of onsite sewage treatment and disposal systems; amending s. 381.0066, F.S.; lowering the fees imposed by the department for certain permits; conforming cross-references; amending s. 381.0068, F.S.; deleting a date by which a technical review and advisory panel must be established within the department for assistance with rule adoption; deleting the authority of the chair of the panel to advise affected persons or the Legislature of the panel's position on legislation, proposed state policy, or other issue; amending s. 381.0072, F.S.; revising the definition of the term "food establishment" to include certain facilities participating in the United States Department of Agriculture Afterschool Meal Program; amending s. 381.00781, F.S.; eliminating authority of the department to annually adjust maximum fees according to the Consumer Price Index; amending s. 381.0086, F.S.; revising department rulemaking authority relating to migrant farmworkers and other migrant labor camp or residential migrant housing occupants; removing lighting and maintenance and operation of roads from the list of health and safety standards to be created by the department; conforming a cross-reference; amending s. 381.0098, F.S.; deleting legislative intent with respect to standards for the safe packaging, transport, storage, treatment, and disposal of biomedical waste; conforming a cross-reference; amending s. 381.0101, F.S.; deleting legislative intent regarding certification of environmental health professionals; providing for the State Surgeon General, rather than the Division Director for Emergency Preparedness and Community Support, to serve on an environmental health professionals advisory board; conforming a cross-reference; amending s. 381.0203, F.S.; eliminating the regulation of drugs, cosmetics, and household products under ch. 499, F.S., from the pharmacy services program; eliminating the contraception distribution program at county health departments; amending s. 381.0261, F.S.; requiring the department, rather than the Agency for Health Care Administration, to publish a summary of the Florida Patient's Bill of Rights and Responsibilities on its Internet website; deleting the requirement to print and distribute the summary; repealing s. 381.0301, F.S., relating to the Centers for Disease Control and Prevention, the State University System, Florida medical schools, and the College of Public Health of the University of South Florida; deleting the requirement that the College of Public Health be

consulted by state officials in the management of public health; repealing s. 381.0302, F.S.; eliminating the Florida Health Services Corps; amending s. 381.0303, F.S.; eliminating the requirement that the Special Needs Shelter Interagency Committee submit recommendations to the Legislature; repealing s. 381.04015, F.S.; eliminating the Women's Health Strategy Office and Officer of Women's Health Strategy; amending s. 381.0403, F.S., relating to the "Community Hospital Education Act"; deleting legislative findings and intent; revising the mission of the program; requiring minimum funding for graduate education in family practice; deleting reference to an intent to establish a statewide graduate medical education program; amending s. 381.0405, F.S.; deleting an appropriation to the Office of Rural Health; amending s. 381.0406, F.S.; deleting unnecessary introductory language in provisions relating to rural health networks; repealing s. 381.0407, F.S., to eliminate the mandatory payment of claims from public health care providers and county health departments by managed care plans; repealing s. 381.045, F.S.; eliminating department authority to provide services to certain health care providers infected with Hepatitis B or HIV; amending s. 381.06015, F.S.; deleting obsolete provision that requires the department, the Agency for Health Care Administration, and private consortium members seeking private or federal funds to initiate certain program actions relating to the Public Cord Blood Tissue Bank; repealing s. 381.0605, F.S., relating to designating the Agency for Health Care Administration as the state agency to administer the Federal Hospital and Medical Facilities Amendments of 1964; eliminating authority of the Governor to provide for administration of the amendments; repealing ss. 381.1001-381.103, F.S., the Florida Community Health Protection Act; amending s. 381.4018, F.S.; deleting legislative findings and intent with respect to physician workforce assessment and development; conforming a cross-reference; repealing s. 381.60225, F.S., to eliminate background screening requirements for health care professionals and owners, operators, and employees of certain health care providers, services, and programs; repealing ss. 381.732-381.734, F.S., the "Healthy People, Healthy Communities Act"; amending s. 381.7352, F.S.; deleting legislative findings relating to the "Reducing Racial and Ethnic Health Disparities: Closing the Gap Act"; amending s. 381.7353, F.S.; removing the authority of the State Surgeon General to appoint an ad hoc committee to study certain aspects of racial and ethnic health outcome disparities and make recommendations; amending s. 381.7356, F.S.; deleting a provision requiring dissemination of Closing the Gap grant awards to begin on a date certain; amending s. 381.765, F.S.; repealing unused rulemaking authority relating to records and recordkeeping for department-owned property; repealing s. 381.77, F.S., to eliminate the annual survey of nursing home residents age 55 and under; repealing s. 381.795, F.S., to eliminate the requirement that the department establish a program of long-term community-based supports and services for individuals with traumatic brain or spinal cord injuries; amending s. 381.853, F.S.; deleting legislative findings relating to brain tumor research; repealing s. 381.855, F.S., which established the Florida Center for Universal Research to Eradicate Disease; repealing s. 381.87, F.S., to eliminate the osteoporosis prevention and education program; repealing s. 381.90, F.S., to eliminate the Health Information Systems Council; amending s. 381.91, F.S., relating to the Jesse Trice Cancer Program; revising legislative intent; amending 381.922, F.S.; conforming a reference; amending s. 383.011, F.S.; requiring the Department of Health to establish an interagency agreement with the Department of Children and Family Services for management of the Special Supplemental Nutrition program for Women, Infants, and Children; specifying responsibilities of each department; creating s. 383.141, F.S.; providing legislative findings; providing definitions; requiring that health care providers provide pregnant women with current information about the nature of the developmental disabilities tested for in certain prenatal tests, the accuracy of such tests, and resources for obtaining support services for Down syndrome and other prenatally diagnosed developmental disabilities; providing duties for the Department of Health concerning establishment of an information clearinghouse; creating an advocacy council within the Department of Health to provide technical assistance in forming the clearinghouse; providing membership for the council; providing duties of the council; providing terms for members of the council; providing for election of a chairperson and vice chairperson; providing meeting times for the council; requiring the members to serve without compensation or reimbursement for travel expenses; authorizing meetings by teleconference or other electronic means; requiring the Department of Health to provide administrative support; repealing s. 385.210, F.S., the Arthritis Prevention and Education Act by a specific date; amending s. 391.016, F.S.; clarifying the purposes and functions of the Children's Medical Services program; requiring the coordination and maintenance of a medical home for participating children; amending s. 391.021, F.S.; revising definitions; amending s. 391.025, F.S.; revising the components of the Children's Medical Services program; amending s. 391.026, F.S.; revising the powers and duties of the department in administering the Children's Medical Services network; amending s. 391.028, F.S.; eliminating the central office and area offices of the Children's Medical Services program; authorizing the Director of Children's Medical Services to appoint necessary staff and contract with providers to establish a system to provide certain program activities on a statewide basis; amending s. 391.029, F.S.; specifying eligibility for services provided under the Children's Medical Services program; clarifying who may receive services under the program; deleting the requirement that the department determine financial and medical eligibility for program; deleting the requirement that the department determine the financial ability of parents to pay for services; eliminating discretion of the department to pay reasonable travel expenses; amending s. 391.0315, F.S.; deleting a prohibition against a child eligible under Title XIX or XXI of the Social Security Act from receiving services under the program until the child is enrolled in Medicaid or a Title XXI program; amending s. 392.51, F.S., relating to tuberculosis control; removing legislative findings and intent; amending s. 392.61, F.S.; eliminating the requirement that the department develop a methodology for distributing funds appropriated for community tuberculosis control programs; amending s. 392.62, F.S.; requiring a contractor to use licensed community hospitals and other facilities for the care and treatment of persons who have active tuberculosis or a history of noncompliance with prescribed drug regimens and require inpatient or other residential services; removing authority of the department to operate a licensed hospital to treat tuberculosis patients; requiring the tuberculosis control program to fund participating facilities; requiring facilities to meet specific conditions; requiring the department to develop a transition plan for the closure of A.G. Holley State Hospital; specifying content of transition plan; requiring submission of the plan to the Governor and Legislature; requiring full implementation of the transition plan by a certain date; amending s. 401.243, F.S.; repealing unused rulemaking authority governing the implementation of injury-prevention grant programs; amending s. 401.245, F.S.; repealing unused rulemaking authority relating to operating procedures for the Emergency Medical Services Advisory Council; amending s. 401.271, F.S.; repealing unused rulemaking authority relating to an exemption for the spouse of a member of the Armed Forces of the United States on active duty from certification renewal provisions while the spouse is absent from the state because of the member's active duty with the Armed Forces; repealing s. 402.45, F.S.; repealing unused rulemaking authority relating to the community resource mother or father program; amending s. 403.863, F.S.; directing the department to contract to perform state public water supply laboratory certification application review and evaluation and laboratory inspections; adding certain actions to the list of acts constituting grounds for which disciplinary actions may be taken under the section; amending ss. 400.914 and 409.256, F.S.; conforming references; amending ss. 458.309 and 459.005, F.S.; requiring that a physician or osteopathic physician who performs certain medical procedures in an office setting register the office with the Department of Health unless that office is licensed as a facility under ch. 395, F.S., relating to hospital licensing and regulation; repealing s. 458.346, F.S., which created the Public Sector Physician Advisory Committee and established its responsibilities; amending s. 462.19, F.S., relating to the renewal of licenses for practitioners of naturopathy; repealing unused rulemaking authority; amending s. 464.019, F.S., requiring the Board of Nursing to deny a program application for new prelicensure nursing education program while the existing program is on probationary status; repealing s. 464.0197, F.S., relating to state budget support for the Florida Center for Nursing; amending s. 464.203, F.S.; revising the certification requirements for certified nursing assistants; amending s. 464.208, F.S.; repealing unused rulemaking authority relating to background screening information of certified nursing assistants; repealing s. 466.00775, F.S., relating to unused rulemaking authority relating to dental health access and dental laboratory registration provisions; amending ss. 212.08, 499.003, 499.601, and 499.61, F.S.; updating departmental designation; amending s. 514.011, F.S.; revising the definition of "public bathing place"; amending s. 514.021, F.S.; restricting rulemaking authority of the department; limiting scope of standards for public pools and public bathing places; prohibiting the department from adopting by rule any regulation regarding the design, alteration, or repair of a public pool or public bathing; eliminating authority of the department to review plans, issue approvals, and enforce occupancy provisions of the Florida Building Code; amending s. 514.023, F.S.; adding public bathing places

to the provisions allowing sampling of beach waters to determine sanitation and allowing health advisories to be issued for elevated levels of bacteria in such waters; deleting an obsolete provision; amending s. 514.025, F.S.; requiring the department to review applications and plans for the construction or placement of public pools or bathing places; providing for the department to review applications and plans if no qualified staff are employed at the county health department; establishing that the department is responsible to monitor water quality in public pools and bathing places; amending s. 514.03, F.S.; permitting local governments or local enforcement districts to determine compliance with general construction provisions of the Florida Building Code; permitting local governments or local enforcement districts to conduct plan reviews and inspections of public pools and bathing places to determine compliance; eliminating an application process for review of building plans for a public pool or bathing place by the department; amending s. 514.031, F.S.; requiring a valid permit from the department to operate a public pool; revising the list of documents that must accompany an application for a permit to operate a public pool; providing the department with authority to review, approve, and deny an application for a permit to operate a public pool; amending s. 514.033, F.S.; deleting authority of the department to establish a fee schedule; requiring fees collected by the department or county health department to be deposited into the Grants and Donations Trust Fund or the County Health Department Trust Fund; amending s. 514.05, F.S.; requiring all amounts collected to be deposited in the Grants and Donations Trust Fund or the County Health Department Trust Fund; granting the county health department the authority to close a public pool that is not in compliance with ch. 514, F.S., or applicable rules; amending s. 514.06, F.S.; deeming a public pool or bathing place to present a significant risk to public health by failing to meet sanitation and safety to be a public nuisance; allowing for a public nuisance to be abated or enjoined; amending s. 633.115, F.S.; making conforming changes; amending s. 1009.66, F.S.; reassigning responsibility for the Nursing Student Loan Forgiveness Program from the Department of Health to the Department of Education; amending s. 1009.67, F.S.; reassigning responsibility for the nursing scholarship program from the Department of Health to the Department of Education; providing type two transfers of the programs; providing for transfer of a trust fund; providing applicability to contracts; authorizing transfer of funds and positions between departments; requiring the Division of Medical Quality and Assurance to create a plan to improve efficiency of the function of the division; directing the division to take certain actions in creating the plan; directing the division to address particular topics in the plan; requiring all executive branch agencies to assist the department in creating the plan; requesting all other state agencies to assist the department in creating the plan; amending ss. 154.503, 381.0041, 384.25, 392.56, 395.1027, 411.203, 456.032, 513.10, 768.28, and 775.0877, F.S.; conforming cross-references; providing effective dates.

—as amended March 8 was read the third time by title.

SENATOR BENNETT PRESIDING

THE PRESIDENT PRESIDING

On motion by Senator Garcia, **CS for CS for CS for HB 1263** as amended was passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Evers	Negron
Alexander	Fasano	Norman
Altman	Flores	Oelrich
Benacquisto	Gaetz	Richter
Bennett	Garcia	Simmons
Bogdanoff	Gardiner	Sobel
Braynon	Hays	Storms
Dean	Jones	Thrasher
Detert	Latvala	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—9

Bullard	Gibson	Joyner
Montford	Ring	Siplin
Rich	Sachs	Smith

SPECIAL ORDER CALENDAR

On motion by Senator Flores, by unanimous consent—

CS for CS for CS for SB 888—A bill to be entitled An act relating to consumer services; amending s. 20.14, F.S.; deleting provisions establishing the Division of Standards within the Department of Agriculture and Consumer Services; repealing s. 366.85, F.S., relating to responsibilities of the department for compliance with certain federal requirements related to consumer conciliatory conferences and energy conservation products, services, and loans; amending s. 472.005, F.S.; redefining the term "license" and defining the terms "consumer member" and "licensee" for purposes of provisions governing surveyors and mappers; amending s. 472.006, F.S.; directing the Department of Agriculture and Consumer Services to work cooperatively with the Department of Revenue to implement an automated method of disclosing information related to licensees; authorizing the Department of Agriculture and Consumer Services to suspend or deny the license of any licensee found not to be in compliance with a support order, subpoena, order to show cause, or written agreement; providing for reinstatement of a denied or suspended license; relieving the department of certain liability associated with the denial or suspension of a license; amending s. 472.011, F.S.; authorizing the department to waive license renewal fees for land surveyors and mappers under certain circumstances; authorizing the collection of an existing special assessment from inactive and delinquent licensees; amending s. 472.0131, F.S., relating to examinations; making technical changes; amending s. 472.015, F.S.; authorizing the department to require land surveyors or mappers to submit their social security numbers when applying for initial licensure or license renewal; providing conditions under which an application is deemed received; providing conditions under which the department may issue a license by endorsement; requiring an applicant to provide his or her social security number as required pursuant to federal law; specifying how a social security number may be used; amending s. 472.018, F.S., relating to continuing education; making technical changes; requiring that continuing education providers electronically provide certain information to the department; providing timeframes for reporting; requiring that the department establish a system to monitor licensee compliance with continuing education requirements; defining the term "monitor"; authorizing the department to refuse to renew a license until the applicant satisfies continuing education requirements; authorizing the department or board to impose additional penalties against applicants who fail to satisfy additional requirements; amending s. 472.0202, F.S.; conforming a cross-reference; amending s. 472.0203, F.S.; providing for license renewal notification by the department to be sent electronically to the licensee's last known e-mail address; amending s. 472.025, F.S.; providing that a professional surveyor or mapper whose license is revoked or suspended must return his or her seal to the executive director of the board, rather than to the secretary; creating s. 472.0337, F.S.; authorizing the department to administer oaths, take depositions, make inspections, issue and serve subpoenas and other process, and compel the attendance of witnesses and production of certain documents; providing for challenges to and enforcement of subpoenas and orders; amending s. 472.0351, F.S.; revising grounds for discipline; eliminating certain actions by a licensee which are grounds for disciplinary action; specifying what constitutes an action against a license in another state, territory, or country; specifying that the board may enter an order against a surveyor or mapper who committed certain violations before obtaining a license; authorizing the board to require corrective action; prohibiting the department from issuing to or renewing the license of a person or business entity that has been assessed a fine, interest, costs, or attorney fees associated with an investigation or prosecution until the person pays them in full or complies with or satisfies all terms and conditions of the final order; amending s. 493.6105, F.S.; authorizing the Department of Agriculture and Consumer Services to waive firearms training requirements for the initial licensure of private investigative, private security, or repossession services under certain circumstances; amending s. 493.6113, F.S.; authorizing the department to waive firearms training requirements for license renewal of private investigative, private security, and repossession services under certain circumstances; amending s. 493.6118, F.S.; providing for disciplinary action to be taken against certain additional license classes and schools or training facilities for private investigators and private security and repossession services; amending s. 493.6120, F.S.; providing for penalty provisions to

apply to certain additional license classes and schools or training facilities for private investigators and private security and repossession services; amending s. 501.015, F.S., relating to the regulation of health studios; substituting the term "local business tax receipt" for the term "local occupational license"; amending s. 501.017, F.S.; making technical changes; clarifying that certain notice be provided in a health studio contract in at least 10-point boldface type; amending s. 501.059, F.S.; deleting requirement that telephone subscribers pay an initial listing charge for including their telephone numbers on the state's no sales solicitation calls listing; specifying the period that a subscriber's listing remains active; requiring the department to include certain listings from a national database on the state's listing; authorizing the department to impose administrative fines for violations; specifying that administrative proceedings are subject to the Administrative Procedure Act; requiring telecommunications companies to inform their customers of certain telephone solicitation requirements; deleting the requirement that the Florida Public Service Commission adopt certain rules; amending s. 501.605, F.S.; providing that an applicant for a commercial telephone seller license may provide other valid forms of identification in lieu of a valid driver license number; removing the requirement that the applicant provide his or her social security number on the application; amending s. 501.607, F.S.; providing that an applicant for a telemarketing salesperson's license may provide other valid forms of identification in lieu of a driver license number; amending s. 501.911, F.S.; revising provisions for administration of the Antifreeze Act of 1978, to conform; amending s. 501.913, F.S.; requiring the registrant of a brand of antifreeze to assume full responsibility for the registration; requiring that a registrant of a brand of antifreeze not in production for distribution in this state must submit a notarized affidavit attesting to specified information; requiring that a certain sample size of each brand of antifreeze accompany the application for registration; amending s. 507.04, F.S.; requiring that the Department of Agriculture and Consumer Services be notified at least 10 days before any changes are made in the insurance coverage of a household moving service; amending s. 525.07, F.S.; revising required contents of seal clasps applied by meter mechanics after repair and adjustment of petroleum fuel measuring devices; amending s. 526.143, F.S.; authorizing the department to temporarily waive certain requirements for generators at retail motor fuel outlets which are used in preparation or response to an emergency or major disaster in another state; amending s. 526.50, F.S., relating to the sale of brake fluid; defining the terms "brand" and "formula"; amending s. 526.51, F.S.; conforming terminology; providing criteria for reregistering a previously registered brand and formula combination of brake fluid; providing for a fine for late submission of the application for reregistration and required materials; requiring a registrant to submit a notarized affidavit attesting that specified conditions have been satisfied if a registered brand and formula combination is not in production for distribution in this state; amending s. 526.52, F.S.; providing alternative criteria under which a brand of brake fluid may satisfy branding requirements; amending s. 526.53, F.S.; conforming terminology; requiring that stop-sale orders be served by the department on the owner of the brand name, the distributor, or other entity responsible for selling or distributing the product; providing that the department's representative, with the consent of the department, may dispose of certain unregistered brake fluid; amending s. 526.55, F.S.; replacing criminal sanctions with administrative and monetary sanctions for violations of laws regulating the sale of brake fluid; amending s. 539.001, F.S.; eliminating the requirement that a pawnshop provide the Department of Agriculture and Consumer Services notice of a change in its location by certified or registered mail; amending s. 559.805, F.S.; eliminating a requirement that sellers of business opportunities provide the department with the social security numbers of their independent agents; amending s. 559.904, F.S., relating to the regulation of motor vehicle repair shops; substituting the term "business tax receipt" for the term "occupational license"; repealing s. 559.922, F.S., relating to the use of motor vehicle repair shop registration fees to provide financial assistance to motor vehicle repair shop employees who undertake certain technical training or courses; amending s. 559.928, F.S., relating to the regulation of sellers of travel; substituting the term "business tax receipt" for the term "occupational license"; eliminating a requirement that an independent travel agent provide his or her social security number to the department; amending s. 559.9285, F.S.; conforming a cross-reference; amending s. 559.935, F.S., relating to an exemption from regulation provided for certain sellers of travel; substituting the term "business tax receipt" for the term "occupational license"; amending s. 570.29, F.S., relating to departmental divisions; conforming terminology; repealing ss. 570.46 and 570.47, F.S., relating to the powers and duties of the Division of Standards and the qualifications and duties of the director of the division; amending s. 570.544, F.S.; revising the powers and duties of the director of the Division of Consumer Services; amending s. 616.242, F.S.; removing an obsolete reference to the Bureau of Fair Rides Inspection; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for CS for CS for SB 888**, on motion by Senator Flores, by two-thirds vote **CS for CS for HB 749** was withdrawn from the Committees on Commerce and Tourism; Regulated Industries; Budget Subcommittee on General Government Appropriations; and Budget.

On motion by Senator Flores—

CS for CS for HB 749—An act relating to consumer services; amending s. 20.14, F.S.; deleting provisions establishing the Division of Standards within the Department of Agriculture and Consumer Services; repealing s. 366.85, F.S., relating to responsibilities of the department for compliance with certain federal requirements related to consumer conciliatory conferences and energy conservation products, services, and loans; amending s. 472.005, F.S.; redefining the term "license" and defining the terms "consumer member" and "licensee" for purposes of provisions governing surveyors and mappers; amending s. 472.006, F.S.; directing the Department of Agriculture and Consumer Services to work cooperatively with the Department of Revenue to implement an automated method of disclosing information related to licensees; authorizing the Department of Agriculture and Consumer Services to suspend or deny the license of any licensee found not to be in compliance with a support order, subpoena, order to show cause, or written agreement; providing for reinstatement of a denied or suspended license; relieving the department of certain liability associated with the denial or suspension of a license; amending s. 472.011, F.S.; authorizing the department to waive license renewal fees for land surveyors and mappers under certain circumstances; authorizing the collection of an existing special assessment from inactive and delinquent licensees; amending s. 472.0131, F.S., relating to examinations; making technical changes; amending s. 472.015, F.S.; authorizing the department to require land surveyors or mappers to submit their social security numbers when applying for initial licensure or license renewal; providing conditions under which an application is deemed received; providing conditions under which the department may issue a license by endorsement; requiring an applicant to provide his or her social security number as required pursuant to federal law; specifying how a social security number may be used; amending s. 472.018, F.S., relating to continuing education; making technical changes; requiring that continuing education providers electronically provide certain information to the department; providing timeframes for reporting; requiring that the department establish a system to monitor licensee compliance with continuing education requirements; defining the term "monitor"; authorizing the department to refuse to renew a license until the applicant satisfies continuing education requirements; authorizing the department or board to impose additional penalties against applicants who fail to satisfy additional requirements; amending s. 472.0202, F.S.; conforming a cross-reference; amending s. 472.0203, F.S.; providing for license renewal notification by the department to be sent electronically to the licensee's last known e-mail address; amending s. 472.025, F.S.; providing that a professional surveyor or mapper whose license is revoked or suspended must return his or her seal to the executive director of the board, rather than to the secretary; creating s. 472.0337, F.S.; authorizing the department to administer oaths, take depositions, make inspections, issue and serve subpoenas and other process, and compel the attendance of witnesses and production of certain documents; providing for challenges to and enforcement of subpoenas and orders; amending s. 472.0351, F.S.; revising grounds for discipline; eliminating certain actions by a licensee which are grounds for disciplinary action; specifying what constitutes an action against a license in another state, territory, or country; specifying that the board may enter an order against a surveyor or mapper who committed certain violations before obtaining a license; authorizing the board to require corrective action; prohibiting the department from issuing to or renewing the license of a person or business entity that has been assessed a fine, interest, costs, or attorney fees associated with an investigation or prosecution until the person pays them in full or complies with or satisfies all terms and conditions of the final order; amending s. 493.6105, F.S.; authorizing the Department of Agriculture and Consumer Services to waive firearms training requirements for the initial licensure of private investigative, private security, or repossession

services under certain circumstances; amending s. 493.6113, F.S.; authorizing the department to waive firearms training requirements for license renewal of private investigative, private security, and repossession services under certain circumstances; amending s. 493.6118, F.S.; providing for disciplinary action to be taken against certain additional license classes and schools or training facilities for private investigators and private security and repossession services; amending s. 493.6120, F.S.; providing for penalty provisions to apply to certain additional license classes and schools or training facilities for private investigators and private security and repossession services; amending s. 501.015, F.S., relating to the regulation of health studios; substituting the term "local business tax receipt" for the term "local occupational license"; amending s. 501.017, F.S.; making technical changes; clarifying that certain notice be provided in a health studio contract in at least 10-point boldface type; amending s. 501.059, F.S.; deleting requirement that telephone subscribers pay an initial listing charge for including their telephone numbers on the state's no sales solicitation calls listing; specifying the period that a subscriber's listing remains active; requiring the department to include certain listings from a national database on the state's listing; authorizing the department to impose administrative fines for violations; specifying that administrative proceedings are subject to the Administrative Procedure Act; requiring telecommunications companies to inform their customers of certain telephone solicitation requirements; deleting requirement that the Florida Public Service Commission adopt certain rules; amending s. 501.605, F.S.; providing that an applicant for a commercial telephone seller license may provide other valid forms of identification in lieu of a valid driver license number; removing the requirement that the applicant provide his or her social security number on the application; amending s. 501.607, F.S.; providing that an applicant for a telemarketing salesperson's license may provide other valid forms of identification in lieu of a driver license number; amending s. 501.911, F.S.; revising provisions for administration of the Antifreeze Act of 1978, to conform; amending s. 501.913, F.S.; requiring the registrant of a brand of antifreeze to assume full responsibility for the registration; requiring that a registrant of a brand of antifreeze not in production for distribution in this state must submit a notarized affidavit attesting to specified information; requiring that a certain sample size of each brand of antifreeze accompany the application for registration; amending s. 507.04, F.S.; requiring that the Department of Agriculture and Consumer Services be notified at least 10 days before any changes are made in the insurance coverage of a household moving service; amending s. 525.07, F.S.; revising required contents of seal clasps applied by meter mechanics after repair and adjustment of petroleum fuel measuring devices; amending s. 526.143, F.S.; authorizing the department to temporarily waive certain requirements for generators at retail motor fuel outlets which are used in preparation or response to an emergency or major disaster in another state; amending s. 526.50, F.S., relating to the sale of brake fluid; defining the terms "brand" and "formula"; amending s. 526.51, F.S.; conforming terminology; providing criteria for reregistering a previously registered brand and formula combination of brake fluid; providing for a fine for late submission of the application for reregistration and required materials; requiring a registrant to submit a notarized affidavit attesting that specified conditions have been satisfied if a registered brand and formula combination is not in production for distribution in this state; amending s. 526.52, F.S.; providing alternative criteria under which a brand of brake fluid may satisfy branding requirements; amending s. 526.53, F.S.; conforming terminology; requiring that stop-sale orders be served by the department on the owner of the brand name, the distributor, or other entity responsible for selling or distributing the product; providing that the department's representative, with the consent of the department, may dispose of certain unregistered brake fluid; amending s. 526.55, F.S.; replacing criminal sanctions with administrative and monetary sanctions for violations of laws regulating the sale of brake fluid; amending s. 539.001, F.S.; eliminating the requirement that a pawnshop provide the Department of Agriculture and Consumer Services notice of a change in its location by certified or registered mail; amending s. 559.805, F.S.; eliminating a requirement that sellers of business opportunities provide the department with the social security numbers of their independent agents; amending s. 559.904, F.S., relating to the regulation of motor vehicle repair shops; substituting the term "business tax receipt" for the term "occupational license"; repealing s. 559.922, F.S., relating to the use of motor vehicle repair shop registration fees to provide financial assistance to motor vehicle repair shop employees who undertake certain technical training or courses; amending s. 559.928, F.S., relating to the regulation of sellers of travel; substituting the term "business tax receipt" for the term "occupational license"; eliminating a requirement that an independent travel agent provide his or her social security number to the department; amending s. 559.9285, F.S.; conforming a cross-reference; amending s. 559.935, F.S., relating to an exemption from regulation provided for certain sellers of travel; substituting the term "business tax receipt" for the term "occupational license"; amending s. 570.29, F.S., relating to departmental divisions; conforming terminology; repealing ss. 570.46 and 570.47, F.S., relating to the powers and duties of the Division of Standards and the qualifications and duties of the director of the division; amending s. 570.544, F.S.; revising the powers and duties of the director of the Division of Consumer Services; amending s. 616.242, F.S.; removing an obsolete reference to the Bureau of Fair Rides Inspection; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 888** and read the second time by title.

On motion by Senator Flores, by two-thirds vote **CS for CS for HB 749** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Gibson	Ring
Bogdanoff	Hays	Sachs
Braynon	Jones	Simmons
Bullard	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise

Nays—None

On motion by Senator Jones, by unanimous consent—

CS for SB 1120—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 210.01, F.S.; redefining the term "agent" as it relates to the cigarette tax, to conform to changes made by the act; amending s. 210.05, F.S.; deleting a provision that allows the cigarette tax to be paid by affixing a stamp insignia through a metering machine; amending s. 210.07, F.S.; deleting provisions authorizing the use of metering machines; requiring retail dealers of cigarettes, rather than wholesale dealers, to affix to each such machine, in a conspicuous place, an identification sticker furnished by the Division of Alcoholic Beverages and Tobacco within the Department of Business and Professional Regulation; amending ss. 210.11 and 210.12, F.S.; conforming provisions to changes made by the act; amending s. 210.15, F.S.; deleting a provision that prohibited the division from approving the use of meter machines to evidence the payment of the taxes on cigarettes except to qualified wholesale dealers; amending s. 210.18, F.S.; conforming provisions regarding penalties relating to the use of metering machines; amending s. 455.271, F.S.; deleting a provision that provides that a licensee of the department who changes from inactive to active status is not eligible to return to inactive status until the licensee thereafter completes a licensure cycle on active status; amending s. 475.02, F.S.; conforming a provision to changes made by the act; amending s. 475.180, F.S.; deleting a provision that requires an applicant for a real estate license who is not a resident of this state to file an irrevocable consent regarding lawsuits and actions commenced against the applicant; deleting provisions prescribing the method of service of process; amending s. 475.451, F.S.; deleting the requirement that an applicant to be chief administrator of a proprietary real estate school or state institution meet certain qualifications for licensure as a broker associate or sales associate and other minimal requirements; deleting the definition of the term "chief administrative person" as it relates to schools teaching real estate practice; repealing s. 475.6235(7), F.S., relating to a nonresidential applicant's requirement to file an irrevocable consent regarding lawsuits and actions against an appraisal management company; amending s. 475.631, F.S.; deleting the provision that

requires an applicant for licensure as an appraiser who is not a resident of this state to file an irrevocable consent regarding lawsuits and actions commenced against the applicant; deleting the method of service of process; repealing s. 476.124, F.S., relating to certain application requirements for licensing examinations in barbering; amending s. 561.23, F.S.; deleting the requirement that licenses issued under the Beverage Law be issued in duplicate; amending s. 565.07, F.S.; allowing certain high-proof distilled spirits to be distilled, bottled, packaged, or processed for export or sale outside this state; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 1120**, on motion by Senator Jones, by two-thirds vote **HB 693** was withdrawn from the Committees on Regulated Industries; Budget Subcommittee on General Government Appropriations; and Budget.

On motion by Senator Jones, the rules were waived and—

HB 693—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 210.01, F.S.; redefining the term "agent" as it relates to the cigarette tax, to conform to changes made by the act; amending s. 210.05, F.S.; deleting a provision that allows the cigarette tax to be paid by affixing a stamp insignia through a metering machine; amending s. 210.07, F.S.; deleting provisions authorizing the use of metering machines; requiring retail dealers of cigarettes, rather than wholesale dealers, to affix to each such machine, in a conspicuous place, an identification sticker furnished by the Division of Alcoholic Beverages and Tobacco within the Department of Business and Professional Regulation; amending ss. 210.11 and 210.12, F.S.; conforming provisions to changes made by the act; amending s. 210.15, F.S.; deleting a provision that prohibited the division from approving the use of meter machines to evidence the payment of the taxes on cigarettes except to qualified wholesale dealers; amending s. 210.18, F.S.; conforming provisions regarding penalties relating to the use of metering machines; amending s. 455.271, F.S.; deleting a provision that provides that a licensee of the department who changes from inactive to active status is not eligible to return to inactive status until the licensee thereafter completes a licensure cycle on active status; amending s. 475.02, F.S.; conforming a provision to changes made by the act; amending s. 475.180, F.S.; deleting a provision that requires an applicant for a real estate license who is not a resident of this state to file an irrevocable consent regarding lawsuits and actions commenced against the applicant; deleting provisions prescribing the method of service of process; amending s. 475.451, F.S.; deleting the requirement that an applicant to be chief administrator of a proprietary real estate school or state institution meet certain qualifications for licensure as a broker associate or sales associate and other minimal requirements; deleting the definition of the term "chief administrative person" as it relates to schools teaching real estate practice; repealing s. 475.6235(7), F.S., relating to a nonresidential applicant's requirement to file an irrevocable consent regarding lawsuits and actions against an appraisal management company; amending s. 475.631, F.S.; deleting the provision that requires an applicant for licensure as an appraiser who is not a resident of this state to file an irrevocable consent regarding lawsuits and actions commenced against the applicant; deleting the method of service of process; repealing s. 476.124, F.S., relating to certain application requirements for licensing examinations in barbering; amending s. 561.23, F.S.; deleting the requirement that licenses issued under the Beverage Law be issued in duplicate; amending s. 565.07, F.S.; allowing certain high-proof distilled spirits to be distilled, bottled, packaged, or processed for export or sale outside this state; providing an effective date.

—a companion measure, was substituted for **CS for SB 1120** and read the second time by title.

Senator Jones moved the following amendment which was adopted:

Amendment 1 (495716) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (9) of section 210.01, Florida Statutes, is amended to read:

210.01 Definitions.—When used in this part the following words shall have the meaning herein indicated:

(9) "Agent" means any person authorized by the Division of Alcoholic Beverages and Tobacco to purchase and affix adhesive ~~or meter~~ stamps under this part.

Section 2. Subsection (1) of section 210.05, Florida Statutes, is amended to read:

210.05 Preparation and sale of stamps; discount.—

(1) The tax imposed by this part shall be paid by affixing stamps in the manner herein set forth ~~or by affixing stamp insignia through the device of metering machines authorized in this part~~.

Section 3. Section 210.07, Florida Statutes, is amended to read:

210.07 ~~Metering~~ Machines.—

~~(1)(a) The tax may also be paid through the use of cigarette tax stamp insignia to be applied by the use of metering machines. The division shall prescribe and promulgate appropriate rules and regulations governing the use of metering machines, the procedure for the payment of such cigarette taxes through the use thereof, requiring adequate surety bonds of the users thereof to assure the proper use of such machines and payment of all cigarette taxes that might come due by the users thereof, and all other rules and regulations necessary and proper to govern the use of same.~~

~~(b) The provisions of s. 210.05(3)(a) and (b) shall be applicable to cigarette taxes paid through the use of metering machines.~~

~~(2) All provisions of this part governing the use of cigarette tax stamps, the compiling of records, the making of reports, permits and revocation of permits, seizures and forfeitures, penalties, and all other provisions pertaining to the payment of cigarette taxes through the use of stamps, shall likewise be applicable to the payment of said taxes through the use of metering machines.~~

(1)~~(3)~~ ~~Wholesale or~~ Retail dealers of cigarettes owning, leasing, furnishing, or operating cigarette vending machines shall affix to each such machine, in a conspicuous place, an identification sticker furnished by the division. Every sticker shall show the vending machine serial number and the name and address of the cigarette ~~wholesale or~~ retail dealer owning, leasing, furnishing, or operating *the* ~~said~~ vending machine.

(2)~~(4)~~ *A person may not operate a* ~~No~~ vending machine ~~shall be allowed to operate~~ in the state *unless* ~~that does not have affixed thereto~~ the identification sticker required by this section *is affixed to the vending machine. A person may not operate a* ~~nor shall any~~ vending machine ~~be allowed to operate~~ in the state *which* ~~that~~ does not display at all times at least one package of each brand of the packages located therein so the same are clearly visible and arranged in such a manner that the cigarette tax stamps ~~or meter impressions of stamps~~ affixed thereto are clearly visible. *A* ~~It shall be the duty of any~~ person, firm, or corporation operating a cigarette vending machine in this state *must* ~~to~~ furnish *to* the division the location of the vending machine and ~~to~~ report within 30 days to the division any change of location of the vending machine.

Section 4. Section 210.11, Florida Statutes, is amended to read:

210.11 Refunds; sales of stamps and payment of tax.—Whenever any cigarettes upon which stamps have been placed, ~~or upon which the tax has been paid by metering machine,~~ have been sold and shipped into another state for sale or use therein, or have become unfit for use and consumption or unsalable, or have been destroyed, the dealer involved shall be entitled to a refund or credit of the actual amount of the tax paid with respect to such cigarettes less any discount allowed by the division in the sale of the stamps ~~or payment of the tax by metering machine~~, upon receipt of satisfactory evidence of the dealer's right to receive such refund or credit, provided application for refund or credit is made within 9 months *after* ~~of~~ the date the cigarettes were shipped out of the state, became unfit, or were destroyed. Only the division shall sell, or offer for sale, any stamp or stamps issued under this part. The division may redeem unused stamps lawfully in the possession of any person. The division may prescribe necessary rules ~~and regulations~~ concerning refunds, credits, sales of stamps, and redemptions under the provisions of this part. Appropriation is hereby made out of revenues collected under this part for payment of such allowances.

Section 5. Subsection (1) of section 210.12, Florida Statutes, is amended to read:

210.12 Seizures; forfeiture proceedings.—

(1) The state, acting by and through the division, *may* ~~shall be authorized and empowered to~~ seize, confiscate, and forfeit any cigarettes upon which taxes payable hereunder may be unpaid or *which* ~~that~~ are otherwise held in violation of the requirements of this chapter, and also any vending machine or receptacle in which cigarettes upon which taxes have not been paid are held for sale, or any vending machine that does not have affixed thereto the identification sticker required by ~~the provisions of~~ s. 210.07, or *that* ~~which~~ does not display at all times at least one package of each brand of cigarettes located therein so the same is clearly visible and arranged in such a manner that the cigarette tax stamp ~~or meter impression of the stamp~~ affixed thereto is clearly visible. Such seizure may be made by the division, its duly authorized representative, any sheriff or deputy sheriff, or any police officer.

Section 6. Subsection (2) of section 210.15, Florida Statutes, is amended to read:

210.15 Permits.—

(2) The division may not furnish stamps ~~or approve the use of meter machines~~ to evidence the payment of the taxes on cigarettes except to qualified wholesale dealers.

Section 7. Subsection (3) of section 210.18, Florida Statutes, is amended to read:

210.18 Penalties for tax evasion; reports by sheriffs.—

(3) Any person who falsely or fraudulently makes, forges, alters, or counterfeits any stamp ~~or impression die used in meter machines~~ prescribed by the division under the provisions of this part; ~~or, with intent to evade taxes, jams, tampers with, or alters such a machine;~~ or causes or procures to be falsely or fraudulently made, forged, altered, or counterfeited any such stamp ~~or die~~; or knowingly and willfully utters, purchases, passes or tenders as true any such false, altered, or counterfeited stamp ~~or die impression~~; or, with the intent to defraud the state, fails to comply with any other requirement of this part commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 8. Subsection (2) of section 455.271, Florida Statutes, is amended to read:

455.271 Inactive and delinquent status.—

(2) Each board, or the department when there is no board, shall permit a licensee to choose, at the time of licensure renewal, an active or inactive status. ~~However, a licensee who changes from inactive to active status is not eligible to return to inactive status until the licensee thereafter completes a licensure cycle on active status.~~

Section 9. Subsection (3) of section 475.02, Florida Statutes, is amended to read:

475.02 Florida Real Estate Commission.—

(3) Notwithstanding s. 112.313, any member of the commission who is a licensed real estate broker or sales associate and who holds an active real estate school permit, ~~chief administrator permit,~~ school instructor permit, or any combination of such permits issued by the department, to the extent authorized pursuant to such permit, may offer, conduct, or teach any course prescribed or approved by the commission or the department.

Section 10. Subsection (2) of section 475.180, Florida Statutes, is amended to read:

475.180 Nonresident licenses.—

(2)~~(a) Any applicant who is not a resident of this state shall file an irrevocable consent that suits and actions may be commenced against her or him in any county of this state in which a plaintiff having a cause of action or suit against her or him resides, and that service of any process or pleading in suits or actions against her or him may be made by delivering the process or pleading to the director of the Division of Real Estate by certified mail, return receipt requested, and also to the licensee by registered mail addressed to the licensee at her or his designated principal place of business. Service, when so made, must be taken and held in all courts to be as valid and binding upon the licensee as if made upon her or him in this state within the jurisdiction of the court in which the suit or action is filed. The irrevocable consent must be in a form prescribed by the department and be acknowledged before a notary public.~~

(a)~~(b)~~ Any resident licensee who becomes a nonresident shall, within 60 days, notify the commission of the change in residency and comply with nonresident requirements. Failure to notify and comply is a violation of the license law, subject to the penalties in s. 475.25.

(b)~~(c)~~ All nonresident applicants and licensees shall comply with all requirements of commission rules and this part. The commission may adopt rules necessary for the regulation of nonresident licensees.

Section 11. Subsection (2) of section 475.451, Florida Statutes, is amended to read:

475.451 Schools teaching real estate practice.—

(2) An applicant for a permit to operate a proprietary real estate school~~, to be a chief administrator of a proprietary real estate school or a state institution,~~ or to be an instructor for a proprietary real estate school or a state institution must meet the qualifications for practice set forth in s. 475.17(1) and the following minimal requirements:

(a) "School permitholder" means the individual who is responsible for directing the overall operation of a proprietary real estate school. A school permitholder must be the holder of a license as a broker, either active or voluntarily inactive, or must have passed an instructor's examination approved by the commission. A school permitholder must also meet the requirements of a school instructor if actively engaged in teaching.

~~(b) "Chief administrative person" means the individual who is responsible for the administration of the overall policies and practices of the institution or proprietary real estate school. A chief administrative person must also meet the requirements of a school instructor if actively engaged in teaching.~~

(b)~~(c)~~ "School instructor" means an individual who instructs persons in the classroom in noncredit college courses in a college, university, or community college or courses in a career center or proprietary real estate school.

1. Before commencing to provide such instruction, the applicant must certify the applicant's competency and obtain an instructor permit by meeting one of the following requirements:

a. Hold a bachelor's degree in a business-related subject, such as real estate, finance, accounting, business administration, or its equivalent and hold a valid broker's license in this state.

b. Hold a bachelor's degree, have extensive real estate experience, as defined by rule, and hold a valid broker's license in this state.

c. Pass an instructor's examination approved by the commission.

2. Any requirement by the commission for a teaching demonstration or practical examination must apply to all school instructor applicants.

3. The department shall renew an instructor permit upon receipt of a renewal application and fee. The renewal application shall include proof that the permitholder has, since the issuance or renewal of the current permit, successfully completed a minimum of 7 classroom hours of instruction in real estate subjects or instructional techniques, as prescribed by the commission. The commission shall adopt rules providing for the renewal of instructor permits at least every 2 years. Any permit *that* ~~which~~ is not renewed at the end of the permit period established by the department ~~shall~~ automatically *reverts* ~~revert~~ to involuntarily inactive status.

The department may require an applicant to submit names of persons having knowledge concerning the applicant and the enterprise; may propound interrogatories to such persons and to the applicant concern-

ing the character of the applicant, including the taking of fingerprints for processing through the Federal Bureau of Investigation; and shall make such investigation of the applicant or the school or institution as it may deem necessary to the granting of the permit. If an objection is filed, it shall be considered in the same manner as objections or administrative complaints against other applicants for licensure by the department.

Section 12. *Subsection (7) of section 475.6235, Florida Statutes, is repealed.*

Section 13. Subsection (2) of section 475.631, Florida Statutes, is amended to read:

475.631 Nonresident licenses and certifications.—

(2)~~(a) An applicant who is not a resident of this state shall file an irrevocable consent that suits and actions may be commenced against her or him in any county of this state in which a plaintiff having a cause of action or suit against her or him resides and that service of any process or pleading in suits or actions against her or him may be made by delivering the process or pleading to the director of the Division of Real Estate by certified mail, return receipt requested, and also to the certified appraiser or licensee by registered mail addressed to the certified appraiser or licensee at her or his designated principal place of business. Service, when so made, must be taken and held in all courts to be as valid and binding upon the certified appraiser or licensee as if made upon her or him in this state within the jurisdiction of the court in which the suit or action is filed. The irrevocable consent must be in a form prescribed by the department and be acknowledged before a notary public.~~

(a)~~(b)~~ Any resident state-certified appraiser who becomes a nonresident shall, within 60 days, notify the board of the change in residency and comply with nonresident requirements. Failure to notify and comply is a violation of the license law, subject to the penalties in s. 475.624.

(b)~~(c)~~ All nonresident applicants, certified appraisers, and licensees shall comply with all requirements of board rules and this part. The board may adopt rules pursuant to ss. 120.536(1) and 120.54 necessary for the regulation of nonresident certified appraisers and licensees.

Section 14. *Section 476.124, Florida Statutes, is repealed.*

Section 15. Section 561.23, Florida Statutes, is amended to read:

561.23 License ~~issued in duplicate;~~ display.—

~~(1) Licenses shall be issued in duplicate. The original license shall be delivered to the licensee; and one copy shall be retained by the division.~~

~~(2)~~ All vendors licensed under the Beverage Law shall display their licenses in conspicuous places on their licensed premises.

Section 16. Section 565.07, Florida Statutes, is amended to read:

565.07 Sale or consumption of certain distilled spirits prohibited.—*A* ~~No~~ distilled spirit greater than 153 proof *may not* ~~shall~~ be sold~~, processed,~~ or consumed in the state. *However, a distilled spirit greater than 153 proof may be distilled, bottled, packaged, or processed for export or sale outside the state.*

Section 17. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 210.01, F.S.; redefining the term "agent" as it relates to the cigarette tax, to conform to changes made by the act; amending s. 210.05, F.S.; deleting a provision that allows the cigarette tax to be paid by affixing a stamp insignia through a metering machine; amending s. 210.07, F.S.; deleting provisions authorizing the use of metering machines; requiring retail dealers of cigarettes, rather than wholesale dealers, to affix to each such machine, in a conspicuous place, an identification sticker furnished by the Division of Alcoholic Beverages and Tobacco within the Department of Business and Professional Regulation; amending ss. 210.11 and 210.12, F.S.; conforming provisions to changes made by the act; amending s. 210.15, F.S.; deleting a provision that prohibited the division from approving the use of meter machines to evidence the payment of the taxes on cigarettes except to qualified wholesale dealers; amending s. 210.18, F.S.; conforming provisions regarding penalties relating to the use of metering machines; amending s. 455.271, F.S.; deleting a provision that provides that a licensee of the department who changes from inactive to active status is not eligible to return to inactive status until the licensee thereafter completes a licensure cycle on active status; amending s. 475.02, F.S.; conforming a provision to changes made by the act; amending s. 475.180, F.S.; deleting a provision that requires an applicant for a real estate license who is not a resident of this state to file an irrevocable consent regarding lawsuits and actions commenced against the applicant; deleting provisions prescribing the method of service of process; amending s. 475.451, F.S.; deleting the requirement that an applicant to be chief administrator of a proprietary real estate school or state institution meet certain qualifications for licensure as a broker associate or sales associate and other minimal requirements; deleting the definition of the term "chief administrative person" as it relates to schools teaching real estate practice; repealing s. 475.6235(7), F.S., relating to a nonresidential applicant's requirement to file an irrevocable consent regarding lawsuits and actions against an appraisal management company; amending s. 475.631, F.S.; deleting the provision that requires an applicant for licensure as an appraiser who is not a resident of this state to file an irrevocable consent regarding lawsuits and actions commenced against the applicant; deleting the method of service of process; repealing s. 476.124, F.S., relating to certain application requirements for licensing examinations in barbering; amending s. 561.23, F.S.; deleting the requirement that licenses issued under the Beverage Law be issued in duplicate; amending s. 565.07, F.S.; allowing certain high-proof distilled spirits to be distilled, bottled, packaged, or processed for export or sale outside this state; providing an effective date.

On motion by Senator Jones, by two-thirds vote **HB 693** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Norman
Alexander	Flores	Oelrich
Altman	Gaetz	Rich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Gibson	Sachs
Braynon	Hays	Simmons
Bullard	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise

Nays—None

On motion by Senator Siplin, by unanimous consent—

CS for CS for CS for SB 1254—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 20.14, F.S.; establishing the Division of Food, Nutrition, and Wellness within the department; amending s. 253.002, F.S.; requiring the department to perform certain staff duties and functions for the Board of Trustees of the Internal Improvement Trust Fund related to conservation easements; amending s. 379.2523, F.S.; deleting references to the Aquaculture Interagency Coordinating Council to conform to the repeal by the act of provisions creating the council; amending s. 379.2524, F.S.; deleting provisions that prohibit compensation and authorize per diem and travel expenses for members of the Sturgeon Production Working Group; amending s. 388.161, F.S.; revising the substances that mosquito control districts are authorized to use for controlling mosquito breeding; amending s. 388.201, F.S.; revising the date by which mosquito control districts must submit their certified budgets for approval by the department; amending s. 388.323, F.S.; revising procedures for a county's or mosquito control district's disposal of certain surplus equipment; repealing s. 388.42, F.S., relating to the John A. Mulrennan, Sr., Arthropod Research Laboratory; amending s. 388.46, F.S.; revising the membership and responsibilities of the Florida Coordinating Council on Mosquito

Control; revising the duties of the council's Subcommittee on Managed Marshes; amending s. 493.6104, F.S.; deleting provisions that prohibit compensation and authorize per diem and travel expenses for members of the Private Investigation, Recovery, and Security Advisory Council; amending s. 500.09, F.S.; authorizing the department to adopt rules incorporating by reference the federal model Food Code; amending ss. 500.147 and 502.014, F.S.; deleting provisions for a food safety pilot program and a permitting program for persons who test milk or milk products; amending s. 502.053, F.S.; deleting requirements for milkfat tester licenses; amending s. 570.0705, F.S.; prohibiting members of certain advisory bodies from receiving per diem or travel expenses except under certain circumstances; deleting a provision that prohibits members from receiving compensation for their services; repealing s. 570.071, F.S., relating to the Florida Agricultural Exposition and the receipt and expenditure of funds for the exposition; amending s. 570.074, F.S.; renaming and revising the policy jurisdiction of the department's Office of Energy and Water; amending s. 570.18, F.S.; conforming cross-references; repealing s. 570.29, F.S., relating to divisions of the Department of Agriculture and Consumer Services; repealing s. 570.34, F.S., relating to the Plant Industry Technical Council; creating s. 570.451, F.S.; creating the Agricultural Feed, Seed, and Fertilizer Advisory Council; providing for the council's powers and duties and the appointment of council members; amending ss. 570.53 and 570.54, F.S.; conforming cross-references; amending s. 573.112, F.S.; providing that members of the Citrus Research and Development Foundation's board of directors are entitled to reimbursement for per diem and travel expenses; amending s. 573.118, F.S.; revising requirements for the accounting and review of collections and expenditures from agricultural commodity marketing order assessments; deleting requirements for the audit of such accounts; amending s. 576.045, F.S.; revising the expiration dates of certain provisions regulating fertilizers containing nitrogen or phosphorous; amending s. 576.071, F.S.; deleting a reference to the Fertilizer Technical Council to conform to the repeal by the act of provisions creating the council; repealing ss. 576.091 and 578.30, F.S., relating to the Fertilizer Technical Council and Seed Technical Council; amending s. 580.041, F.S.; revising the reporting requirements and penalties for violations by distributors of commercial feed; amending s. 580.131, F.S.; revising requirements for the assessment of penalties and enforcement of violations by manufacturers and distributors of commercial feed or feedstuff; authorizing the department to assess penalties; requiring registered distributors of commercial feed to pay such penalties to consumers within a specified period; imposing additional penalties for nonpayment; providing for the deposit and use of certain funds paid to the department; repealing s. 580.151, F.S., relating to the Commercial Feed Technical Council; amending s. 581.011, F.S.; conforming provisions; amending s. 581.145, F.S.; revising requirements for the issuance of permits to aquaculture producers for the transport and sale of water hyacinths to other states and countries; amending s. 582.06, F.S.; revising requirements for the composition and appointment of members of the Soil and Water Conservation Council and the reimbursement of members for per diem and travel expenses; amending ss. 582.20 and 582.29, F.S.; revising the geographic jurisdiction of soil and water conservation districts to include certain territory outside of the districts' boundaries; amending s. 582.30, F.S.; revising requirements and procedures for the dissolution or discontinuance of soil and water conservation districts; revising notice requirements for such proposed dissolution or discontinuance; amending s. 582.31, F.S.; revising requirements for payment of the proceeds from the sale of property of a dissolving soil and water conservation district to the State Treasury; amending s. 582.32, F.S.; revising the procedures on continuing existing contracts; repealing s. 585.155, F.S., relating to the inspection and vaccination of cattle for brucellosis; repealing s. 589.03, F.S., relating to the compensation and reimbursement for per diem and travel expenses of members of the Florida Forestry Council; amending s. 589.19, F.S.; renaming the "Wounded Warrior Special Hunt Areas" of the state forests; conforming obsolete references to the former Division of Forestry; amending s. 589.277, F.S.; revising requirements for the deposit of contributions for tree planting programs; conforming obsolete references to the former Division of Forestry; amending s. 590.02, F.S.; specifying that state and local government agencies other than the Florida Forest Service may not enforce regulations of broadcast burning or agricultural and silvicultural pile burning except under certain circumstances; conforming obsolete references to the former Division of Forestry; amending ss. 597.0021 and 597.003, F.S.; deleting references to the Aquaculture Interagency Coordinating Council to conform to the repeal by the act of provisions creating the council; amending s. 597.004, F.S.; authorizing the waiver of aquaculture registration fees for certain schools; amending s. 597.005, F.S.; revising the composition of the Aquaculture Review Council to conform to the repeal by the act of provisions creating the Aquaculture Interagency Coordinating Council; revising the legislative committees to whom the Aquaculture Review Council must provide analyses of unresolved industry issues; repealing s. 597.006, F.S., relating to the Aquaculture Interagency Coordinating Council; amending s. 604.21, F.S.; authorizing the Commissioner of Agriculture to act as trustee on bonds posted by the United States Department of Agriculture under certain circumstances; authorizing the Commissioner of Agriculture to enter into agreements with the United States Department of Agriculture; amending s. 616.252, F.S.; providing for the reimbursement of members of the Florida State Fair Authority for per diem and travel expenses; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for CS for CS for SB 1254**, on motion by Senator Siplin, by two-thirds vote **CS for CS for HB 7021** was withdrawn from the Committees on Agriculture; Environmental Preservation and Conservation; Budget Subcommittee on General Government Appropriations; and Budget.

On motion by Senator Siplin—

CS for CS for HB 7021—An act relating to the Department of Agriculture and Consumer Services; amending s. 20.14, F.S.; establishing the Division of Food, Nutrition, and Wellness within the department; amending s. 253.002, F.S.; requiring the department to perform certain staff duties and functions for the Board of Trustees of the Internal Improvement Trust Fund related to conservation easements; amending s. 379.2523, F.S.; deleting references to the Aquaculture Interagency Coordinating Council to conform to the repeal by the act of provisions creating the council; amending s. 379.2524, F.S.; deleting provisions that prohibit compensation and authorize per diem and travel expenses for members of the Sturgeon Production Working Group; amending s. 388.161, F.S.; revising the substances that mosquito control districts are authorized to use for controlling mosquito breeding; amending s. 388.201, F.S.; revising the date by which mosquito control districts must submit their certified budgets for approval by the department; amending s. 388.323, F.S.; revising procedures for a county's or mosquito control district's disposal of certain surplus equipment; repealing s. 388.42, F.S., relating to the John A. Mulrennan, Sr., Arthropod Research Laboratory; amending s. 388.46, F.S.; revising the membership and responsibilities of the Florida Coordinating Council on Mosquito Control; revising the duties of the council's Subcommittee on Managed Marshes; amending s. 493.6104, F.S.; deleting provisions that prohibit compensation and authorize per diem and travel expenses for members of the Private Investigation, Recovery, and Security Advisory Council; amending s. 500.09, F.S.; authorizing the department to adopt rules incorporating by reference the federal model Food Code; amending ss. 500.147 and 502.014, F.S.; deleting provisions for a food safety pilot program and a permitting program for persons who test milk or milk products; amending s. 502.053, F.S.; deleting requirements for milkfat tester licenses; amending s. 570.0705, F.S.; prohibiting members of certain advisory bodies from receiving per diem or travel expenses; deleting a provision that prohibits members from receiving compensation for their services; repealing s. 570.071, F.S., relating to the Florida Agricultural Exposition and the receipt and expenditure of funds for the exposition; amending s. 570.074, F.S.; renaming and revising the policy jurisdiction of the department's Office of Energy and Water; amending s. 570.18, F.S.; conforming cross-references; repealing s. 570.29, F.S., relating to divisions of the Department of Agriculture and Consumer Services; repealing s. 570.34, F.S., relating to the Plant Industry Technical Council; creating s. 570.451, F.S.; creating the Agricultural Feed, Seed, and Fertilizer Advisory Council; providing for the council's powers and duties and the appointment of council members; amending ss. 570.53 and 570.54, F.S.; conforming cross-references; amending s. 573.112, F.S.; providing that members of the Citrus Research and Development Foundation's board of directors are entitled to reimbursement for per diem and travel expenses; amending s. 573.118, F.S.; revising requirements for the accounting and review of collections and expenditures from agricultural commodity marketing order assessments; deleting requirements for the audit of such accounts; amending s. 576.045, F.S.; revising the expiration dates of certain provisions regulating fertilizers containing nitrogen or phosphorous; amending s. 576.071, F.S.; deleting a reference to the Fertilizer Technical Council to conform to the repeal by the act of provisions creating the council; repealing ss. 576.091 and 578.30, F.S., relating to the Fertilizer Technical Council and Seed Technical

Council; amending s. 580.041, F.S.; revising the reporting requirements and penalties for violations by distributors of commercial feed; amending s. 580.131, F.S.; revising requirements for the assessment of penalties and enforcement of violations by manufacturers and distributors of commercial feed or feedstuff; authorizing the department to assess penalties; requiring registered distributors of commercial feed to pay such penalties to consumers within a specified period; imposing additional penalties for nonpayment; providing for the deposit and use of certain funds paid to the department; repealing s. 580.151, F.S., relating to the Commercial Feed Technical Council; amending s. 581.011, F.S.; conforming provisions; amending s. 581.145, F.S.; revising requirements for the issuance of permits to aquaculture producers for the transport and sale of water hyacinths to other states and countries; amending s. 582.06, F.S.; revising requirements for the composition and appointment of members of the Soil and Water Conservation Council and the reimbursement of members for per diem and travel expenses; amending ss. 582.20 and 582.29, F.S.; revising the geographic jurisdiction of soil and water conservation districts to include certain territory outside of the districts' boundaries; amending s. 582.30, F.S.; revising requirements and procedures for the dissolution or discontinuance of soil and water conservation districts; revising notice requirements for such proposed dissolution or discontinuance; amending s. 582.31, F.S.; revising requirements for payment of the proceeds from the sale of property of a dissolving soil and water conservation district to the State Treasury; amending s. 582.32, F.S.; providing for the transfer of property and assumption of indebtedness of a soil and water conservation district upon its dissolution; deleting provisions relating to the continuation of contracts with dissolved soil and water conservation districts; repealing s. 585.155, F.S., relating to the inspection and vaccination of cattle for brucellosis; repealing s. 589.03, F.S., relating to the compensation and reimbursement for per diem and travel expenses of members of the Florida Forestry Council; amending s. 589.19, F.S.; renaming the "Wounded Warrior Special Hunt Areas" of the state forests; conforming obsolete references to the former Division of Forestry; amending s. 589.277, F.S.; revising requirements for the deposit of contributions for tree planting programs; conforming obsolete references to the former Division of Forestry; amending s. 590.02, F.S.; specifying that state and local government agencies other than the Florida Forest Service may not enforce regulations of broadcast burning or agricultural and silvicultural pile burning except under certain circumstances; conforming obsolete references to the former Division of Forestry; amending ss. 597.0021 and 597.003, F.S.; deleting references to the Aquaculture Interagency Coordinating Council to conform to the repeal by the act of provisions creating the council; amending s. 597.004, F.S.; authorizing the waiver of aquaculture registration fees for certain schools; amending s. 597.005, F.S.; revising the composition of the Aquaculture Review Council to conform to the repeal by the act of provisions creating the Aquaculture Interagency Coordinating Council; revising the legislative committees to whom the Aquaculture Review Council must provide analyses of unresolved industry issues; repealing s. 597.006, F.S., relating to the Aquaculture Interagency Coordinating Council; amending s. 604.21, F.S.; authorizing the Commissioner of Agriculture or a designee to act as trustee on certain bonds or securities and authorizing the commissioner to enter into agreements with the United States Department of Agriculture for purposes of a specified federal act; amending s. 616.252, F.S.; providing for the reimbursement of members of the Florida State Fair Authority for per diem and travel expenses; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1254** and read the second time by title.

On motion by Senator Siplin, by two-thirds vote **CS for CS for HB 7021** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Detert	Gibson
Alexander	Diaz de la Portilla	Hays
Altman	Dockery	Jones
Benacquisto	Evers	Joyner
Bennett	Fasano	Latvala
Bogdanoff	Flores	Lynn
Braynon	Gaetz	Margolis
Bullard	Garcia	Montford
Dean	Gardiner	Negron
Norman	Sachs	Storms
Oelrich	Simmons	Thrasher
Rich	Siplin	Wise
Richter	Smith	
Ring	Sobel	

Nays—None

On motion by Senator Diaz de la Portilla, by unanimous consent—

SB 1456—A bill to be entitled An act relating to the conservation of wildlife; providing for certain zoos and aquariums to apply to the Board of Trustees of the Internal Improvement Trust Fund for authorization to use state lands for the purpose of conducting enhanced research; providing information that must be provided in the application; providing criteria that the board must consider in reviewing the application; requiring the Fish and Wildlife Conservation Commission to assist the board and to adopt rules; providing an effective date.

—was taken up out of order and read the second time by title.

An amendment was considered and adopted to conform **SB 1456** to **CS for HB 1117**.

Pending further consideration of **SB 1456** as amended, on motion by Senator Diaz de la Portilla, by two-thirds vote **CS for HB 1117** was withdrawn from the Committees on Environmental Preservation and Conservation; Budget Subcommittee on General Government Appropriations; and Budget.

On motion by Senator Diaz de la Portilla—

CS for HB 1117—An act relating to conservation of wildlife; authorizing certain zoos and aquariums to apply to the Board of Trustees of the Internal Improvement Trust Fund or the governing board of a water management district to use state lands or water management district lands for specified purposes; providing application requirements; providing criteria for the approval of such uses; requiring the Fish and Wildlife Conservation Commission to provide technical assistance in reviewing such applications; providing an effective date.

—a companion measure, was substituted for **SB 1456** as amended and read the second time by title.

On motion by Senator Diaz de la Portilla, by two-thirds vote **CS for HB 1117** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Gibson	Ring
Bogdanoff	Hays	Sachs
Braynon	Jones	Simmons
Bullard	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—1

Dockery

On motion by Senator Ring, by unanimous consent—

SB 2080—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 364.107, F.S., relating to an exemption from public records requirements for personal identifying information of Lifeline Assistance Plan participants; pro-

viding a penalty for intentional disclosure of confidential and exempt information by an officer or employee of the Public Service Commission; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **SB 2080**, on motion by Senator Ring, by two-thirds vote **HB 7109** was withdrawn from the Committees on Governmental Oversight and Accountability; and Communications, Energy, and Public Utilities.

On motion by Senator Ring—

HB 7109—An act relating to a review under the Open Government Sunset Review Act; amending s. 364.107, F.S., which provides an exemption from public record requirements for personal identifying information of Lifeline Assistance Plan participants; providing a penalty for intentional disclosure of confidential and exempt information by an officer or employee of the Public Service Commission; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **SB 2080** and read the second time by title.

On motion by Senator Ring, by two-thirds vote **HB 7109** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

On motion by Senator Ring, by unanimous consent—

CS for CS for SB 2084—A bill to be entitled An act relating to state employment; amending s. 110.105, F.S.; revising the employment policy of the state system of personnel management; amending s. 110.1127, F.S.; revising provisions relating to employee background screening; amending s. 110.119, F.S.; revising provisions relating to administrative leave for a service-connected disability; amending s. 110.1225, F.S.; revising provisions relating to agency furloughs; amending s. 110.126, F.S.; revising provisions relating to the authority of the Department of Management Services to administer oaths; amending s. 110.131, F.S.; revising the duties of state agencies with respect to the employment of other-personal-services employees; providing reporting requirements; amending s. 110.1315, F.S.; revising provisions relating to alternative retirement benefits for other-personal-services employees; requiring the Department of Financial Services to provide for, rather than authorizing the Department of Management Services to contract for the implementation of, an alternative retirement income security program; authorizing the Department of Financial Services, rather than the Department of Management Services, to contract with a private vendor to administer the program and to develop a request for proposals and solicit vendors; authorizing the Department of Financial Services to adopt rules; amending s. 110.171, F.S.; revising provisions relating to state employee telecommuting; providing for a telework program; providing program requirements for agencies and employees; amending s. 110.181, F.S.; revising provisions relating to the Florida State Employees' Charitable Campaign; requiring state officers and employees to designate a charitable organization to receive certain charitable contributions; deleting provisions relating to the establishment of local steering committees and the distribution of funds; amending s. 110.2035, F.S.; revising provisions relating to pay additives; amending s. 110.205, F.S.; deleting a provision that allows career service employees to retain annual leave, sick leave, and compensatory leave credits upon appointment to a selected exempt position; amending s. 110.217, F.S.; revising provisions relating to a change in an employee's position status; amending s. 110.227, F.S.; deleting requirements for an agency that removes from a promotional position a career service employee who is serving a probationary period in such position to return such employee to the employee's former position or a comparable position, if such a position is vacant; amending ss. 255.249, 402.3057, 409.1757, 413.20, 943.0585, and 943.059, F.S.; conforming provisions and cross-references; providing an effective date.

—was taken up out of order and read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 2084** to **CS for CS for CS for CS for HB 1261**.

Pending further consideration of **CS for CS for SB 2084** as amended, on motion by Senator Ring, by two-thirds vote **CS for CS for CS for CS for HB 1261** was withdrawn from the Committees on Governmental Oversight and Accountability; and Budget.

On motion by Senator Ring—

CS for CS for CS for CS for HB 1261— An act relating to state employment; amending s. 110.105, F.S.; revising the employment policy of the state system of personnel management; amending s. 110.1127, F.S.; revising provisions relating to employee background screening; amending s. 110.119, F.S.; revising provisions relating to administrative leave for a service-connected disability; amending s. 110.1225, F.S.; revising provisions relating to agency furloughs; amending s. 110.126, F.S.; revising provisions relating to the authority of the Department of Management Services to administer oaths; amending s. 110.131, F.S.; revising the duties of state agencies with respect to the employment of other-personal-services employees; providing reporting requirements; amending s. 110.1315, F.S.; requiring the Department of Financial Services to provide an alternative retirement income security program for eligible temporary and seasonal employees; authorizing the department to adopt rules; amending s. 110.171, F.S.; revising provisions relating to state employee telecommuting; providing for a telework program; providing program requirements for agencies and employees; amending s. 110.181, F.S.; revising provisions relating to the Florida State Employees' Charitable Campaign; requiring state officers and employees to designate a charitable organization to receive certain charitable contributions; revising purposes for the establishment of local steering committees; deleting provisions relating to thedistribution of funds; amending s. 110.2035, F.S.; revising provisions relating to pay additives; amending s. 110.205, F.S.; deleting a provision authorizing the carrying forward of unused compensatory leave by certain employees; amending s. 110.217, F.S.; revising provisions relating to a change in an employee's position status; amending s. 110.227, F.S.; deleting requirements for an agency that removes from a promotional position a career service employee who is serving a probationary period in such position to return such employee to the employee's former position or a comparable position, if such a position is vacant; amending ss. 255.249, 402.3057, 409.1757, 413.20, 943.0585, and 943.059, F.S.; conforming provisions and cross-references; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 2084** as amended and read the second time by title.

On motion by Senator Ring, by two-thirds vote **CS for CS for CS for CS for HB 1261** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Braynon	Evers
Alexander	Bullard	Fasano
Altman	Dean	Flores
Benacquisto	Detert	Gaetz
Bennett	Diaz de la Portilla	Garcia
Bogdanoff	Dockery	Gardiner

Gibson	Negron	Siplin
Hays	Norman	Smith
Jones	Oelrich	Sobel
Joyner	Rich	Storms
Latvala	Richter	Thrasher
Lynn	Ring	Wise
Margolis	Sachs	
Montford	Simmons	

Nays—None

On motion by Senator Ring, by unanimous consent—

SB 2082—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 627.3121, F.S., which provides an exemption from public records requirements for records held by the Florida Workers' Compensation Joint Underwriting Association, Inc., and an exemption from public meetings requirements for meetings of the association's board of governors, or a subcommittee of the association's board, at which confidential and exempt records are discussed; saving the exemptions from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemptions; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **SB 2082**, on motion by Senator Ring, by two-thirds vote **HB 7105** was withdrawn from the Committees on Governmental Oversight and Accountability; and Banking and Insurance.

On motion by Senator Ring—

HB 7105—An act relating to a review under the Open Government Sunset Review Act; amending s. 627.3121, F.S., which provides an exemption from public records requirements for certain records held by the Florida Workers' Compensation Joint Underwriting Association, Inc., and an exemption from public meetings requirements for certain meetings of the association's board of governors, or a subcommittee of the association's board; clarifying that the public record exemption applies to medical information relating to the medical condition or medical status of an individual; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **SB 2082** and read the second time by title.

On motion by Senator Ring, by two-thirds vote **HB 7105** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

On motion by Senator Gardiner, by unanimous consent—

CS for CS for SB 1402—A bill to be entitled An act relating to digital learning; amending s. 1002.20, F.S.; providing that Florida Virtual School full-time students who meet specified academic and conduct requirements are eligible to participate in interscholastic extracurricular activities at certain public schools; amending s. 1002.321, F.S.; revising provisions relating to customized and accelerated learning through virtual instruction to include blended learning courses; prohibiting any person from taking an online course or examination on behalf of another person; providing a penalty; amending s. 1002.37, F.S.; providing that the Florida Virtual School may provide part-time instruction for students in kindergarten through grade 12; deleting a requirement that an elementary school principal provide certain notification to parents; requiring that statewide assessments be taken at the school to which a student would be assigned according to district school board attendance area policies; requiring that a school district provide a student with access to the school's testing facilities; amending s. 1002.45, F.S.; revising provisions relating to school district options for providing full-time and part-time virtual instruction programs and the open enrollment period for participation; providing that a part-time virtual instruction program offer instruction for students enrolled in kindergarten through grade 12 courses; requiring an additional qualification for a virtual instruction program provider to obtain approval by the Department of Education; requiring that each virtual instruction program provide courses in accessible formats for students with disabilities and ensure that such courses are tailored to the individual education plans of such students; revising provisions relating to the funding of virtual instruction programs and virtual charter schools to conform to changes made by the act; amending s. 1002.455, F.S.; revising provisions relating to the eligibility of students to participate in virtual instruction programs; deleting provisions relating to virtual instruction options for which students in the school district are eligible; amending s. 1003.428, F.S.; revising provisions relating to the general requirements for high school graduation; prohibiting a school district from requiring a student to take an online course outside the school day or in addition to the student's courses for a given semester; amending s. 1003.498, F.S.; providing requirements for blended learning courses; amending s. 1003.57, F.S.; providing responsibilities and requirements for each full-time virtual instruction program enrolling public school exceptional students; amending s. 1006.15, F.S.; providing that a student enrolled in the Florida Virtual School's full-time program may participate in any interscholastic extracurricular activity at a public school under certain circumstances; amending s. 1011.61, F.S.; revising the definition of the term "full-time equivalent student" to conform to changes made by the act; conforming cross-references; amending s. 1011.62, F.S.; correcting a cross-reference; providing that full-time virtual instruction programs are eligible to report student membership in the English for Speakers of Other Languages program for funding purposes; conforming a cross-reference; providing an effective date.

—was taken up out of order and read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 1402** to **CS for CS for HB 7063**.

Pending further consideration of **CS for CS for SB 1402** as amended, on motion by Senator Gardiner, by two-thirds vote **CS for CS for HB 7063** was withdrawn from the Committees on Education Pre-K - 12; Budget Subcommittee on Education Pre-K - 12 Appropriations; and Budget.

On motion by Senator Gardiner—

CS for CS for HB 7063—An act relating to digital learning; amending s. 1002.20, F.S.; providing student and parent rights relating to the eligibility of Florida Virtual School full-time students to participate in interscholastic extracurricular activities at certain public schools; amending s. 1002.321, F.S.; revising provisions relating to virtual instruction through blended learning courses; prohibiting any person from taking an online course or examination on behalf of another person for compensation; providing a penalty; amending s. 1002.37, F.S.; providing that the Florida Virtual School may provide part-time instruction for students in kindergarten through grade 12; providing student eligibility requirements for part-time instruction in kindergarten through grade 5; deleting a requirement that an elementary school principal provide certain notification to parents; revising the location where statewide assessments must be taken; amending s. 1002.45, F.S.; revising provisions relating to school district options for providing full-time and part-time virtual instruction programs and the open enrollment period for participation; providing that a part-time virtual instruction program offers instruction for students enrolled in kindergar-

ten through grade 12 courses; requiring an additional qualification for a virtual instruction program provider to obtain Department of Education approval; conforming funding provisions to changes made by the act; amending s. 1002.455, F.S.; revising provisions relating to eligibility requirements for virtual instruction and virtual instruction options; amending s. 1003.428, F.S.; placing restrictions on the online course requirement for high school graduation; amending s. 1003.498, F.S.; providing requirements for blended learning courses; amending s. 1003.57, F.S.; providing responsibilities and requirements for the enrollment of exceptional students in a full-time virtual instruction program; amending s. 1006.15, F.S.; providing conditions for eligibility for a Florida Virtual School full-time student and certain students who transfer to or from the Florida Virtual School to participate in interscholastic extracurricular activities; amending s. 1011.61, F.S.; revising and conforming provisions relating to the definition of a full-time equivalent student in full-time and part-time virtual instruction programs; amending s. 1011.62, F.S.; correcting and conforming cross-references; providing that full-time virtual instruction programs are eligible to report student membership in the ESOL program for funding purposes; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1402** as amended and read the second time by title.

SENATOR THRASHER PRESIDING

On motion by Senator Gardiner, by two-thirds vote **CS for CS for HB 7063** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Alexander	Flores	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Gibson	Sachs
Braynon	Hays	Simmons
Dean	Jones	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—3

Bullard	Joyner	Rich

On motion by Senator Latvala, by unanimous consent—

CS for CS for SB 1122—A bill to be entitled An act relating to highway safety and motor vehicles; amending s. 20.24, F.S.; renaming the Office of Motor Carrier Compliance within the Division of the Florida Highway Patrol as the "Office of Commercial Vehicle Enforcement"; amending s. 316.003, F.S.; revising the definition of the term "motor vehicle" to exclude swamp buggies; defining the terms "swamp buggy" and "road rage"; amending s. 316.0083, F.S.; providing for the dismissal of a uniform traffic citation for failure to stop at a red light when the motor vehicle owner is deceased and an affidavit with specified supporting documents is filed with the issuing agency; amending s. 316.1303, F.S.; authorizing a person who is mobility impaired to use a motorized wheelchair to temporarily leave the sidewalk and use the roadway under certain circumstances; authorizing a law enforcement officer to issue only a verbal warning to such person; amending s. 316.183, F.S.; revising a provision that prohibits a school bus from exceeding the posted speed limits; amending s. 316.2065, F.S.; revising safety standard requirements for bicycle helmets that must be worn by certain riders and passengers; revising requirements for a bicycle operator to ride in a bicycle lane or along the curb or edge of the roadway; providing for enforcement of requirements for bicycle lighting equipment; providing penalties for violations; providing for dismissal of the charge following a first offense under certain circumstances; amending s. 316.2085, F.S.; requiring that the license tag of a motorcycle or moped remain clearly visible from the rear at all times; prohibiting deliberate acts to conceal or obscure the license tag; removing a condition requiring an affixed transponder for a motorcycle or moped license plate that reads from top to bottom and is affixed perpendicular to the ground; providing penalties; amending s. 316.2126, F.S.; authorizing municipalities to use golf carts and utility vehicles to cross the State Highway System and operate on sidewalks adjacent to state highways under certain circumstances; creating s. 316.2129, F.S.; authorizing the operation of swamp buggies on a public road, highway, or street if a local governmental entity has designated the public road, highway, or street for such use; providing that the authorization does not apply to the State Highway System; authorizing the operation of swamp buggies on land managed, owned, or leased by a state or federal agency; amending s. 316.2397, F.S.; providing an exception to the prohibition against flashing vehicle lights for motorists who intermittently flash the vehicle's headlamps at an oncoming vehicle, regardless of the intent in doing so, and for persons operating bicycles equipped with lamps; amending s. 316.302, F.S.; requiring owners or drivers of commercial motor vehicles that are engaged in intrastate commerce to be subject to specified federal rules and regulations as such rules and regulations existed on a certain date; providing that certain restrictions on the number of consecutive hours that a commercial motor vehicle may operate do not apply to a farm labor vehicle operated during a state of emergency or during an emergency pertaining to agriculture; correcting terminology; amending s. 316.3026, F.S., relating to unlawful operation of motor carriers; conforming provisions to changes made by the act; amending s. 316.613, F.S., relating to requirements for the operator of a vehicle to use child restraints; providing that such provisions do not apply to certain for-hire vehicles; providing for the obligation of a parent, guardian, or other person responsible for a child's welfare to comply with the requirements; amending s. 316.6135, F.S.; revising the criteria under which a child may not be left unattended in a vehicle; providing penalties; amending s. 316.655, F.S.; providing that a driver convicted of a violation of certain offenses relating to motor vehicles which resulted in an accident may have his or her driving privileges revoked or suspended; amending s. 318.14, F.S.; authorizing a person who does not hold a commercial driver license and who is cited for a noncriminal traffic infraction while driving a noncommercial motor vehicle to elect to attend a basic driver improvement course in lieu of a court appearance; authorizing a person who does not hold a commercial driver license and who is cited for certain offenses while driving a noncommercial motor vehicle to elect to enter a plea of nolo contendere and to provide proof of compliance in lieu of payment of fine or court appearance; amending s. 318.1451, F.S.; revising provisions relating to driver improvement schools and education programs for driver license applicants; requiring the curricula of such programs to include instruction on the risks associated with using a handheld electronic communication device while operating a motor vehicle; amending s. 318.15, F.S.; providing that a person charged with a traffic infraction may request a hearing within a specified period after the date upon which the violation occurred; requiring that the clerk set the case for hearing; providing exceptions to the time period for requesting a hearing; authorizing the court to grant a request for a hearing made after the time period has expired; amending s. 318.18, F.S., relating to penalties and disposition of penalties; conforming a cross-reference; specifying the amount of the fine and the allocation of moneys received from the increased fine imposed for aggressive careless driving; amending s. 318.21, F.S.; conforming a cross-reference; amending s. 319.14, F.S.; prohibiting the sale or exchange of custom vehicles or street rod vehicles under certain conditions; providing definitions; amending s. 319.23, F.S.; requiring that the application for a certificate of title, corrected certificate, or assignment or reassignment be filed within a certain time period after the consummation of the sale of a mobile home; authorizing the department to accept a bond and affidavit if the applicant for a certificate of title is unable to provide a title that assigns the prior owner's interest in the motor vehicle; providing requirements for the bond and the affidavit; providing that an interested person has a right to recover on the bond; limiting liability to the amount of the bond; providing for future expiration of the bond; amending s. 319.24, F.S.; requiring that the department electronically transmit a lien to the first lienholder and notify the first lienholder of any additional liens if there are one or more lien encumbrances on a motor vehicle or mobile home; requiring that subsequent lien satisfactions be transmitted electronically to the department; amending s. 319.27, F.S.; requiring that the department establish and administer an electronic titling program; requiring the electronic recording of vehicle title information for new, transferred, and corrected certificates of title; requiring that lienholders electronically transmit liens and lien satisfactions to the department; providing exceptions; amending s. 319.28, F.S.; providing that a dealer of

certain farm or industrial equipment is not subject to licensure as a recovery agent or agency under certain conditions; amending s. 319.30, F.S.; authorizing the department to adopt rules to implement an electronic system for issuing salvage certificates of title and certificates of destruction; amending s. 319.40, F.S.; authorizing the department to issue an electronic certificate of title in lieu of printing a paper title and to collect electronic mail addresses and use electronic mail as a notification method in lieu of the United States Postal Service; providing an exception; amending s. 320.01, F.S.; revising the definition of the term "motor vehicle" to exclude special mobile equipment and swamp buggies; defining the term "swamp buggy"; amending s. 320.02, F.S.; providing that an active duty member of the Armed Forces of the United States is exempt from the requirement to provide an address on an application for vehicle registration; revising provisions relating to the registration of a motor carrier who operates a commercial motor vehicle without liability insurance, a surety bond, or a valid self-insurance certificate; providing that the registration shall be canceled on the expiration date noted in the cancellation notice that the department receives from the insurer; requiring that the insurer provide notice to the department at the same time the cancellation notice is provided to the insured; authorizing the department to adopt rules regarding the electronic submission of the cancellation notice; removing a provision that prohibits cancellation of liability insurance or surety bond on less than 30 days' notice to the department; requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make certain voluntary contributions to specified not-for-profit entities; providing that such contributions are not income for specified purposes; requiring that the department retain all electronic registration records for a specified period; amending s. 320.03, F.S.; conforming a cross-reference; amending s. 320.06, F.S.; authorizing the department to conduct a pilot program to evaluate the designs, concepts, and technologies for alternative license plates; requiring that the department investigate the feasibility and use of alternative license plate technologies and the long-term cost impact to the consumer for purposes of the pilot program; requiring limiting the scope of the pilot program to license plates that are used on government-owned motor vehicles; providing an exemption for such license plates from certain requirements; providing that license plates issued under ch. 320, F.S., are the property of the state; amending s. 320.0605, F.S.; revising provisions relating to a requirement that rental or lease documentation be in the possession of an operator of a motor vehicle; providing specified information sufficient to satisfy this requirement; amending s. 320.061, F.S.; prohibiting a person from altering the original appearance of a temporary license plate; amending s. 320.07, F.S.; revising provisions relating to the expiration of a registration of a motor vehicle or mobile home; providing that the registration for a motor vehicle or mobile home whose owner is a natural person expires at midnight on the owner's birthday; amending s. 320.08056, F.S.; increasing the annual use fee for the Tampa Bay Estuary license plate; amending s. 320.08058, F.S.; providing that up to 15 percent of the proceeds from the annual use fees for the Florida Golf license plate may be used by the Dade Amateur Golf Association for the administration of the Florida Junior Golf Program; amending s. 320.08068, F.S.; revising provisions relating to the use of funds received from the sale of motorcycle specialty license plates; deleting a provision that requires that 20 percent of the annual fee collected for such plates be used to leverage additional funding and new sources of revenue for the centers for independent living; amending s. 320.0848, F.S.; revising the requirements for the deposit of fee proceeds from temporary disabled parking permits; requiring that certain proceeds be deposited into the Florida Endowment Foundation for Vocational Rehabilitation, instead of the Florida Governor's Alliance for the Employment of Disabled Citizens; amending s. 320.089, F.S.; providing for the issuance of a Combat Infantry Badge license plate and a Vietnam War Veterans license plate; providing qualifications and requirements for the plate; amending s. 320.13, F.S.; authorizing a dealer of heavy trucks, upon payment of a license tax, to secure one or more dealer license plates under certain circumstances; providing that the license plates may be used for demonstration purposes for a specified period; requiring that the license plates be validated on a form prescribed by the department and be retained in the vehicle being operated; amending s. 320.15, F.S.; providing that an owner of a motor vehicle or mobile home may apply for a refund of certain license taxes if the owner renews a registration during the advanced renewal period and surrenders the motor vehicle or mobile home license plate before the end of the renewal period; amending s. 320.27, F.S.; providing an exemption for salvage motor vehicle dealers from certain application and security requirements; amending s. 320.771, F.S.; revising the definition of the term "dealer"; amending s. 320.95, F.S.; authorizing the department to collect electronic mail addresses and use electronic mail for the purpose of providing renewal notices in lieu of the United States Postal Service; amending s. 322.0261, F.S.; revising provisions relating to driver improvement schools and education programs for driver license applicants to conform to changes made by the act; amending s. 322.04, F.S.; revising provisions exempting a nonresident from the requirement to obtain a driver license under certain circumstances; amending s. 322.051, F.S.; revising requirements by which an applicant for an identification card may prove nonimmigrant classification; clarifying the validity of an identification card based on specified documents; authorizing the department to require additional documentation to establish the maintenance of, or efforts to maintain, continuous lawful presence; providing for the department to waive the fee for issuing or renewing an identification card to a person who is homeless; amending s. 322.058, F.S.; conforming a cross-reference; amending s. 322.065, F.S.; revising provisions relating to a person whose driver license has expired for 6 months or less and who drives a motor vehicle; amending s. 322.07, F.S.; revising provisions relating to temporary commercial instruction permits; amending s. 322.08, F.S.; revising provisions relating to an application for a driver license or temporary permit; requiring that applicants prove nonimmigrant classification by providing certain documentation; authorizing the department to require additional documentation to establish the maintenance of, or efforts to maintain, continuous lawful presence; revising the length of time a license is valid when issuance is based on documentation required under specified provisions; requiring the application forms for an original, renewal, or replacement driver license to include language permitting the applicant to make certain voluntary contributions to specified not-for-profit entities; authorizing the department to collect electronic mail addresses and use electronic mail for the purpose of providing renewal notices in lieu of the United States Postal Service; amending s. 322.095, F.S.; revising provisions relating to driver improvement schools and education programs for driver license applicants to conform to changes made by the act; amending s. 322.121, F.S.; conforming a provision relating to Safe Driver designation; revising provisions authorizing the automatic extension of a license for members of the Armed Forces of the United States or their dependents while serving on active duty outside the state; amending s. 322.14, F.S.; deleting a requirement that a qualified driver license applicant appear in person for issuance of a color photographic or digital imaged driver license; creating s. 322.1415, F.S.; authorizing the department to issue a specialty driver license or identification card to qualified applicants; specifying that, at a minimum, the specialty driver licenses and identification cards must be available for certain state and independent universities and professional sports teams and all of the branches of the Armed Forces of the United States; requiring that the department approve the design of each specialty driver license and identification card; providing for future expiration; amending s. 322.142, F.S.; providing district medical examiners access to driver information maintained in the Driver and Vehicle Information Database for a specified purpose; creating s. 322.145, F.S.; requiring that the department implement a system providing for the electronic authentication of driver licenses; providing criteria for a security token for electronic authenticity; requiring that the department enter into a contract for implementation of the electronic authentication; providing contract requirements; amending s. 322.19, F.S.; providing that certain persons who have a valid student identification card are presumed not to have changed their legal residence or mailing address; amending s. 322.21, F.S.; revising provisions relating to license fees; prohibiting the fee for an original or renewal of an enhanced driver license or identification card from exceeding a specified amount; requiring that the funds collected from such fee be deposited into the Highway Safety Operating Trust Fund; providing that the issuance of an enhanced driver license or identification card is optional for certain qualified residents; providing for the distribution of funds collected from the specialty driver license and identification card fees; amending s. 322.251, F.S.; providing that certain notices of cancellation, suspension, revocation, or disqualification of a driver license are complete within a specified period after deposit in the mail; amending s. 322.27, F.S.; revising the department's authority to suspend or revoke licenses or identification cards under certain circumstances; repealing s. 322.292(5), F.S., relating to private probation services providers referring probationers to any DUI program owned in whole or in part by that probation services provider or its affiliates; amending s. 322.53, F.S.; revising an exemption from the requirement to obtain a commercial driver license for farmers transporting agricultural products, farm supplies, or farm machinery under certain circumstances; providing that such exemption applies if the vehicle is not used in the

operations of a common or contract motor carrier; amending s. 322.54, F.S.; requiring that persons who drive a motor vehicle having a gross vehicle weight rating or gross vehicle weight of a specified amount or more possess certain classifications of driver licenses; repealing s. 322.58, F.S., relating to holders of chauffeur licenses and the classified licensure of commercial motor vehicle drivers; amending s. 322.59, F.S.; revising provisions relating to the possession of a medical examiner's certificate; requiring that the department disqualify a driver from operating a commercial motor vehicle if the driver holds a commercial driver license and fails to comply with the medical certification requirements; authorizing the department to issue, under certain circumstances, a Class E driver license to a person who is disqualified from operating a commercial motor vehicle; amending s. 322.61, F.S.; revising provisions relating to the disqualification from operating a commercial motor vehicle; providing that any holder of a commercial driver license who is convicted of two violations committed while operating any motor vehicle is permanently disqualified from operating a commercial motor vehicle; amending s. 323.002, F.S.; providing that an unauthorized wrecker operator's wrecker, tow truck, or other motor vehicle used during certain offenses may be immediately removed and impounded; requiring that an unauthorized wrecker operator disclose in writing to the owner or operator of a motor vehicle certain information; requiring that the unauthorized wrecker operator also provide a copy of the disclosure to the owner or operator in the presence of a law enforcement officer if at the scene of a motor vehicle accident; authorizing a law enforcement officer from a local governmental agency or state law enforcement agency to cause to be removed and impounded from the scene of a wrecked or disabled vehicle an unauthorized wrecker, tow truck, or other motor vehicle; authorizing the authority that caused the removal and impoundment to assess a cost recovery fine; requiring a release form; requiring that the wrecker, tow truck, or other motor vehicle remain impounded until the fine has been paid; providing the amounts for the cost recovery fine for first-time and subsequent violations; requiring that the unauthorized wrecker operator pay the fees associated with the removal and storage of the wrecker, tow truck, or other motor vehicle; amending s. 324.072, F.S.; prohibiting the department from suspending a registration of a motor vehicle if the person to whom the motor vehicle is registered had certain limits on the date of the offense that caused the suspension or revocation; amending s. 324.091, F.S.; revising the period within which an owner or operator involved in a crash must furnish evidence of automobile liability insurance, motor vehicle liability insurance, or surety bond; amending s. 328.15, F.S.; requiring that the department establish and administer an electronic titling program that requires the recording of vessel title information for new, transferred, and corrected certificates of title; requiring that lienholders electronically transmit liens and lien satisfactions to the department; providing exceptions; amending s. 328.16, F.S.; requiring that the department electronically transmit a lien to the first lienholder and notify such lienholder of any additional liens; requiring that subsequent lien satisfactions be electronically transmitted to the department; amending s. 328.30, F.S.; authorizing the department to issue an electronic certificate of title in lieu of printing a paper title; authorizing the department to collect electronic mail addresses and use electronic mail for the purpose of providing renewal notices in lieu of the United States Postal Service; amending s. 520.32, F.S.; providing an exemption to specified licensing requirements for motor vehicle dealers licensed under specified provisions; providing for application of the exemption; amending s. 713.78, F.S.; conforming a cross-reference; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an aggressive careless driver; providing specified punishments for aggressive careless driving, including imposition of an increased fine; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; amending s. 318.121, F.S.; revising the preemption of additional fees, fines, surcharges, and court costs to allow imposition of the increased fine for aggressive careless driving; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; providing a short title; requiring the Department of Highway Safety and Motor Vehicles to provide information about the Highway Safety Act in driver's license educational materials; providing legislative intent and findings; providing effective dates.

—was taken up out of order and read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 1122** to **CS for CS for HB 1223**.

Pending further consideration of **CS for CS for SB 1122** as amended, on motion by Senator Latvala, by two-thirds vote **CS for CS for HB 1223** was withdrawn from the Committees on Transportation; and Budget.

On motion by Senator Latvala—

CS for CS for HB 1223—An act relating to highway safety and motor vehicles; amending s. 20.24, F.S.; renaming the Office of Motor Carrier Compliance within the Division of the Florida Highway Patrol as the "Office of Commercial Vehicle Enforcement"; amending s. 316.003, F.S.; revising the definition of the term "motor vehicle" to exclude swamp buggies; defining the term "swamp buggy"; amending s. 316.0083, F.S.; providing for the dismissal of a uniform traffic citation for failure to stop at a red light when the motor vehicle owner is deceased and an affidavit with specified supporting documents is filed with the issuing agency; amending s. 316.1303, F.S.; authorizing a person who is mobility impaired to use a motorized wheelchair to temporarily leave the sidewalk and use the roadway under certain circumstances; authorizing a law enforcement officer to issue only a verbal warning to such person; amending s. 316.183, F.S.; revising a provision that prohibits a school bus from exceeding the posted speed limits; amending s. 316.2065, F.S.; revising safety standard requirements for bicycle helmets that must be worn by certain riders and passengers; revising requirements for a bicycle operator to ride in a bicycle lane or along the curb or edge of the roadway; providing for enforcement of requirements for bicycle lighting equipment; providing penalties for violations; providing for dismissal of the charge following a first offense under certain circumstances; amending s. 316.2085, F.S.; requiring that the license tag of a motorcycle or moped remain clearly visible from the rear at all times; prohibiting deliberate acts to conceal or obscure the license tag; removing a condition for a motorcycle or moped license plate that reads from top to bottom to be affixed perpendicular to the ground; requiring that owners or operators of motorcycles or mopeds with vertical tags pay any required toll by whatever means available; providing penalties; amending s. 316.2126, F.S.; authorizing municipalities to use golf carts and utility vehicles to cross the State Highway System and operate on sidewalks adjacent to state highways under certain circumstances; creating s. 316.2129, F.S.; authorizing the operation of swamp buggies on a public road, highway, or street if a local governmental entity has designated the public road, highway, or street for such use; providing that the authorization does not apply to the State Highway System; authorizing the operation of swamp buggies on land managed, owned, or leased by a state or federal agency; amending s. 316.2397, F.S.; providing an exception to the prohibition against flashing vehicle lights for motorists who intermittently flash the vehicle's headlamps at an oncoming vehicle, regardless of the intent in doing so, and for persons operating bicycles equipped with lamps; amending s. 316.302, F.S.; requiring owners or drivers of commercial motor vehicles that are engaged in intrastate commerce to be subject to specified federal rules and regulations as such rules and regulations existed on a certain date; providing that certain restrictions on the number of consecutive hours that a commercial motor vehicle may operate do not apply to a farm labor vehicle operated during a state of emergency or during an emergency pertaining to agriculture; correcting terminology; amending s. 316.3026, F.S., relating to unlawful operation of motor carriers; conforming provisions to changes made by the act; amending s. 316.613, F.S., relating to requirements for the operator of a vehicle to use child restraints; providing that such provisions do not apply to certain for-hire vehicles; providing for the obligation of a parent, guardian, or other person responsible for a child's welfare to comply with the requirements; amending s. 316.6135, F.S.; revising the criteria under which a child may not be left unattended in a vehicle; providing penalties; amending s. 316.655, F.S.; providing that a driver convicted of a violation of certain offenses relating to motor vehicles which resulted in an accident may have his or her driving privileges revoked or suspended; amending s. 318.14, F.S.; authorizing a person who does not hold a commercial driver license and who is cited for a noncriminal traffic infraction while driving a noncommercial motor vehicle to elect to attend a basic driver improvement course in lieu of a court appearance; authorizing a person who does not hold a commercial driver license and who is cited for certain offenses while driving a noncommercial motor vehicle to elect to enter a plea of nolo contendere and to provide proof of compliance in lieu of payment of fine or court appearance; amending s. 318.15, F.S.; providing that a person charged with a traffic infraction may request a hearing within a specified period after the date upon which the violation

occurred; requiring that the clerk set the case for hearing; providing exceptions to the time period for requesting a hearing; authorizing the court to grant a request for a hearing made after the time period has expired; amending ss. 318.18 and 318.21, F.S., relating to penalties and disposition of penalties; conforming cross-references; amending s. 319.14, F.S.; prohibiting the sale or exchange of custom vehicles or street rod vehicles under certain conditions; providing definitions; amending s. 319.23, F.S.; requiring that the application for a certificate of title, corrected certificate, or assignment or reassignment be filed within a certain time period after the consummation of the sale of a mobile home; authorizing the department to accept a bond and affidavit if the applicant for a certificate of title is unable to provide a title that assigns the prior owner's interest in the motor vehicle; providing requirements for the bond and the affidavit; providing that an interested person has a right to recover on the bond; limiting liability to the amount of the bond; providing for future expiration of the bond; amending s. 319.24, F.S.; requiring that the department electronically transmit a lien to the first lienholder and notify the first lienholder of any additional liens if there are one or more lien encumbrances on a motor vehicle or mobile home; requiring that subsequent lien satisfactions be transmitted electronically to the department; amending s. 319.27, F.S.; requiring that the department establish and administer an electronic titling program; requiring the electronic recording of vehicle title information for new, transferred, and corrected certificates of title; requiring that lienholders electronically transmit liens and lien satisfactions to the department; providing exceptions; amending s. 319.28, F.S.; providing that a dealer of certain industrial equipment is not subject to licensure as a recovery agent or agency under certain conditions; amending to s. 319.30, F.S.; authorizing the department to adopt rules to implement an electronic system for issuing salvage certificates of title and certificates of destruction; amending s. 319.40, F.S.; authorizing the department to issue an electronic certificate of title in lieu of printing a paper title and to collect electronic mail addresses and use electronic mail as a notification method in lieu of the United States Postal Service; providing an exception; amending s. 320.01, F.S.; revising the definition of the term "motor vehicle" to exclude special mobile equipment and swamp buggies; defining the term "swamp buggy"; amending s. 320.02, F.S.; providing that an active duty member of the Armed Forces of the United States is exempt from the requirement to provide an address on an application for vehicle registration; revising provisions relating to the registration of a motor carrier who operates a commercial motor vehicle without liability insurance, a surety bond, or a valid self-insurance certificate; providing that the registration shall be canceled on the expiration date noted in the cancellation notice that the department receives from the insurer; requiring that the insurer provide notice to the department at the same time the cancellation notice is provided to the insured; authorizing the department to adopt rules regarding the electronic submission of the cancellation notice; removing a provision that prohibits cancellation of liability insurance or surety bond on less than 30 days' notice to the department; requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make certain voluntary contributions to specified not-for-profit entities; providing that such contributions are not income for specified purposes; requiring that the department retain all electronic registration records for a specified period; amending s. 320.03, F.S.; conforming a cross-reference; amending s. 320.06, F.S.; authorizing the department to conduct a pilot program to evaluate the designs, concepts, and technologies for alternative license plates; requiring that the department investigate the feasibility and use of alternative license plate technologies and the long-term cost impact to the consumer for purposes of the pilot program; requiring limiting the scope of the pilot program to license plates that are used on government-owned motor vehicles; providing an exemption for such license plates from certain requirements; providing that license plates issued under ch. 320, F.S., are the property of the state; amending s. 320.0605, F.S.; revising provisions relating to a requirement that rental or lease documentation be in the possession of an operator of a motor vehicle; providing specified information sufficient to satisfy this requirement; amending s. 320.061, F.S.; prohibiting a person from altering the original appearance of a temporary license plate; amending s. 320.07, F.S.; revising provisions relating to the expiration of a registration of a motor vehicle or mobile home; providing that the registration for a motor vehicle or mobile home whose owner is a natural person expires at midnight on the owner's birthday; amending s. 320.08056, F.S.; prohibiting the use of funds derived from the specialty license plate program from being used to lobby elected members or employees of the Legislature; amending s. 320.08058, F.S.; providing that up to 15 percent of the proceeds from the annual use fees for the Florida Golf license plate may be used by the Dade Amateur Golf Association for the administration of the Florida Junior Golf Program; amending s. 320.08068, F.S.; revising provisions relating to the use of funds received from the sale of motorcycle specialty license plates; deleting a provision that requires that 20 percent of the annual fee collected for such plates be used to leverage additional funding and new sources of revenue for the centers for independent living; amending s. 320.0807, F.S.; revising provisions for special license plates for the Governor and federal and state legislators; providing for issuance of special plates for former federal and state legislators; providing a one-time fee; providing for distribution of the fee; authorizing the department to create a unique plate design for plates to be used by members or former members of the Legislature or Congress under specified provisions; amending s. 320.0848, F.S.; revising the requirements for the deposit of fee proceeds from temporary disabled parking permits; requiring that certain proceeds be deposited into the Florida Endowment Foundation for Vocational Rehabilitation, instead of the Florida Governor's Alliance for the Employment of Disabled Citizens; amending s. 320.089, F.S.; providing for the issuance of a Combat Infantry Badge license plate and a Vietnam War Veterans license plate; providing qualifications and requirements for the plate; amending s. 320.13, F.S.; authorizing a dealer of heavy trucks, upon payment of a license tax, to secure one or more dealer license plates under certain circumstances; providing that the license plates may be used for demonstration purposes for a specified period; requiring that the license plates be validated on a form prescribed by the department and be retained in the vehicle being operated; amending s. 320.15, F.S.; providing that an owner of a motor vehicle or mobile home may apply for a refund of certain license taxes if the owner renews a registration during the advanced renewal period and surrenders the motor vehicle or mobile home license plate before the end of the renewal period; amending s. 320.27, F.S.; providing an exemption for salvage motor vehicle dealers from certain application and security requirements; amending s. 320.771, F.S.; revising the definition of the term "dealer"; amending s. 320.95, F.S.; authorizing the department to collect electronic mail addresses and use electronic mail for the purpose of providing renewal notices in lieu of the United States Postal Service; amending s. 322.04, F.S.; revising provisions exempting a nonresident from the requirement to obtain a driver license under certain circumstances; amending s. 322.051, F.S.; revising requirements by which an applicant for an identification card may prove nonimmigrant classification; clarifying the validity of an identification card based on specified documents; authorizing the department to require additional documentation to establish the maintenance of, or efforts to maintain, continuous lawful presence; providing for the department to waive the fees for issuing or renewing an identification card to a person who is homeless; amending s. 322.058, F.S.; conforming a cross-reference; amending s. 322.065, F.S.; revising provisions relating to a person whose driver license has expired for 6 months or less and who drives a motor vehicle; amending s. 322.07, F.S.; revising provisions relating to temporary commercial instruction permits; amending s. 322.08, F.S.; revising provisions relating to an application for a driver license or temporary permit; requiring that applicants prove nonimmigrant classification by providing certain documentation; authorizing the department to require additional documentation to establish the maintenance of, or efforts to maintain, continuous lawful presence; revising the length of time a license is valid when issuance is based on documentation required under specified provisions; requiring the application forms for an original, renewal, or replacement driver license to include language permitting the applicant to make certain voluntary contributions to specified not-for-profit entities;; authorizing the department to collect electronic mail addresses and use electronic mail for the purpose of providing renewal notices in lieu of the United States Postal Service; amending s. 322.121, F.S.; conforming a provision relating to Safe Driver designation; revising provisions authorizing the automatic extension of a license for members of the Armed Forces of the United States or their dependents while serving on active duty outside the state; amending s. 322.14, F.S.; deleting a requirement that a qualified driver license applicant appear in person for issuance of a color photographic or digital imaged driver license; creating s. 322.1415, F.S.; authorizing the department to issue a specialty driver license or identification card to qualified applicants; specifying that, at a minimum, the specialty driver licenses and identification cards must be available for certain state and independent universities and professional sports teams and all of the branches of the Armed Forces of the United States; requiring that the department approve the design of each specialty driver license and identification card; providing for future expiration; amending s. 322.142, F.S.; providing district medical examiners access to driver information maintained in

the Driver and Vehicle Information Database for a specified purpose; amending s. 322.19, F.S.; providing that certain persons who have a valid student identification card are presumed not to have changed their legal residence or mailing address; amending s. 322.21, F.S.; providing for the distribution of funds collected from the specialty driver license and identification card fees; amending s. 322.251, F.S.; providing that certain notices of cancellation, suspension, revocation, or disqualification of a driver license are complete within a specified period after deposit in the mail; amending s. 322.27, F.S.; revising the department's authority to suspend or revoke licenses or identification cards under certain circumstances; repealing s. 322.292(5), F.S., relating to private probation services providers referring probationers to any DUI program owned in whole or in part by that probation services provider or its affiliates; amending s. 322.53, F.S.; revising an exemption from the requirement to obtain a commercial driver license for farmers transporting agricultural products, farm supplies, or farm machinery under certain circumstances; providing that such exemption applies if the vehicle is not used in the operations of a common or contract motor carrier; amending s. 322.54, F.S.; requiring that persons who drive a motor vehicle having a gross vehicle weight rating or gross vehicle weight of a specified amount or more possess certain classifications of driver licenses; repealing s. 322.58, F.S., relating to holders of chauffeur licenses and the classified licensure of commercial motor vehicle drivers; amending s. 322.59, F.S.; revising provisions relating to the possession of a medical examiner's certificate; requiring that the department disqualify a driver from operating a commercial motor vehicle if the driver holds a commercial driver license and fails to comply with the medical certification requirements; authorizing the department to issue, under certain circumstances, a Class E driver license to a person who is disqualified from operating a commercial motor vehicle; amending s. 322.61, F.S.; revising provisions relating to the disqualification from operating a commercial motor vehicle; providing that any holder of a commercial driver license who is convicted of two violations committed while operating any motor vehicle is permanently disqualified from operating a commercial motor vehicle; amending s. 324.072, F.S.; prohibiting the department from suspending a registration of a motor vehicle if the person to whom the motor vehicle is registered had certain limits on the date of the offense that caused the suspension or revocation; amending s. 324.091, F.S.; revising the period within which an owner or operator involved in a crash must furnish evidence of automobile liability insurance, motor vehicle liability insurance, or surety bond; amending s. 328.15, F.S.; requiring that the department establish and administer an electronic titling program that requires the recording of vessel title information for new, transferred, and corrected certificates of title; requiring that lienholders electronically transmit liens and lien satisfactions to the department; providing exceptions; amending s. 328.16, F.S.; requiring that the department electronically transmit a lien to the first lienholder and notify such lienholder of any additional liens; requiring that subsequent lien satisfactions be electronically transmitted to the department; amending s. 328.30, F.S.; authorizing the department to issue an electronic certificate of title in lieu of printing a paper title; authorizing the department to collect electronic mail addresses and use electronic mail for the purpose of providing renewal notices in lieu of the United States Postal Service; amending s. 520.32, F.S.; providing an exemption to specified licensing requirements for motor vehicle dealers licensed under specified provisions; providing for application of the exemption; amending s. 713.78, F.S.; conforming a cross-reference; amending s. 316.271, F.S.; removing a prohibition on using the audible horn of a motor vehicle on a highway; amending s. 323.002, F.S.; requiring unauthorized wrecker operators to disclose a fee schedule and certain information; amending ss. 316.0083 and 318.18, F.S.; revising provisions relating to the deposit of funds from traffic infractions; correcting references to a trust fund; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1122** as amended and read the second time by title.

On motion by Senator Latvala, by two-thirds vote **CS for CS for HB 1223** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bennett	Dean
Alexander	Bogdanoff	Detert
Altman	Braynon	Diaz de la Portilla
Benacquisto	Bullard	Dockery
Evers	Latvala	Sachs
Fasano	Lynn	Simmons
Flores	Margolis	Siplin
Gaetz	Montford	Smith
Garcia	Negron	Sobel
Gardiner	Norman	Storms
Gibson	Oelrich	Thrasher
Hays	Rich	Wise
Jones	Richter	
Joyner	Ring	

Nays—None

On motion by Senator Oelrich, by unanimous consent—

CS for SB 1346—A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; revising the definition of "retention"; providing for the calculation of an insurer's reimbursement premium and retention under the reimbursement contract; revising coverage levels available under the reimbursement contract; revising aggregate coverage limits; providing for the phase-in of changes to coverage levels and limits; amending s. 627.351, F.S.; conforming cross-references; reducing to 2 percent from 6 percent the amount of the projected deficit in the coastal account for the prior calendar year which is recovered through regular assessments; requiring that remaining projected deficits in personal and commercial lines accounts be recovered through emergency assessments after accounting for the Citizens policyholder surcharge; requiring the Office of Insurance Regulation of the Financial Services Commission to notify assessable insurers and the Florida Surplus Lines Service Office of the dates assessable insurers shall collect and pay emergency assessments; removing reference to recoupment of residual market deficit assessments; requiring the board of governors to make a determination that an account has a projected deficit before it levies a Citizens policyholder surcharge; requiring that a limited apportionment company begin collecting regular assessments within 90 days and pay in full within 15 months after the assessment is levied; authorizing the Office of Insurance Regulation to assist the Citizens Property Insurance Corporation in the collection of assessments; replacing the term "market equalization surcharge" with the term "policyholder surcharge"; providing effective dates.

—was taken up out of order and read the second time by title.

Senator Fasano moved the following amendment which was adopted:

Amendment 1 (134088) (with title amendment)—Delete lines 38-235.

And the title is amended as follows:

Delete lines 3-9.

The vote was:

Yeas—25

Braynon	Gibson	Rich
Bullard	Jones	Ring
Dean	Joyner	Sachs
Detert	Latvala	Siplin
Diaz de la Portilla	Lynn	Smith
Dockery	Margolis	Sobel
Evers	Montford	Storms
Fasano	Norman	
Garcia	Oelrich	

Nays—15

Mr. President	Bogdanoff	Negron
Alexander	Flores	Richter
Altman	Gaetz	Simmons
Benacquisto	Gardiner	Thrasher
Bennett	Hays	Wise

On motion by Senator Oelrich, further consideration of **CS for SB 1346** as amended was deferred.

On motion by Senator Negron, by unanimous consent—

SB 1290—A bill to be entitled An act relating to criminal penalties for violations of securities laws; amending s. 921.0022, F.S.; increasing the offense severity ranking for failing to register securities with the Office of Financial Regulation; specifying the offense severity ranking for the failure of a dealer, associated person, or issuer of securities to register with the Office of Financial Regulation; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **SB 1290**, on motion by Senator Negron, by two-thirds vote **HB 777** was withdrawn from the Committees on Criminal Justice; Banking and Insurance; and Budget.

On motion by Senator Negron—

HB 777—A bill to be entitled An act relating to criminal penalties for violations of securities laws; amending s. 921.0022, F.S.; increasing the offense severity ranking for failing to register securities with the Office of Financial Regulation; specifying the offense severity ranking for the failure of a dealer, associated person, or issuer of securities to register with the Office of Financial Regulation; providing an effective date.

—a companion measure, was substituted for **SB 1290** and read the second time by title.

On motion by Senator Negron, by two-thirds vote **HB 777** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

On motion by Senator Garcia, by unanimous consent—

CS for SB 1144—A bill to be entitled An act relating to state and local government relations with Cuba or Syria; amending s. 215.471, F.S.; prohibiting the State Board of Administration from being a fiduciary with respect to voting on any proxy resolution advocating expanded United States trade with Cuba or Syria; prohibiting the State Board of Administration from being a fiduciary with respect to having the right to vote in favor of any proxy resolution advocating expanded United States trade with Cuba or Syria; creating reporting requirements; amending s. 287.135, F.S.; prohibiting a state agency or local governmental entity from contracting for goods and services of more than a certain amount with a company that has business operations in Cuba or Syria; requiring a contract provision that allows for termination of the contract if the company is found to have business operations in Cuba or Syria; providing exceptions; requiring certification upon submission of a bid or proposal for a contract, or before a company enters into or renews a contract, with an agency or governmental entity that the company is not engaged in business operations in Cuba or Syria; providing procedures upon a determination that a company has submitted a false certification; providing for civil action; providing penalties; providing for attorney fees and costs; providing a statute of repose; prohibiting a private right of action; requiring the Department of Management Services to notify the Attorney General after the act becomes law; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 1144**, on motion by Senator Garcia, by two-thirds vote **CS for CS for HB 959** was withdrawn from the Committees on Banking and Insurance; Governmental Oversight and Accountability; and Budget.

On motion by Senator Garcia—

CS for CS for HB 959—A bill to be entitled An act relating to state and local government relations with Cuba or Syria; amending s. 215.471, F.S.; prohibiting the State Board of Administration from being a fiduciary with respect to voting on any proxy resolution advocating expanded United States trade with Cuba or Syria; prohibiting the State Board of Administration from being a fiduciary with respect to having the right to vote in favor of any proxy resolution advocating expanded United States trade with Cuba or Syria; creating reporting requirements; amending s. 287.135, F.S.; prohibiting a state agency or local governmental entity from contracting for goods and services of more than a certain amount with a company that has business operations in Cuba or Syria; requiring a contract provision that allows for termination of the contract if the company is found to have business operations in Cuba or Syria; providing exceptions; requiring certification upon submission of a bid or proposal for a contract, or before a company enters into or renews a contract, with an agency or governmental entity that the company is not engaged in business operations in Cuba or Syria; providing procedures upon determination that a company has submitted a false certification; providing for civil action; providing penalties; providing attorney fees and costs; providing a statute of repose; prohibiting a private right of action; requiring the Department of Management Services to notify the Attorney General of the United States after the act becomes law; providing an effective date.

—a companion measure, was substituted for **CS for SB 1144** and read the second time by title.

On motion by Senator Garcia, by two-thirds vote **CS for CS for HB 959** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Gibson	Ring
Bogdanoff	Hays	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—1

Bullard

On motion by Senator Alexander, by unanimous consent—

HB 7087—A bill to be entitled An act relating to economic development; amending s. 210.20, F.S.; revising the payment and distribution of funds in the Cigarette Tax Collection Trust Fund; providing specified purposes for the use of funds appropriated out of the trust fund; amending s. 210.201, F.S.; authorizing moneys transferred to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute to be used to secure financing to pay costs for specified purposes at certain facilities and other properties; amending s. 212.08, F.S.; providing an exemption from the tax on sales, use, and other transactions for electricity used by packinghouses; defining the term “packinghouse”;

expanding exemptions from the sales and use tax on labor, parts, and equipment used in repairs of certain aircraft; exempting certain items used to manufacture, produce, or modify aircraft and gas turbine engines and parts from the tax on sales, use, and other transactions; revising a condition for an exemption for machinery and equipment; amending s. 212.097, F.S.; revising the eligibility criteria for tax credits under the Urban High-Crime Area Job Tax Credit Program; amending s. 220.14, F.S.; increasing the amount of income that is exempt from the corporate income tax under certain circumstances; requiring taxpayers to submit certain sworn statements to the Department of Revenue as a condition of receiving the exemption; amending s. 220.63, F.S.; increasing the amount of income that is exempt from the franchise tax imposed on banks and savings associations under certain circumstances; amending s. 288.1254, F.S.; revising eligibility criteria for certain tax credits authorized under the entertainment industry financial incentive program; amending s. 288.9914, F.S.; revising limits on tax credits that may be claimed by qualified community development entities under the New Markets Development Program; amending s. 288.9915, F.S.; revising restrictions on a qualified community development entity making cash interest payments on certain long-term debt securities; creating s. 290.00729, F.S.; authorizing Charlotte County to apply to the Department of Economic Opportunity for designation of an enterprise zone; providing application requirements; authorizing the Department of Economic Opportunity to designate an enterprise zone in Charlotte County; requiring that the Department of Economic Opportunity establish the initial effective date for the enterprise zone; creating s. 290.00731, F.S.; authorizing Citrus County to apply to the Department of Economic Opportunity for designation of an enterprise zone; providing an application deadline and requirements; authorizing the Department of Economic Opportunity to designate an enterprise zone in Citrus County; requiring the Department of Economic Opportunity to establish the effective date of the enterprise zone; authorizing the Department of Revenue to adopt emergency rules; providing effective dates.

—was taken up out of order and read the second time by title.

The Committee on Budget recommended the following amendment which was moved by Senator Alexander:

Amendment 1 (401580) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (a) of subsection (2) of section 196.199, Florida Statutes, is amended to read:

196.199 Government property exemption.—

(2) Property owned by the following governmental units but used by nongovernmental lessees shall only be exempt from taxation under the following conditions:

(a) Leasehold interests in property of the United States, of the state or any of its several political subdivisions, or of municipalities, agencies, authorities, and other public bodies corporate of the state shall be exempt from ad valorem taxation *and the intangible tax pursuant to paragraph (b)* only when the lessee serves or performs a governmental, municipal, or public purpose or function, as defined in s. 196.012(6). In all such cases, all other interests in the leased property shall also be exempt from ad valorem taxation. However, a leasehold interest in property of the state may not be exempted from ad valorem taxation when a nongovernmental lessee uses such property for the operation of a multipurpose hazardous waste treatment facility.

Section 2. *The amendment to s. 196.199, Florida Statutes, made by this act shall take effect upon this act becoming a law and shall apply retroactively to all governmental leaseholds in existence as of January 1, 2011. This section is intended to be remedial in nature and does not create a right to a refund or require any governmental entity to refund any tax, penalty, or interest remitted to the Department of Revenue before the effective date of this act.*

Section 3. Paragraph (b) of subsection (2) of section 210.20, Florida Statutes, is amended, and paragraph (c) is added to subsection (2) of that section, to read:

210.20 Employees and assistants; distribution of funds.—

(2) As collections are received by the division from such cigarette taxes, it shall pay the same into a trust fund in the State Treasury designated "Cigarette Tax Collection Trust Fund" which shall be paid and distributed as follows:

(b)~~1. Beginning January 1, 1999, and continuing for 10 years thereafter, the division shall from month to month certify to the Chief Financial Officer the amount derived from the cigarette tax imposed by s. 210.02, less the service charges provided for in s. 215.20 and less 0.9 percent of the amount derived from the cigarette tax imposed by s. 210.02, which shall be deposited into the Alcoholic Beverage and Tobacco Trust Fund, specifying an amount equal to 2.59 percent of the net collections, and that amount shall be paid to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute, established under s. 1004.43, by warrant drawn by the Chief Financial Officer upon the State Treasury. These funds are hereby appropriated monthly out of the Cigarette Tax Collection Trust Fund, to be used for the purpose of constructing, furnishing, and equipping a cancer research facility at the University of South Florida adjacent to the H. Lee Moffitt Cancer Center and Research Institute. In fiscal years 1999-2000 and thereafter with the exception of fiscal year 2008-2009, the appropriation to the H. Lee Moffitt Cancer Center and Research Institute authorized by this subparagraph shall not be less than the amount that would have been paid to the H. Lee Moffitt Cancer Center and Research Institute for fiscal year 1998-1999 had payments been made for the entire fiscal year rather than for a 6-month period thereof.~~

~~2. Beginning July 1, 2002, and continuing through June 30, 2004, the division shall, in addition to the distribution authorized in subparagraph 1., from month to month certify to the Chief Financial Officer the amount derived from the cigarette tax imposed by s. 210.02, less the service charges provided for in s. 215.20 and less 0.9 percent of the amount derived from the cigarette tax imposed by s. 210.02, which shall be deposited into the Alcoholic Beverage and Tobacco Trust Fund, specifying an amount equal to 0.2632 percent of the net collections, and that amount shall be paid to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute, established under s. 1004.43, by warrant drawn by the Chief Financial Officer.~~ Beginning July 1, 2004, and continuing through June 30, *2013* ~~2020~~, the division shall, ~~in addition to the distribution authorized in subparagraph 1.,~~ from month to month certify to the Chief Financial Officer the amount derived from the cigarette tax imposed by s. 210.02, less the service charges provided for in s. 215.20 and less 0.9 percent of the amount derived from the cigarette tax imposed by s. 210.02, which shall be deposited into the Alcoholic Beverage and Tobacco Trust Fund, specifying an amount equal to 1.47 percent of the net collections, and that amount shall be paid to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute, established under s. 1004.43, by warrant drawn by the Chief Financial Officer. *Beginning July 1, 2013, and continuing through June 30, 2033, the division shall from month to month certify to the Chief Financial Officer the amount derived from the cigarette tax imposed by s. 210.02, less the service charges provided for in s. 215.20 and less 0.9 percent of the amount derived from the cigarette tax imposed by s. 210.02, which shall be deposited into the Alcoholic Beverage and Tobacco Trust Fund, specifying an amount equal to 2.75 percent of the net collections, and that amount shall be paid to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute, established under s. 1004.43, by warrant drawn by the Chief Financial Officer.* These funds are appropriated monthly out of the Cigarette Tax Collection Trust Fund, to be used for *lawful purposes, including* ~~the purpose of~~ constructing, furnishing, ~~and~~ equipping*, financing, operating, and maintaining* ~~a~~ cancer research *and clinical and related facilities; furnishing, equipping, operating, and maintaining other properties owned or leased by* ~~facility at the University of South Florida adjacent to~~ the H. Lee Moffitt Cancer Center and Research Institute*; and paying costs incurred in connection with purchasing, financing, operating, and maintaining such equipment, facilities, and properties*. In fiscal years 2004-2005 and thereafter, the appropriation to the H. Lee Moffitt Cancer Center and Research Institute authorized by this subparagraph shall not be less than the amount that would have been paid to the H. Lee Moffitt Cancer Center and Research Institute in fiscal year 2001-2002, had this subparagraph been in effect.

(c) Beginning July 1, 2013, and continuing through June 30, 2021, the division shall from month to month certify to the Chief Financial Officer the amount derived from the cigarette tax imposed by s. 210.02, less the service charges provided for in s. 215.20 and less 0.9 percent of the amount derived from the cigarette tax imposed by s. 210.02, which shall

be deposited into the Alcoholic Beverage and Tobacco Trust Fund, specifying an amount equal to 1 percent of the net collections, and that amount shall be deposited into the Biomedical Research Trust Fund in the Department of Health. These funds are appropriated annually in an amount not to exceed $3 million from the Biomedical Research Trust Fund for the Department of Health and the Sanford-Burnham Medical Research Institute to work in conjunction for the purpose of establishing activities and grant opportunities in relation to biomedical research.

Section 4. Section 210.201, Florida Statutes, is amended to read:

210.201 *H. Lee Moffitt Cancer Center and Research Institute facilities* ~~Cancer research facility at the University of South Florida~~; establishment; funding.—The Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute shall construct, furnish, and equip, and shall covenant to complete, the cancer research *and clinical and related facilities of* ~~facility at the University of South Florida adjacent to~~ the H. Lee Moffitt Cancer Center and Research Institute *funded with proceeds from the Cigarette Tax Collection Trust Fund pursuant to s. 210.20*. Moneys transferred to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute pursuant to s. 210.20 *may* ~~shall~~ be used to secure financing to pay costs related to constructing, furnishing, ~~and~~ equipping*, operating, and maintaining* ~~the~~ cancer research *and clinical and related facilities; furnishing, equipping, operating, and maintaining other leased or owned properties; and paying costs incurred in connection with purchasing, financing, operating, and maintaining such equipment, facilities, and properties as provided in s. 210.20* ~~facility~~. Such financing may include the issuance of tax-exempt bonds *or other forms of indebtedness* by a local authority, municipality, or county pursuant to parts II and III of chapter 159. Such bonds shall not constitute state bonds for purposes of s. 11, Art. VII of the State Constitution, but shall constitute bonds of a "local agency," as defined in s. 159.27(4). The cigarette tax dollars pledged to *facilities* ~~this facility~~ pursuant to s. 210.20 may be replaced annually by the Legislature from tobacco litigation settlement proceeds.

Section 5. Section 211.3103, Florida Statutes, is amended to read:

211.3103 Levy of tax on severance of phosphate rock; rate, basis, and distribution of tax.—

(1) There is hereby levied an excise tax upon *each* ~~every~~ person engaging in the business of severing phosphate rock from the soils or waters of this state for commercial use. The tax shall be collected, administered, and enforced by the department.

(2) The tax rate shall be $1.61 per ton severed, except for the time period beginning January 1, 2015, until December 31, 2022, when the tax rate shall be $1.80 per ton severed.

~~(2) Beginning July 1, 2004, the proceeds of all taxes, interest, and penalties imposed under this section shall be paid into the State Treasury as follows:~~

~~(a) The first $10 million in revenue collected from the tax during each fiscal year shall be paid to the credit of the Conservation and Recreation Lands Trust Fund.~~

~~(b) The remaining revenues collected from the tax during that fiscal year, after the required payment under paragraph (a), shall be paid into the State Treasury as follows:~~

~~1. To the credit of the General Revenue Fund of the state, 40.1 percent.~~

~~2. For payment to counties in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 16.5 percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Any such proceeds received by a county shall be used only for phosphate-related expenses.~~

~~3. For payment to counties that have been designated a rural area of critical economic concern pursuant to s. 288.0656 in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 13 percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Payments under this subparagraph shall be made to the counties unless the Legislature by special act creates a local authority to promote and direct the economic development of the county. If such authority exists, payments shall be made to that authority.~~

~~4. To the credit of the Phosphate Research Trust Fund in the Division of Universities of the Department of Education, 9.3 percent.~~

~~5. To the credit of the Minerals Trust Fund, 10.7 percent.~~

~~6. To the credit of the Nonmandatory Land Reclamation Trust Fund, 10.4 percent.~~

~~(3) Beginning July 1, 2003, and annually thereafter, the Department of Environmental Protection may use up to $2 million of the funds in the Nonmandatory Land Reclamation Trust Fund to purchase a surety bond or a policy of insurance, the proceeds of which would pay the cost of restoration, reclamation, and cleanup of any phosphogypsum stack system and phosphate mining activities in the event that an operator or permittee thereof has been subject to a final order of bankruptcy and all funds available therefrom are determined to be inadequate to accomplish such restoration, reclamation, and cleanup. This section does not imply that such operator or permittee is thereby relieved of its obligations or relieved of any liabilities pursuant to any other remedies at law, administrative remedies, statutory remedies, or remedies pursuant to bankruptcy law. The department shall adopt rules to implement this subsection, including the purchase and oversight of the bond or policy.~~

~~(4) Funds distributed pursuant to subparagraphs (2)(b)3. and (11)(c)4. shall be used for:~~

~~(a) Planning, preparing, and financing of infrastructure projects for job creation and capital investment, especially those related to industrial and commercial sites. Infrastructure investments may include the following public or public-private partnership facilities: stormwater systems, telecommunications facilities, roads or other remedies to transportation impediments, nature based tourism facilities, or other physical requirements necessary to facilitate trade and economic development activities.~~

~~(b) Maximizing the use of federal, local, and private resources, including, but not limited to, those available under the Small Cities Community Development Block Grant Program.~~

~~(c) Projects that improve inadequate infrastructure that has resulted in regulatory action that prohibits economic or community growth, if such projects are related to specific job creation or job retention opportunities.~~

~~(5) Beginning January 1, 2004, the tax rate shall be the base rate of $1.62 per ton severed.~~

~~(6) Beginning January 1, 2005, and annually thereafter, the tax rate shall be the base rate times the base rate adjustment for the tax year as calculated by the department in accordance with subsection (8).~~

(3)~~(7)~~ The excise tax levied by this section *applies* ~~shall apply~~ to the total production of the producer during the taxable year, measured on the basis of bone-dry tons produced at the point of severance.

~~(8)(a) On or before March 30, 2004, and annually thereafter, the department shall calculate the base rate adjustment, if any, for phosphate rock based on the change in the unadjusted annual producer price index for the prior calendar year in relation to the unadjusted annual producer price index for calendar year 1999.~~

~~(b) For the purposes of determining the base rate adjustment for any year, the base rate adjustment shall be a fraction, the numerator of which is the unadjusted annual producer price index for the prior calendar year and the denominator of which is the unadjusted annual producer price index for calendar year 1999.~~

~~(c) The department shall provide the base rate, the base rate adjustment, and the resulting tax rate to affected producers by written notice on or before April 15 of the current year.~~

~~(d) If the producer price index for phosphate rock is substantially revised, the department shall make appropriate adjustment in the method used to compute the base rate adjustment under this subsection~~

~~which will produce results reasonably consistent with the result that would have been obtained if the producer price index for phosphate rock had not been revised. However, the tax rate shall not be less than $1.51 per ton severed.~~

~~(c) If the producer price index for phosphate rock is discontinued, a comparable index shall be selected by the department and adopted by rule.~~

(4)~~(9)~~ The excise tax levied on the severance of phosphate rock *is* ~~shall be~~ in addition to any ad valorem taxes levied upon the separately assessed mineral interest in the real property upon which the site of severance is located, or any other tax, permit, or license fee imposed by the state or its political subdivisions.

(5)~~(10)~~ The tax levied by this section shall be collected in the manner prescribed in s. 211.33.

~~(11)(a) Beginning July 1, 2008, there is hereby levied a surcharge of $1.38 per ton severed in addition to the excise tax levied by this section. The surcharge shall be levied until the last day of the calendar quarter in which the total revenue generated by the surcharge equals $60 million. Revenues derived from the surcharge shall be deposited into the Nonmandatory Land Reclamation Trust Fund and shall be exempt from the general revenue service charge provided in s. 215.20. Revenues derived from the surcharge shall be used to augment funds appropriated for the rehabilitation, management, and closure of the Piney Point and Mulberry sites and for approved reclamation of nonmandatory lands in accordance with chapter 378. A minimum of 75 percent of the revenues from the surcharge shall be dedicated to the Piney Point and Mulberry sites.~~

~~(b) Beginning July 1, 2008, the excise tax rate shall be $1.945 per ton severed and the base rate adjustment provided in subsection (6) shall not apply.~~

~~(c)1. Beginning July 1 of the 2010-2011 fiscal year, the tax rate shall be the base rate of $1.71 per ton severed.~~

~~2. Beginning July 1 of the 2011-2012 fiscal year, the tax rate shall be the base rate of $1.61 per ton severed.~~

~~3. The base rate adjustment provided in subsection (6) shall not apply until the conditions of paragraph (d) are met.~~

~~(d) Beginning July 1 of the fiscal year following the date on which a taxpayer's surcharge offset equals or exceeds the total amount of surcharge remitted by such taxpayer under paragraph (a), and each year thereafter, the excise tax rate levied on such taxpayer shall be adjusted as provided in subsection (6). The surcharge offset for each taxpayer is an amount calculated by the department equal to the cumulative difference between the amount of excise tax that would have been collected under subsections (5) and (6) and the excise tax collected under subparagraphs (c)1. and 2. from such taxpayer.~~

~~(e) Beginning July 1 of the 2010-2011 fiscal year, the proceeds of all taxes, interest, and penalties imposed under this section shall be exempt from the general revenue service charge provided in s. 215.20, and shall be paid into the State Treasury as follows:~~

~~1. To the credit of the Conservation and Recreation Lands Trust Fund, 21.9 percent.~~

~~2. To the credit of the General Revenue Fund of the state, 37.1 percent.~~

~~3. For payment to counties in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 12 percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Any such proceeds received by a county shall be used only for phosphate-related expenses.~~

~~4. For payment to counties that have been designated a rural area of critical economic concern pursuant to s. 288.0656 in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 9.4 percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Payments under this subparagraph shall be made to the counties unless the Legislature by special act creates a local authority to promote and direct the economic development of the county. If such authority exists, payments shall be made to that authority.~~

~~5. To the credit of the Nonmandatory Land Reclamation Trust Fund, 5.8 percent.~~

~~6. To the credit of the Phosphate Research Trust Fund in the Division of Universities of the Department of Education, 5.8 percent.~~

~~7. To the credit of the Minerals Trust Fund, 8.0 percent.~~

(6)(a)~~(f)~~ Beginning July 1 of the 2011-2012 fiscal year, the proceeds of all taxes, interest, and penalties imposed under this section are exempt from the general revenue service charge provided in s. 215.20, and such proceeds shall be paid into the State Treasury as follows:

1. To the credit of the Conservation and Recreation Lands Trust Fund, 25.5 percent.

2. To the credit of the General Revenue Fund of the state, 35.7 percent.

3. For payment to counties in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 12.8 percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Any such proceeds received by a county shall be used only for phosphate-related expenses.

4. For payment to counties that have been designated as a rural area of critical economic concern pursuant to s. 288.0656 in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 10.0 percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Payments under this subparagraph shall be made to the counties unless the Legislature by special act creates a local authority to promote and direct the economic development of the county. If such authority exists, payments shall be made to that authority.

5. To the credit of the Nonmandatory Land Reclamation Trust Fund, 6.2 percent.

6. To the credit of the Phosphate Research Trust Fund in the Division of Universities of the Department of Education, 6.2 percent.

7. To the credit of the Minerals Trust Fund, 3.6 percent.

(b) Notwithstanding paragraph (a), from January 1, 2015, until December 31, 2022, the proceeds of all taxes, interest, and penalties imposed under this section are exempt from the general revenue service charge provided in s. 215.20, and such proceeds shall be paid to the State Treasury as follows:

1. To the credit of the Conservation and Recreation Lands Trust Fund, 22.8 percent.

2. To the credit of the General Revenue Fund of the state, 31.9 percent.

3. For payment to counties pursuant to subparagraph (a)3., 11.5 percent.

4. For payment to counties pursuant to subparagraph (a)4., 8.9 percent.

5. To the credit of the Nonmandatory Land Reclamation Trust Fund, 16.1 percent.

6. To the credit of the Phosphate Research Trust Fund in the Division of Universities of the Department of Education, 5.6 percent.

7. To the credit of the Minerals Trust Fund, 3.2 percent.

(c)~~(g)~~ For purposes of this section, "phosphate-related expenses" means those expenses that provide for infrastructure or services in

support of the phosphate industry, reclamation or restoration of phosphate lands, community infrastructure on such reclaimed lands, and similar expenses directly related to support of the industry.

Section 6. Paragraph (b) of subsection (1) of section 211.02, Florida Statutes, is amended, present subsections (4) and (5) of that section are renumbered as subsections (5) and (6), respectively, and a new subsection (4) is added to that section, to read:

211.02 Oil production tax; basis and rate of tax; tertiary oil *and mature field recovery oil*.—An excise tax is hereby levied upon every person who severs oil in the state for sale, transport, storage, profit, or commercial use. Except as otherwise provided in this part, the tax is levied on the basis of the entire production of oil in this state, including any royalty interest. Such tax shall accrue at the time the oil is severed and shall be a lien on production regardless of the place of sale, to whom sold, or by whom used, and regardless of the fact that delivery of the oil may be made outside the state.

(1) The amount of tax shall be measured by the value of the oil produced and saved or sold during a month. The value of oil shall be taxed at the following rates:

(b) Tertiary oil *and mature field recovery oil*:

1. One percent of the gross value of oil on the value of oil $60 dollars and below;

2. Seven percent of the gross value of oil on the value of oil above $60 and below $80; and

3. Nine percent of the gross value of oil on the value of oil $80 and above.

(4) As used in this section, the term "mature field recovery oil" means the barrels of oil recovered from new wells that begin production after July 1, 2012, in fields that were discovered prior to 1981.

Section 7. Subsection (2) of section 211.06, Florida Statutes, is amended to read:

211.06 Oil and Gas Tax Trust Fund; distribution of tax proceeds.—All taxes, interest, and penalties imposed under this part shall be collected by the department and placed in a special fund designated the "Oil and Gas Tax Trust Fund."

(2) ~~Beginning July 1, 1995,~~ The remaining proceeds in the Oil and Gas Tax Trust Fund shall be distributed monthly by the department and shall be paid into the State Treasury as follows:

(a) To the credit of the General Revenue Fund of the state:

1. Seventy-five percent of the proceeds from the oil production tax imposed under s. 211.02(1)(c).

2. *Sixty-three* ~~Sixty-seven~~ and one-half percent of the proceeds from the tax on small well oil, ~~and~~ tertiary oil, *and mature field recovery oil* imposed under s. 211.02(1)(a) *and (b)*.

3. Sixty-seven and one-half percent of the proceeds from the tax on gas imposed under s. 211.025.

4. Sixty-seven and one-half percent of the proceeds of the tax on sulfur imposed under s. 211.026.

(b) To the credit of the general revenue fund of the board of county commissioners of the county where produced, subject to the service charge imposed under chapter 215:

1. Twelve and one-half percent of the proceeds from the tax on oil imposed under s. 211.02(1)(c).

2. Twenty percent of the proceeds from the tax on small well oil, ~~and~~ tertiary oil, *and mature field recovery oil* imposed under s. 211.02(1)(a) *and (b)*.

3. Twenty percent of the proceeds from the tax on gas imposed under s. 211.025.

4. Twenty percent of the proceeds from the tax on sulfur imposed under s. 211.026.

(c) To the credit of the Minerals Trust Fund:

1. Twelve and one-half percent of the proceeds from the tax on oil imposed under s. 211.02(1)(c).

2. *Sixteen* ~~Twelve~~ and one-half percent of the proceeds from the tax on small well *oil,* ~~and~~ tertiary oil, *and mature field recovery oil* imposed under s. 211.02(1)(a) *and (b)*.

3. Twelve and one-half percent of the proceeds from the tax on gas imposed under s. 211.025.

4. Twelve and one-half percent of the proceeds from the tax on sulfur imposed under s. 211.026.

Section 8. Effective January 1, 2013, paragraphs (b) and (e) of subsection (5) and paragraphs (ee) and (rr) of subsection (7) of section 212.08, Florida Statutes, are amended, and paragraph (hhh) and (iii) are added to subsection (7) of that section, to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(b) *Machinery and equipment used to increase productive output.*—

1. Industrial machinery and equipment purchased for exclusive use by a new business in spaceport activities as defined by s. 212.02 or for use in new businesses that manufacture, process, compound, or produce for sale items of tangible personal property at fixed locations are exempt from the tax imposed by this chapter upon an affirmative showing by the taxpayer to the satisfaction of the department that such items are used in a new business in this state. Such purchases must be made *before* ~~prior to~~ the date the business first begins its productive operations, and delivery of the purchased item must be made within 12 months after that date.

2. Industrial machinery and equipment purchased for exclusive use by an expanding facility which is engaged in spaceport activities as defined by s. 212.02 or for use in expanding manufacturing facilities or plant units which manufacture, process, compound, or produce for sale items of tangible personal property at fixed locations in this state are exempt from any amount of tax imposed by this chapter upon an affirmative showing by the taxpayer to the satisfaction of the department that such items are used to increase the productive output of such expanded facility or business by not less than *5* ~~10~~ percent.

3.a. To receive an exemption provided by subparagraph 1. or subparagraph 2., a qualifying business entity shall apply to the department for a temporary tax exemption permit. The application shall state that a new business exemption or expanded business exemption is being sought. Upon a tentative affirmative determination by the department pursuant to subparagraph 1. or subparagraph 2., the department shall issue such permit.

b. The applicant shall maintain all necessary books and records to support the exemption. Upon completion of purchases of qualified machinery and equipment pursuant to subparagraph 1. or subparagraph 2., the temporary tax permit shall be delivered to the department or returned to the department by certified or registered mail.

c. If, in a subsequent audit conducted by the department, it is determined that the machinery and equipment purchased as exempt under subparagraph 1. or subparagraph 2. did not meet the criteria mandated by this paragraph or if commencement of production did not occur, the amount of taxes exempted at the time of purchase shall immediately be due and payable to the department by the business entity, together with the appropriate interest and penalty, computed from the date of purchase, in the manner prescribed by this chapter.

d. If a qualifying business entity fails to apply for a temporary exemption permit or if the tentative determination by the department

required to obtain a temporary exemption permit is negative, a qualifying business entity shall receive the exemption provided in subparagraph 1. or subparagraph 2. through a refund of previously paid taxes. No refund may be made for such taxes unless the criteria mandated by subparagraph 1. or subparagraph 2. have been met and commencement of production has occurred.

4. The department shall adopt rules governing applications for, issuance of, and the form of temporary tax exemption permits; provisions for recapture of taxes; and the manner and form of refund applications, and may establish guidelines as to the requisites for an affirmative showing of increased productive output, commencement of production, and qualification for exemption.

5. The exemptions provided in subparagraphs 1. and 2. do not apply to machinery or equipment purchased or used by electric utility companies, communications companies, oil or gas exploration or production operations, publishing firms that do not export at least 50 percent of their finished product out of the state, any firm subject to regulation by the Division of Hotels and Restaurants of the Department of Business and Professional Regulation, or any firm that does not manufacture, process, compound, or produce for sale items of tangible personal property or that does not use such machinery and equipment in spaceport activities as required by this paragraph. The exemptions provided in subparagraphs 1. and 2. shall apply to machinery and equipment purchased for use in phosphate or other solid minerals severance, mining, or processing operations.

6. For the purposes of the exemptions provided in subparagraphs 1. and 2., these terms have the following meanings:

a. "Industrial machinery and equipment" means tangible personal property or other property that has a depreciable life of 3 years or more and that is used as an integral part in the manufacturing, processing, compounding, or production of tangible personal property for sale or is exclusively used in spaceport activities. A building and its structural components are not industrial machinery and equipment unless the building or structural component is so closely related to the industrial machinery and equipment that it houses or supports that the building or structural component can be expected to be replaced when the machinery and equipment are replaced. Heating and air-conditioning systems are not industrial machinery and equipment unless the sole justification for their installation is to meet the requirements of the production process, even though the system may provide incidental comfort to employees or serve, to an insubstantial degree, nonproduction activities. The term includes parts and accessories only to the extent that the exemption thereof is consistent with the provisions of this paragraph.

b. "Productive output" means the number of units actually produced by a single plant, operation, or product line in a single continuous 12-month period, irrespective of sales. Increases in productive output shall be measured by the output for 12 continuous months selected by the expanding business *after* ~~following the~~ completion of *the* installation of such machinery or equipment over the output for the 12 continuous months immediately preceding such installation. However, in no case may such time period begin later than 2 years *after* ~~following the~~ completion of *the* installation of the new machinery and equipment. The units used to measure productive output shall be physically comparable between the two periods, irrespective of sales.

(e) *Gas or electricity used for certain agricultural purposes.*—

1. Butane gas, propane gas, natural gas, and all other forms of liquefied petroleum gases are exempt from the tax imposed by this chapter if used in any tractor, vehicle, or other farm equipment which is used exclusively on a farm or for processing farm products on the farm and no part of which gas is used in any vehicle or equipment driven or operated on the public highways of this state. This restriction does not apply to the movement of farm vehicles or farm equipment between farms. The transporting of bees by water and the operating of equipment used in the apiary of a beekeeper is also deemed an exempt use.

2. Electricity used directly or indirectly for production*, packing,* or processing of agricultural products on the farm*, or used directly or indirectly in a packinghouse,* is exempt from the tax imposed by this chapter. *As used in this subsection, the term "packinghouse" means any building or structure where fruits, vegetables, or meat from cattle or hogs are packed or otherwise prepared for market or shipment in fresh form for wholesale distribution. The exemption does not apply to electricity used in buildings or structures where agricultural products are sold at retail.* This exemption applies only if the electricity used for the exempt purposes is separately metered. If the electricity is not separately metered, it is conclusively presumed that some portion of the electricity is used for a nonexempt purpose, and all of the electricity used for such purposes is taxable.

(7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any entity by this chapter do not inure to any transaction that is otherwise taxable under this chapter when payment is made by a representative or employee of the entity by any means, including, but not limited to, cash, check, or credit card, even when that representative or employee is subsequently reimbursed by the entity. In addition, exemptions provided to any entity by this subsection do not inure to any transaction that is otherwise taxable under this chapter unless the entity has obtained a sales tax exemption certificate from the department or the entity obtains or provides other documentation as required by the department. Eligible purchases or leases made with such a certificate must be in strict compliance with this subsection and departmental rules, and any person who makes an exempt purchase with a certificate that is not in strict compliance with this subsection and the rules is liable for and shall pay the tax. The department may adopt rules to administer this subsection.

(ee) *Aircraft repair and maintenance labor charges.*—There shall be exempt from the tax imposed by this chapter all labor charges for the repair and maintenance of qualified aircraft, aircraft of more than *2,000* ~~15,000~~ pounds maximum certified takeoff weight, and rotary wing aircraft of more than 10,000 pounds maximum certified takeoff weight. Except as otherwise provided in this chapter, charges for parts and equipment furnished in connection with such labor charges are taxable.

(rr) *Equipment used in aircraft repair and maintenance.*—There shall be exempt from the tax imposed by this chapter replacement engines, parts, and equipment used in the repair or maintenance of qualified aircraft, aircraft of more than *2,000* ~~15,000~~ pounds maximum certified takeoff weight, and rotary wing aircraft of more than 10,300 pounds maximum certified takeoff weight, when such parts or equipment are installed on such aircraft that is being repaired or maintained in this state.

(hhh) Items used in manufacturing and fabricating aircraft and gas turbine engines.—Chemicals, machinery, parts, and equipment used and consumed in the manufacture or fabrication of aircraft engines and gas turbine engines, including cores, electrical discharge machining supplies, brass electrodes, ceramic guides, reamers, grinding and deburring wheels, Norton vortex wheels, argon, nitrogen, helium, fluid abrasive cutters, solvents and soaps, boroscopes, penetrants, patterns, dies, and molds consumed in the production of castings are exempt from the tax imposed by this chapter.

(iii) Accessible taxicabs.—The sale or lease of accessible taxicabs is exempt from the tax imposed by this chapter. As used in this paragraph, the term "accessible taxicab" means a chauffer-driven taxi, limousine, sedan, van, or other passenger vehicle for which an operator is hired to use for the transportation of persons for compensation; which transports eight passengers or fewer; is equipped with a lift or ramp designed specifically to transport physically disabled persons or contains any other device designed to permit access to, and enable the transportation of, physically disabled persons, including persons who use wheelchairs, motorized wheelchairs, or similar mobility aids; which complies with the accessibility requirements of the Americans with Disabilities Act of 1990, 49 C.F.R. ss. 38.23, 38.25, and 38.31, as amended, regardless of whether such requirements would apply under federal law; and meets all applicable federal motor vehicle safety standards and regulations adopted thereunder. If the lift or ramp or any other device is installed through an aftermarket conversion of a stock vehicle, only the value of the conversion is exempt from the tax imposed by this chapter.

Section 9. Subsection (5) of section 212.097, Florida Statutes, is amended to read:

212.097 Urban High-Crime Area Job Tax Credit Program.—

(5) To be eligible for a tax credit under subsection (3), the number of qualified employees employed 1 year *before* ~~prior to~~ the application date must be no lower than the number of qualified employees on *January 1,*

2009, or on the application date on which a credit under this section was based for any previous application, including an application under subsection (2)*, whichever occurs later*.

Section 10. Effective January 1, 2013, and applying to tax years beginning on or after January 1, 2013, subsection (1) of section 220.14, Florida Statutes, is amended to read:

220.14 Exemption.—

(1) In computing a taxpayer's liability for tax under this code, there shall be exempt from the tax *$50,000* ~~$25,000~~ of net income as defined in s. 220.12 or such lesser amount as will, without increasing the taxpayer's federal income tax liability, provide the state with an amount under this code which is equal to the maximum federal income tax credit which may be available from time to time under federal law.

Section 11. Effective January 1, 2013, and applying to tax years beginning on or after January 1, 2013, subsection (3) of section 220.63, Florida Statutes, is amended to read:

220.63 Franchise tax imposed on banks and savings associations.—

(3) For purposes of this part, the franchise tax base shall be adjusted federal income, as defined in s. 220.13, apportioned to this state, plus nonbusiness income allocated to this state pursuant to s. 220.16, less the deduction allowed in subsection (5) and less *$50,000* ~~$25,000~~.

Section 12. Paragraphs (b), (d), and (f) of subsection (1), paragraph (b) of subsection (4), and subsections (7) and (11) of section 288.1254, Florida Statutes, are amended, present paragraphs (c) through (o) of subsection (1) of that section are redesignated as paragraphs (d) through (p), respectively, and new paragraphs (c) and (q) are added to that subsection, to read:

288.1254 Entertainment industry financial incentive program.—

(1) DEFINITIONS.—As used in this section, the term:

(b) "Digital media project" means a production of interactive entertainment that is produced for distribution in commercial or educational markets. The term includes a video game or production intended for Internet or wireless distribution*, an interactive website, digital animation, and visual effects, including, but not limited to, three-dimensional movie productions and movie conversions*. The term does not include a production that contains ~~obscene~~ content *that is obscene* as defined in s. 847.001~~(10)~~.

(c) "High-impact digital media project" means a digital media project that has qualified expenditures greater than $4.5 million.

(e)~~(d)~~ "Off-season certified production" means a feature film, independent film, or television series or pilot *that* ~~which~~ films 75 percent or more of its principal photography days from June 1 through November 30.

(g)~~(f)~~ "Production" means a theatrical or direct-to-video motion picture; a made-for-television motion picture; visual effects or digital animation sequences produced in conjunction with a motion picture; a commercial; a music video; an industrial or educational film; an infomercial; a documentary film; a television pilot program; a presentation for a television pilot program; a television series, including, but not limited to, a drama, a reality show, a comedy, a soap opera, a telenovela, a game show, an awards show, or a miniseries production; or a digital media project by the entertainment industry. One season of a television series is considered one production. The term does not include a weather or market program; a sporting event *or a sporting event broadcast*; ~~a sports show;~~ a gala; a production that solicits funds; a home shopping program; a political program; a political documentary; political advertising; a gambling-related project or production; a concert production; or a local, regional, or Internet-distributed-only news show *or*~~,~~ current-events show*; a sports news or sports recap show; a*~~,~~ pornographic production~~,~~; or *any production deemed obscene under chapter 847* ~~current affairs show~~. A production may be produced on or by film, tape, or otherwise by means of a motion picture camera; electronic camera or device; tape device; computer; any combination of the foregoing; or any other means, method, or device.

(q) "Interactive website" means a website or group of websites that includes interactive and downloadable content, and creates 25 new Florida full-time equivalent positions operating from a principal place of business located within Florida. An interactive website or group of websites must provide documentation that those jobs were created to the Office of Film and Entertainment prior to the award of tax credits. Each subsequent program application must provide proof that 25 Florida full-time equivalent positions are maintained.

(4) TAX CREDIT ELIGIBILITY; TAX CREDIT AWARDS; QUEUES; ELECTION AND DISTRIBUTION; CARRYFORWARD; CONSOLIDATED RETURNS; PARTNERSHIP AND NONCORPORATE DISTRIBUTIONS; MERGERS AND ACQUISITIONS.—

(b) *Tax credit eligibility.—*

1. General production queue.—Ninety-four percent of tax credits authorized pursuant to subsection (6) in any state fiscal year must be dedicated to the general production queue. The general production queue consists of all qualified productions other than those eligible for the commercial and music video queue or the independent and emerging media production queue. A qualified production that demonstrates a minimum of $625,000 in qualified expenditures is eligible for tax credits equal to 20 percent of its actual qualified expenditures, up to a maximum of $8 million. A qualified production that incurs qualified expenditures during multiple state fiscal years may combine those expenditures to satisfy the $625,000 minimum threshold.

a. An off-season certified production that is a feature film, independent film, or television series or pilot is eligible for an additional *5 percent* ~~5 percent~~ tax credit on actual qualified expenditures. An off-season certified production that does not complete 75 percent of principal photography due to a disruption caused by a hurricane or tropical storm may not be disqualified from eligibility for the additional *5 percent* ~~5 percent~~ credit as a result of the disruption.

b. If more than *45* ~~25~~ percent of the sum of total tax credits awarded to productions *initially certified* after *April* ~~July~~ 1, *2012* ~~2010~~, and total tax credits certified *after April 1, 2012*, but not yet awarded, ~~to productions currently in this state~~ has been awarded for *high-impact* television series, then no *high-impact* television series ~~or pilot~~ shall be eligible for tax credits under this subparagraph. *Tax credits certified for a high-impact television series prior to the percentage threshold in this sub-subparagraph being reached may not be awarded after the threshold has been reached.*

~~c. The calculations required by this sub-subparagraph shall use only credits available to be certified and awarded on or after July 1, 2011.~~

~~(I) If the provisions of sub-subparagraph b. are not applicable and less than 25 percent of the sum of the total tax credits awarded to productions and the total tax credits certified, but not yet awarded, to productions currently in this state has been to high-impact television series, any qualified high-impact television series shall be allowed first position in this queue for tax credit awards not yet certified.~~

~~(II) If less than 20 percent of the sum of the total tax credits awarded to productions and the total tax credits certified, but not yet awarded, to productions currently in this state has been to digital media projects, any digital media project with qualified expenditures of greater than $4,500,000 shall be allowed first position in this queue for tax credit awards not yet certified.~~

c.~~(III)~~ *Subject to sub-subparagraph b., first priority in the queue for tax credit awards not yet certified shall be given to high-impact television series and high-impact digital media projects.* For the purposes of determining *priority* ~~position~~ between a high-impact television series ~~allowed first position~~ and a *high-impact* digital media project ~~allowed first position under this sub-subparagraph~~*, the first position must go to the first application received. Thereafter, priority shall be determined by alternating between a high-impact television series and a high-impact digital media project* ~~tax credits shall be awarded~~ on a first-come, first-served basis. *However, if the Office of Film and Entertainment receives an application for a high-impact television series or high-impact digital media project that would be certified but for the alternating priority, the office may certify the project as being in the priority position if an application that would normally be the priority position is not received within 5 business days.*

d. A qualified production *for which* ~~that incurs~~ at least *67* ~~85~~ percent of its *principal photography days occur* ~~qualified expenditures~~ within a region designated as an underutilized region at the time that the production is certified is eligible for an additional *5 percent* ~~5 percent~~ tax credit.

e. *A* ~~Any~~ qualified production that employs students enrolled full-time in a film and entertainment-related or digital media-related course of study at an institution of higher education in this state is eligible for an additional *15 percent* ~~15 percent~~ tax credit on qualified expenditures that are wages, salaries, or other compensation paid to such students. The additional *15 percent* ~~15 percent~~ tax credit *is* ~~shall~~ also ~~be~~ applicable to persons hired within 12 months *after* ~~of~~ graduating from a film and entertainment-related or digital media-related course of study at an institution of higher education in this state. The additional *15 percent* ~~15 percent~~ tax credit *applies* ~~shall apply~~ to qualified expenditures that are wages, salaries, or other compensation paid to such recent graduates for 1 year *after* ~~from~~ the date of hiring.

f. A qualified production for which 50 percent or more of its principal photography occurs at a qualified production facility, or a qualified digital media project or the digital animation component of a qualified production for which 50 percent or more of the project's or component's qualified expenditures are related to a qualified digital media production facility, *is* ~~shall be~~ eligible for an additional *5 percent* ~~5 percent~~ tax credit on actual qualified expenditures for production activity at that facility.

g. *A* ~~No~~ qualified production *is not* ~~shall be~~ eligible for tax credits provided under this paragraph totaling more than 30 percent of its actual qualified expenses.

2. Commercial and music video queue.—Three percent of tax credits authorized pursuant to subsection (6) in any state fiscal year must be dedicated to the commercial and music video queue. A qualified production company that produces national or regional commercials or music videos may be eligible for a tax credit award if it demonstrates a minimum of $100,000 in qualified expenditures per national or regional commercial or music video and exceeds a combined threshold of $500,000 after combining actual qualified expenditures from qualified commercials and music videos during a single state fiscal year. After a qualified production company that produces commercials, music videos, or both reaches the threshold of $500,000, it is eligible to apply for certification for a tax credit award. The maximum credit award shall be equal to 20 percent of its actual qualified expenditures up to a maximum of $500,000. If there is a surplus at the end of a fiscal year after the Office of Film and Entertainment certifies and determines the tax credits for all qualified commercial and video projects, such surplus tax credits shall be carried forward to the following fiscal year and *are* ~~be~~ available to any eligible qualified productions under the general production queue.

3. Independent and emerging media production queue.—Three percent of tax credits authorized pursuant to subsection (6) in any state fiscal year must be dedicated to the independent and emerging media production queue. This queue is intended to encourage ~~Florida~~ independent film and emerging media production *in this state*. Any qualified production, excluding commercials, infomercials, or music videos, *which* ~~that~~ demonstrates at least $100,000, but not more than $625,000, in total qualified expenditures is eligible for tax credits equal to 20 percent of its actual qualified expenditures. If a surplus exists at the end of a fiscal year after the Office of Film and Entertainment certifies and determines the tax credits for all qualified independent and emerging media production projects, such surplus tax credits shall be carried forward to the following fiscal year and *are* ~~be~~ available to any eligible qualified productions under the general production queue.

4. Family-friendly productions.—A certified theatrical or direct-to-video motion picture production or video game determined by the Commissioner of Film and Entertainment, with the advice of the Florida Film and Entertainment Advisory Council, to be family-friendly, based on ~~the~~ review of the script and ~~the~~ review of the final release version, is eligible for an additional tax credit equal to 5 percent of its actual qualified expenditures. Family-friendly productions are those that have cross-generational appeal; would be considered suitable for viewing by children age 5 or older; are appropriate in theme, content, and language for a broad family audience; embody a responsible resolution of issues; and do not exhibit or imply any act of smoking, sex, nudity, or vulgar or profane language.

(7) ANNUAL ALLOCATION OF TAX CREDITS.—

(a) The aggregate amount of the tax credits that may be certified pursuant to paragraph (3)(d) may not exceed:

1. For fiscal year 2010-2011, $53.5 million.

2. For fiscal year 2011-2012, $74.5 million.

3. For fiscal years 2012-2013, 2013-2014, ~~and~~ 2014-2015, *and 2015-2016,* $42 million per fiscal year.

(b) Any portion of the maximum amount of tax credits established per fiscal year in paragraph (a) that is not certified as of the end of a fiscal year shall be carried forward and made available for certification during the following 2 fiscal years in addition to the amounts available for certification under paragraph (a) for those fiscal years.

(c) Upon approval of the final tax credit award amount pursuant to subparagraph (3)(f)2., an amount equal to the difference between the maximum tax credit award amount previously certified under paragraph (3)(d) and the approved final tax credit award amount shall immediately be available for recertification during the current and following fiscal years in addition to the amounts available for certification under paragraph (a) for those fiscal years.

(d) If, during a fiscal year, the total amount of credits applied for, pursuant to paragraph (3)(a), exceeds the amount of credits available for certification in that fiscal year, such excess shall be treated as having been applied for on the first day of the next fiscal year in which credits remain available for certification.

(11) REPEAL.—This section is repealed July 1, *2016* ~~2015~~, except that:

(a) Tax credits certified under paragraph (3)(d) before July 1, *2016* ~~2015~~, may be awarded under paragraph (3)(f) on or after July 1, *2016* ~~2015~~, if the other requirements of this section are met.

(b) Tax credits carried forward under paragraph (4)(e) remain valid for the period specified.

(c) Subsections (5), (8) and (9) shall remain in effect until July 1, *2021* ~~2020~~.

Section 13. Paragraph (c) of subsection (3) of section 288.9914, Florida Statutes, is amended to read:

288.9914 Certification of qualified investments; investment issuance reporting.—

(3) REVIEW.—

(c) The department may not approve a cumulative amount of qualified investments that may result in the claim of more than *$163.8* ~~$97.5~~ million in tax credits during the existence of the program or more than *$33.6* ~~$20~~ million in tax credits in a single state fiscal year. However, the potential for a taxpayer to carry forward an unused tax credit may not be considered in calculating the annual limit.

Section 14. Subsection (1) of section 288.9915, Florida Statutes, is amended to read:

288.9915 Use of proceeds from qualified investments; recordkeeping.—

(1) *For the period from the issuance of the qualified investment to the 7th anniversary of such issuance,* a qualified community development entity may ~~not~~ make cash interest payments on a long-term debt security that is a qualified investment*, but not* in excess of the entity's *cumulative* operating income *as of the date of the cash interest payment. For purposes of calculating operating income under this section, the interest expense on the security is disregarded* ~~for 6 years following the issuance of the security~~.

Section 15. Section 290.00729, Florida Statutes, is created to read:

290.00729 Enterprise zone designation for Charlotte County.—Charlotte County may apply to the Department of Economic Opportunity

for designation of one enterprise zone encompassing an area not to exceed 20 square miles within Charlotte County. The application must be submitted by December 31, 2012, and must comply with the requirements in s. 290.0055. Notwithstanding s. 290.0065 limiting the total number of enterprise zones designated and the number of enterprise zones within a population category, the department may designate one enterprise zone under this section. The department shall establish the initial effective date of the enterprise zone designated under this section.

Section 16. Section 12. Section 290.00731, Florida Statutes, is created to read:

290.00731 Enterprise zone designation for Citrus County.—Citrus County may apply to the department for designation of one enterprise zone for an area within Citrus County. The application must be submitted by December 31, 2012, and must comply with the requirements of s. 290.0055. Notwithstanding s. 290.0065 limiting the total number of enterprise zones designated and the number of enterprise zones within a population category, the department may designate one enterprise zone under this section. The department shall establish the initial effective date of the enterprise zone designated under this section.

Section 17. Section 332.08, Florida Statutes, is amended to read:

332.08 Additional powers.—

(1) In addition to the general powers in ss. 332.01-332.12 conferred and without limitation thereof, a municipality *that* ~~which~~ has established or may hereafter establish airports, restricted landing areas, or other air navigation facilities, or *that* ~~which~~ has acquired or set apart or may hereafter acquire or set apart real property for such purposes, is ~~hereby~~ authorized:

(a)~~(1)~~ To vest authority for the construction, enlargement, improvement, maintenance, equipment, operation, and regulation thereof in an officer, a board or body of such municipality by ordinance or resolution which shall prescribe the powers and duties of such officer, board or body. The expense of such construction, enlargement, improvement, maintenance, equipment, operation, and regulation shall be a responsibility of the municipality.

(b)~~(2)(a)~~ To adopt and amend all needful rules, regulations, and ordinances for the management, government, and use of any properties under its control, whether within or without the territorial limits of the municipality; to appoint airport guards or police, with full police powers; to fix by ordinance or resolution, as may be appropriate, penalties for the violation of said rules, regulations, and ordinances, and enforce said penalties in the same manner in which penalties prescribed by other rules, regulations, and ordinances of the municipality are enforced.

~~(b) Provided, where a county operates one or more airports, its regulations for the government thereof shall be by resolution of the board of county commissioners, shall be recorded in the minutes of the board and promulgated by posting a copy at the courthouse and at every such airport for 4 consecutive weeks or by publication once a week in a newspaper published in the county for the same period. Such regulations shall be enforced as are the criminal laws. Violation thereof shall be a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.~~

(c)~~(3)~~ To lease for a term not exceeding 30 years such airports or other air navigation facilities, or real property acquired or set apart for airport purposes, to private parties, any municipal or state government or the national government, or any department of either thereof, for operation; to lease or assign for a term not exceeding 30 years to private parties, any municipal or state government or the national government, or any department of either thereof, for operation or use consistent with the purposes of ss. 332.01-332.12, space, area, improvements, or equipment on such airports; to sell any part of such airports, other air navigation facilities, or real property to any municipal or state government, or the United States or any department or instrumentality thereof, for aeronautical purposes or purposes incidental thereto, and to confer the privileges of concessions of supplying upon its airports goods, commodities, things, services, and facilities; provided, that in each case in so doing the public is not deprived of its rightful equal and uniform use thereof.

(d)~~(4)~~ To sell or lease any property, real or personal, acquired for airport purposes and belonging to the municipality, which, in the judgment of its governing body, may not be required for aeronautic purposes, in accordance with the laws of this state, or the provisions of the charter of the municipality, governing the sale or leasing of similar municipally owned property.

(e)~~(5)~~ To exercise all powers necessarily incidental to the exercise of the general and special powers herein granted, and is specifically authorized to assess and shall assess against and collect from the owner or operator of each and every airplane using such airports a sufficient fee or service charge to cover the cost of the service furnished airplanes using such airports, including the liquidation of bonds or other indebtedness for construction and improvements.

(2) If a county operates one or more airports, its regulations for the governance thereof shall be by resolution of the board of county commissioners, recorded in the minutes of the board, and promulgated by posting a copy at the courthouse and at every such airport for 4 consecutive weeks or by publication once a week in a newspaper published in the county for the same period. Such regulations shall be enforced in the same manner as the criminal laws. Violation thereof is a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(3) Notwithstanding any other provision of this section, a municipality participating in the Federal Aviation Administration's Airport Privatization Pilot Program pursuant to 49 U.S.C. s. 47134 may lease or sell an airport or other air navigation facility or real property, together with improvements and equipment, acquired or set apart for airport purposes to a private party under such terms and conditions as negotiated by the municipality. If state funds were provided to the municipality pursuant to s. 332.007, the municipality must obtain approval of the agreement from the Department of Transportation, which may approve the agreement if it determines that the state's investment has been adequately considered and protected consistent with the applicable conditions specified in 49 U.S.C. s. 47134.

Section 18. Section 565.07, Florida Statutes, is amended to read:

565.07 Sale or consumption of certain distilled spirits prohibited.—*A* ~~No~~ distilled spirit greater than 153 proof *may not* ~~shall~~ be sold~~, processed,~~ or consumed in the state. *However, a distilled spirit greater than 153 proof may be distilled, bottled, packaged, or processed for export or sale outside the state.*

Section 19. *(1) The tax levied under chapter 212, Florida Statutes, may not be collected during the period from 12:01 a.m. on August 3, 2012, through 11:59 p.m. on August 5, 2012, on the sale of:*

(a) Clothing, wallets, or bags, including handbags, backpacks, fanny packs, and diaper bags, but excluding briefcases, suitcases, and other garment bags, having a sales price of $75 or less per item. As used in this paragraph, the term "clothing" means:

1. Any article of wearing apparel intended to be worn on or about the human body, excluding watches, watchbands, jewelry, umbrellas, or handkerchiefs; and

2. All footwear, excluding skis, swim fins, roller blades, and skates.

(b) School supplies having a sales price of $15 or less per item. As used in this paragraph, the term "school supplies" means pens, pencils, erasers, crayons, notebooks, notebook filler paper, legal pads, binders, lunch boxes, construction paper, markers, folders, poster board, composition books, poster paper, scissors, cellophane tape, glue or paste, rulers, computer disks, protractors, compasses, and calculators.

(2) The tax exemptions in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or an airport as defined in s. 330.27(2), Florida Statutes.

Section 20. *For the 2011-2012 fiscal year, the sum of $226,284 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Revenue for purposes of administering section 19. Funds remaining unexpended or unencumbered from this appropriation as of June 30, 2012, shall revert and be reappropriated for the same purpose in the 2012-2013 fiscal year.*

Section 21. *(1) The sum of $14,900,000 in nonrecurring funds is appropriated from the General Revenue Fund to the State Economic Enhancement and Development Trust Fund for the 2012-2013 fiscal year.*

(2) The sum of $14,900,000 is appropriated from the State Economic Enhancement and Development Trust Fund for the 2012-2013 fiscal year to the Department of Economic Opportunity for the Qualified Target Industries, Qualified Defense Contractors, Brownfield Bonus, High Impact Performance Incentive, Quick Action Closing Fund, Brownfield Redevelopment, Innovation Incentive programs, and transportation facilities, and only for projects that meet the eligibility requirements of law. These funds shall not be released for any other purpose and shall only be disbursed when projects meet the contracted performance requirements.

Section 22. *(1) The executive director of the Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, for the purpose of implementing this act.*

(2) Notwithstanding any provision of law, such emergency rules shall remain in effect for 6 months after the date adopted and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

Section 23. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2012.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to economic development; amending s. 196.199, F.S.; providing an exemption from intangible tax for lessees performing a governmental, municipal, or public purpose or function; providing that the exemption from intangible tax applies retroactively to all governmental leaseholds in existence as of a certain date; providing that the provision is remedial in nature and does not create a right to certain refunds; amending s. 210.20, F.S.; deleting obsolete provisions; establishing a funding source for the H. Lee Moffitt Cancer Center and Research Institute from a portion of the cigarette tax collections; directing the purposes for which such funds may be used; establishing a funding source for the Department of Health from a portion of the cigarette tax collections to establish grants and undertake other activities in conjunction with the Sanford-Burnham Medical Research Institute to further biomedical research; directing the purposes for which such funds may be used; amending s. 210.201, F.S.; establishing the purposes for which funding to the H. Lee Moffitt Cancer Center and Research Institute may be used; amending s. 211.3103, F.S.; revising the excise tax rates levied upon each ton of phosphate rock severed; specifying the period during which the rates apply; revising the distribution of the revenues received; deleting obsolete provisions; amending s. 211.02, F.S.; defining the term "mature field recovery oil" and applying to such oil the tiered severance tax rates applicable to tertiary oil; amending s. 211.06, F.S.; revising the distribution of certain proceeds from the Oil and Gas Tax Trust Fund; amending s. 212.08, F.S.; providing an exemption from the tax on sales, use, and other transactions for electricity used by packinghouses; defining the term "packinghouse"; expanding exemptions from the sales and use tax on labor, parts, and equipment used in repairs of certain aircraft; exempting certain items used to manufacture, produce, or modify aircraft and gas turbine engines and parts from the tax on sales, use, and other transactions; revising a condition for an exemption for machinery and equipment; providing an exemption from the tax on sales, use, and other transactions for the sale or lease of accessible taxicabs; defining the term "accessible taxicab"; amending s. 212.097, F.S.; revising the eligibility criteria for tax credits under the Urban High-Crime Area Job Tax Credit Program; amending s. 220.14, F.S.; increasing the amount of income that is exempt from the corporate income tax; amending s. 220.63, F.S.; increasing the amount of income that is exempt from the franchise tax imposed on banks and savings associations; amending s. 288.1254, F.S.; redefining the terms "digital media project," "off-season certified production," and "production"; defining the terms "high-impact digital media project" and "interactive website"; revising provisions limiting the amount of tax credits for high-impact television series and digital media productions; providing criteria for determining priority for tax credits that have not yet been certified; reducing the required percent of certain production components necessary to qualify for additional credits; authorizing credit allocations for the 2015-2016 fiscal year; extending program repeal provisions by 1 year; amending s. 288.9914, F.S.; revising limits on tax credits that may be claimed by qualified community development entities under the program; amending s. 288.9915, F.S.; revising restrictions on a qualified community development entity's making of cash interest payments on certain long-term debt securities; creating s. 290.00729, F.S.; authorizing Charlotte County to apply to the Department of Economic Opportunity for designation of an enterprise zone; providing application requirements; authorizing the Department of Economic Opportunity to designate an enterprise zone in Charlotte County; requiring that the Department of Economic Opportunity establish the initial effective date for the enterprise zone; creating s. 290.00731, F.S.; authorizing Citrus County to apply to the Department of Economic Opportunity for designation of an enterprise zone; providing an application deadline and requirements; authorizing the Department of Economic Opportunity to designate an enterprise zone in Citrus County; requiring the Department of Economic Opportunity to establish the effective date of the enterprise zone; amending s. 332.08, F.S.; authorizing a municipality participating in a federal airport privatization pilot program to lease or sell to a private party an airport or other air navigation facility or certain real property, improvements, and equipment; requiring approval by the Department of Transportation of the sale or lease agreement under certain circumstances; providing criteria for department approval; amending s. 565.07, F.S.; providing that a distilled spirit greater than 153 proof may be distilled, bottled, packaged, or processed for export or sale outside the state; creating provisions specifying a period during this year when the sale of clothing, wallets, bags, and school supplies are exempt from the tax on sales; providing definitions; providing exceptions; providing an appropriation to the Department of Revenue; providing an appropriation to the State Economic Enhancement and Development Trust Fund and subsequent appropriation from the trust fund to the Department of Economic Opportunity to fund economic development programs for the 2012-2013 fiscal year; authorizing the Department of Revenue to adopt emergency rules; providing effective dates.

Senator Gardiner offered the following amendment to **Amendment 1** which was moved by Senator Alexander and adopted:

Amendment 1A (417890)—Delete lines 702-711 and insert:

Section 9. Subsections (3) and (5) of section 212.097, Florida Statutes, are amended to read:

212.097 Urban High-Crime Area Job Tax Credit Program.—

(3)*(a)* An existing eligible business may apply for a tax credit under this subsection at any time it is entitled to such credit, except as restricted by this subsection. An existing eligible business in a tier-one qualified high-crime area which on the date of application has at least 5 more qualified employees than it had 1 year prior to its date of application shall receive a $1,500 tax credit for each such additional employee. An existing eligible business in a tier-two qualified high-crime area which on the date of application has at least 10 more qualified employees than it had 1 year prior to its date of application shall receive a $1,000 credit for each such additional employee. An existing business in a tier-three qualified high-crime area which on the date of application has at least 15 more qualified employees than it had 1 year prior to its date of application shall receive a $500 tax credit for each such additional employee. An existing eligible business may apply for the credit under this subsection no more than once in any 12-month period. Any existing eligible business that received a credit under subsection (2) may not apply for the credit under this subsection sooner than 12 months after the application date for the credit under subsection (2).

(b) An existing eligible business that filed an application for a tax credit under this subsection on or after January 1, 2009, and was denied because of the limitation set forth in subsection (5) at the time of such application, may refile the application on or before December 31, 2012, if the number of qualified employees employed on the day the denied application is refiled is no lower than the number of qualified employees on the day the denied application was initially filed. Any credit resulting from the refiled application is subject to the aggregate limitation set forth in subsection (10) for the calendar year 2012. For purposes of applying the tax credit eligibility determination required by this section to the refiled application, the terms "date of application" and "application date" mean the date the denied application was initially filed.

(5) To be eligible for a tax credit under subsection (3), the number of qualified employees employed 1 year *before* ~~prior to~~ the application date

must be no lower than the number of qualified employees on *January 1, 2009, or on* the application date on which a credit under this section was based for any previous application, including an application under subsection (2).

Senator Gibson moved the following amendment to **Amendment 1**:

Amendment 1B (282024) (with title amendment)—Between lines 732 and 733 insert:

Section 12. Subsections (5) and (6) of section 288.106, Florida Statutes, are amended to read:

288.106 Tax refund program for qualified target industry businesses.—

(5) TAX REFUND AGREEMENT.—

(a) Each qualified target industry business must enter into a written agreement with the department that specifies, at a minimum:

1. The total number of full-time equivalent jobs in this state that will be dedicated to the project, the average wage of those jobs, the definitions that will apply for measuring the achievement of these terms during the pendency of the agreement, and a time schedule or plan for when such jobs will be in place and active in this state.

2. The maximum amount of tax refunds that the qualified target industry business is eligible to receive on the project and the maximum amount of a tax refund that the qualified target industry business is eligible to receive for each fiscal year, based on the job creation and maintenance schedule specified in subparagraph 1.

3. That the department may review and verify the financial and personnel records of the qualified target industry business to ascertain whether that business is in compliance with this section.

4. The date by which, in each fiscal year, the qualified target industry business may file a claim under subsection (6) to be considered to receive a tax refund in the following fiscal year.

5. That local financial support will be annually available and will be paid to the account. The department may not enter into a written agreement with a qualified target industry business if the local financial support resolution is not passed by the local governing body within 90 days after the department has issued the letter of certification under subsection (4).

6. That the department may conduct a review of the business to evaluate whether the business is continuing to contribute to the area's or state's economy.

7. That in the event the business does not complete the agreement, the business will provide the department with the reasons the business was unable to complete the agreement.

(b) Compliance with the terms and conditions of the agreement is a condition precedent for the receipt of a tax refund each year. The failure to comply with the terms and conditions of the tax refund agreement results in the loss of eligibility for receipt of all tax refunds previously authorized under this section and the revocation by the department of the certification of the business entity as a qualified target industry business, unless the business is eligible to receive and elects to accept a prorated refund under paragraph (6)(e)*, the department grants the business a prorated refund under paragraph (6)(f),* or the department grants the business an economic recovery extension.

1. A qualified target industry business may submit a request to the department for *a prorated refund under paragraph (6)(f) or for* an economic recovery extension. The request must provide quantitative evidence demonstrating how negative economic conditions in the business's industry, the effects of a named hurricane or tropical storm, or specific acts of terrorism affecting the qualified target industry business have prevented the business from complying with the terms and conditions of its tax refund agreement.

2. Upon receipt of a request under subparagraph 1., the department has 45 days to notify the requesting business, in writing, whether its *request* ~~extension~~ has been granted or denied. In determining whether *a request* ~~an extension~~ should be granted, the department shall consider the extent to which negative economic conditions in the requesting business's industry have occurred in the state or the effects of a named hurricane or tropical storm or specific acts of terrorism affecting the qualified target industry business have prevented the business from complying with the terms and conditions of its tax refund agreement. The department shall consider current employment statistics for this state by industry, including whether the business's industry had substantial job loss during the prior year, when determining whether *a request* ~~an extension~~ shall be granted.

3. As a condition for receiving a prorated refund under paragraph (6)(e) *or paragraph (6)(f)* or an economic recovery extension under this paragraph, a qualified target industry business must agree to renegotiate its tax refund agreement with the department to, at a minimum, ensure that the terms of the agreement comply with current law and the department's procedures governing application for and award of tax refunds. Upon approving the award of a prorated refund or granting an economic recovery extension, the department shall renegotiate the tax refund agreement with the business as required by this subparagraph. When amending the agreement of a business receiving an economic recovery extension, the department may extend the duration of the agreement for a period not to exceed 2 years.

4. A qualified target industry business may submit a request for an economic recovery extension to the department in lieu of any tax refund claim scheduled to be submitted after January 1, 2009, but before July 1, 2012.

5. A qualified target industry business that receives an economic recovery extension may not receive a tax refund for the period covered by the extension.

(c) The agreement must be signed by the executive director and by an authorized officer of the qualified target industry business within 120 days after the issuance of the letter of certification under subsection (4), but not before passage and receipt of the resolution of local financial support. The department may grant an extension of this period at the written request of the qualified target industry business.

(d) The agreement must contain the following legend, clearly printed on its face in bold type of not less than 10 points in size: "This agreement is not a general obligation of the State of Florida, nor is it backed by the full faith and credit of the State of Florida. Payment of tax refunds is conditioned on and subject to specific annual appropriations by the Florida Legislature sufficient to pay amounts authorized in section 288.106, Florida Statutes."

(6) ANNUAL CLAIM FOR REFUND.—

(a) To be eligible to claim any scheduled tax refund, a qualified target industry business that has entered into a tax refund agreement with the department under subsection (5) must apply by January 31 of each fiscal year to the department for the tax refund scheduled to be paid from the appropriation for the fiscal year that begins on July 1 following the January 31 claims-submission date. The department may, upon written request, grant a 30-day extension of the filing date.

(b) The claim for refund by the qualified target industry business must include a copy of all receipts pertaining to the payment of taxes for which the refund is sought and data related to achievement of each performance item specified in the tax refund agreement. The amount requested as a tax refund may not exceed the amount specified for the relevant fiscal year in that agreement.

(c) The department may waive the requirement for proof of taxes paid in future years for a qualified target industry business that provides the *Department of Economic Opportunity* ~~office~~ with proof that, in a single year, the business has paid an amount of state taxes from the categories in paragraph (3)(d) *which* ~~that~~ is at least equal to the total amount of tax refunds that the business may receive through successful completion of its tax refund agreement.

(d) A tax refund may not be approved for a qualified target industry business unless the required local financial support has been paid into the account for that refund. If the local financial support provided is less than 20 percent of the approved tax refund, the tax refund must be reduced. In no event may the tax refund exceed an amount that is equal

to 5 times the amount of the local financial support received. Further, funding from local sources includes any tax abatement granted to that business under s. 196.1995 or the appraised market value of municipal or county land conveyed or provided at a discount to that business. The amount of any tax refund for such business approved under this section must be reduced by the amount of any such tax abatement granted or the value of the land granted, and the limitations in subsection (3) and paragraph (4)(e) must be reduced by the amount of any such tax abatement or the value of the land granted. A report listing all sources of the local financial support shall be provided to the *Department of Economic Opportunity* ~~office~~ when such support is paid to the account.

(e) A prorated tax refund, less a *5 percent* ~~5 percent~~ penalty, shall be approved for a qualified target industry business if all other applicable requirements have been satisfied and the business proves to the satisfaction of the *Department of Economic Opportunity* ~~office~~ that:

1. It has achieved at least 80 percent of its projected employment; and

2. The average wage paid by the business is at least 90 percent of the average wage specified in the tax refund agreement, but in no case less than 115 percent of the average private sector wage in the area available at the time of certification, or 150 percent or 200 percent of the average private sector wage if the business requested the additional per-job tax refund authorized in paragraph (3)(b) for wages above those levels. The prorated tax refund shall be calculated by multiplying the tax refund amount for which the qualified target industry business would have been eligible, if all applicable requirements had been satisfied, by the percentage of the average employment specified in the tax refund agreement which was achieved, and by the percentage of the average wages specified in the tax refund agreement which was achieved.

(f) A prorated tax refund, less a 10 percent penalty, may be approved for a qualified target industry business if all other applicable requirements have been satisfied and the business proves to the satisfaction of the department that:

1. The business's project has resulted in the creation of at least 10 jobs; and

2. The average wage paid by the business is at least 90 percent of the average wage specified in the tax refund agreement, but in no case less than 115 percent of the average private sector wage in the area available at the time of certification, or 150 percent or 200 percent of the average private sector wage if the business requested the additional per-job tax refund authorized in paragraph (3)(b) for wages above those levels. The prorated tax refund shall be calculated by multiplying the tax refund amount for which the qualified target industry business would have been eligible, if all applicable requirements had been satisfied, by the percentage of the average employment specified in the tax refund agreement which was achieved, and by the percentage of the average wages specified in the tax refund agreement which was achieved.

(g)~~(f)~~ The department, with such assistance as may be required from the Department of Revenue, shall, by June 30 following the scheduled date for submission of the tax refund claim, specify by written order the approval or disapproval of the tax refund claim and, if approved, the amount of the tax refund that is authorized to be paid to the qualified target industry business for the annual tax refund. The department may grant an extension of this date on the request of the qualified target industry business for the purpose of filing additional information in support of the claim.

(h)~~(g)~~ The total amount of tax refund claims approved by the department under this section in any fiscal year must not exceed the amount authorized under s. 288.095(3).

(i)~~(h)~~ This section does not create a presumption that a tax refund claim will be approved and paid.

(j)~~(i)~~ Upon approval of the tax refund under paragraphs (d), (e), *(f),* and *(g)* ~~(f)~~, the Chief Financial Officer shall issue a warrant for the amount specified in the written order. If the written order is appealed, the Chief Financial Officer may not issue a warrant for a refund to the qualified target industry business until the conclusion of all appeals of that order.

And the title is amended as follows:

Between lines 1253 and 1254 insert: 288.106, F.S.; permitting a business that fails to satisfy the terms of its agreement with the Department of Economic Opportunity to apply for a prorated tax refund; amending s.

POINT OF ORDER

Senator Alexander raised a point of order that pursuant to Rule 7.1 **Amendment 1B (282024)** contained language of a bill not reported favorably by a Senate committee and was therefore out of order.

The President referred the point of order and the amendment to Senator Thrasher, Chair of the Committee on Rules.

RULING ON POINT OF ORDER

On recommendation of Senator Thrasher, Chair of the Committee on Rules, President Haridopolos ruled the point well taken and the amendment out of order.

MOTION

On motion by Senator Bogdanoff, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Bogdanoff moved the following amendment to **Amendment 1** which was adopted:

Amendment 1C (227968) (with title amendment)—Between lines 732 and 733 insert:

Section 12. Section 283.35, Florida Statutes, is amended to read:

283.35 Preference given printing within the state.—~~Every agency shall give preference to vendors located within the state~~ When awarding *a contract* ~~contracts~~ to have materials printed, *the agency, university, college, school district, or other political subdivision of this state awarding the contract shall grant a preference to the lowest responsible and responsive vendor having a principal place of business within this state. The preference shall be 5 percent if the lowest bid is submitted by a vendor whose principal place of business is located outside the state and if the* ~~whenever such~~ printing can be *performed in this state* ~~done at no greater expense than the expense of awarding a contract to a vendor located outside the state and can be done~~ at a level of quality comparable to that obtainable from *the* ~~a~~ vendor *submitting the lowest bid* located outside the state. *As used in this section, the term "other political subdivision of this state" does not include counties or municipalities.*

Section 13. Paragraph (f) of subsection (3) of section 287.057, Florida Statutes, is amended to read:

287.057 Procurement of commodities or contractual services.—

(3) When the purchase price of commodities or contractual services exceeds the threshold amount provided in s. 287.017 for CATEGORY TWO, no purchase of commodities or contractual services may be made without receiving competitive sealed bids, competitive sealed proposals, or competitive sealed replies unless:

(f) The following contractual services and commodities are not subject to the competitive-solicitation requirements of this section:

1. Artistic services. For the purposes of this subsection, the term "artistic services" does not include advertising or typesetting. As used in this subparagraph, the term "advertising" means the making of a representation in any form in connection with a trade, business, craft, or profession in order to promote the supply of commodities or services by the person promoting the commodities or contractual services.

2. Academic program reviews if the fee for such services does not exceed $50,000.

3. Lectures by individuals.

4. Legal services, including attorney, paralegal, expert witness, appraisal, or mediator services.

5.a. Health services involving examination, diagnosis, treatment, prevention, medical consultation, or administration.

b. Beginning January 1, 2011, health services, including, but not limited to, substance abuse and mental health services, involving examination, diagnosis, treatment, prevention, or medical consultation, when such services are offered to eligible individuals participating in a specific program that qualifies multiple providers and uses a standard payment methodology. Reimbursement of administrative costs for providers of services purchased in this manner shall also be exempt. For purposes of this sub-subparagraph, "providers" means health professionals, health facilities, or organizations that deliver or arrange for the delivery of health services.

6. Services provided to persons with mental or physical disabilities by not-for-profit corporations which have obtained exemptions under the provisions of s. 501(c)(3) of the United States Internal Revenue Code or when such services are governed by the provisions of Office of Management and Budget Circular A-122. However, in acquiring such services, the agency shall consider the ability of the vendor, past performance, willingness to meet time requirements, and price.

7. Medicaid services delivered to an eligible Medicaid recipient unless the agency is directed otherwise in law.

8. Family placement services.

9. Prevention services related to mental health, including drug abuse prevention programs, child abuse prevention programs, and shelters for runaways, operated by not-for-profit corporations. However, in acquiring such services, the agency shall consider the ability of the vendor, past performance, willingness to meet time requirements, and price.

10. Training and education services provided to injured employees pursuant to s. 440.491(6).

11. Contracts entered into pursuant to s. 337.11.

12. Services or commodities provided by governmental agencies.

13. Statewide public service announcement programs provided by a Florida statewide nonprofit corporation under s. 501(c)(6) of the Internal Revenue Code, with a guaranteed documented match of at least $3 to $1.

Section 14. Section 287.084, Florida Statutes, is amended to read:

287.084 Preference to Florida businesses.—

(1)*(a)* When an agency, *university, college,* ~~county, municipality,~~ school district, or other political subdivision of the state is required to make purchases of personal property through competitive solicitation and the lowest responsible and responsive bid, proposal, or reply is by a vendor whose principal place of business is in a state or political subdivision thereof which grants a preference for the purchase of such personal property to a person whose principal place of business is in such state, then the agency, *university, college* ~~county, municipality~~, school district, or other political subdivision of this state *shall* ~~may~~ award a preference to the lowest responsible and responsive vendor having a principal place of business within this state, which preference is equal to the preference granted by the state or political subdivision thereof in which the lowest responsible and responsive vendor has its principal place of business. *In a competitive solicitation in which the lowest bid is submitted by a vendor whose principal place of business is located outside the state and that state does not grant a preference in competitive solicitation to vendors having a principal place of business in that state, the preference to the lowest responsible and responsive vendor having a principal place of business in this state shall be 5 percent.*

(b) Paragraph (a) ~~However, this section~~ does not apply to transportation projects for which federal aid funds are available.

(c) As used in this section, the term "other political subdivision of this state" does not include counties or municipalities.

(2) ~~If a solicitation provides for the granting of such preference as is provided in this section,~~ *A* ~~Any~~ vendor whose principal place of business is outside *this* ~~the~~ state ~~of Florida~~ must accompany any written bid, proposal, or reply documents with a written opinion of an attorney at law licensed to practice law in that foreign state, as to the preferences, if any or none, granted by the law of that state to its own business entities whose principal places of business are in that foreign state in the letting of any or all public contracts.

(3)(a) A vendor whose principal place of business is in this state may not be precluded from being an authorized reseller of information technology commodities of a state contractor as long as the vendor demonstrates that it employs an internationally recognized quality management system, such as ISO 9001 or its equivalent, and provides a warranty on the information technology commodities which is, at a minimum, of equal scope and length as that of the contract.

(b) This subsection applies to any renewal of any state contract executed on or after July 1, 2012.

And the title is amended as follows:

Delete line 1253 and insert: imposed on banks and savings associations; amending s. 283.35, F.S.; requiring an agency, university, college, school district, or other political subdivision of the state to grant a specified preference to a vendor located within the state when awarding a contract for printing; specifying the percentage of preference to be granted; amending s. 287.057, F.S.; providing an exception to the requirement for competitive solicitation of contractual services and commodities for public service announcement programs provided by certain nonprofit corporations; amending s. 287.084, F.S.; requiring, rather than authorizing, an agency, university, college, school district, or other political subdivision of the state in making purchases of personal property through competitive solicitation to award a preference to the lowest responsible and responsive vendor having a principal place of business within this state under specified circumstances; specifying the percentage of preference to be granted; providing nonapplicability; prohibiting the preclusion of a vendor whose principal place of business is in this state from being an authorized reseller of information technology commodities of state contractors, under certain circumstances; amending s.

MOTION

On motion by Senator Detert, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Detert moved the following amendment to **Amendment 1** which was adopted:

Amendment 1D (820788) (with directory amendment)—Delete lines 819-828 and insert:

b. If more than *45* ~~25~~ percent of the sum of total tax credits *initially certified and* awarded ~~to productions~~ after *April* ~~July~~ 1, *2012,* ~~2010, and~~ total tax credits *initially* certified *after April 1, 2012*, but not yet awarded, *and total tax credits available for certification after April 1, 2012, but not yet certified* ~~to productions currently in this state~~ has been awarded for *high-impact* television series, then no *high-impact* television series *is* ~~or pilot shall be~~ eligible for tax credits under this subparagraph. *Tax credits initially certified for a high-impact television series after April 1, 2012, may not be awarded if the award will cause the percentage threshold in this sub-subparagraph to be exceeded. This sub-subparagraph does not prohibit the award of tax credits certified before April 1, 2012, for high-impact television series.*

And the directory clause is amended as follows:

Delete line 733 and insert:

Section 12. Effective upon this act becoming a law, paragraphs (b), (d), and (f) of subsection (1),

Amendment 1 as amended was adopted.

On motion by Senator Alexander, by two-thirds vote **HB 7087** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

On motion by Senator Montford, by unanimous consent—

CS for SB 1522—A bill to be entitled An act relating to school improvement and accountability; amending s. 1008.22, F.S.; revising the duties of the Commissioner of Education which relate to the statewide assessment program; revising provisions relating to the development and implementation of a student achievement assessment program; amending s. 1008.33, F.S.; requiring that the State Board of Education comply with the federal Elementary and Secondary Education Act flexibility waiver approved by the United States Secretary of Education; requiring that the Department of Education annually identify each public school in need of intervention and support to improve student academic performance; requiring that the State Board of Education establish by rule a matrix of intervention and support strategies for assisting public schools and charter schools; deleting provisions requiring the Department of Education to create a matrix reflecting intervention and support strategies for the lowest-performing schools; requiring that the state board apply the most intense intervention and support strategies to schools earning a grade of "F"; providing turnaround options for school districts to address such schools; providing exceptions for schools classified in the lowest-performing category; requiring that the state board adopt rules that include timelines for submitting implementation plans; amending s. 1008.34, F.S.; revising provisions relating to the school grading system; requiring that the annual report of the results of the statewide assessment program prepared by the Commissioner of Education include the percentage of students performing at or above grade level; revising provisions relating to the criteria for the designation of school grades; requiring that a school district communicate a school report card to parents throughout the school district; amending s. 1001.42, F.S.; revising the powers and duties of district school boards relating to school improvement plans and opportunity scholarships; amending s. 1002.33, F.S.; revising provisions relating to charter school requirements to conform to changes made by the act; amending s. 1002.332, F.S.; conforming cross-references and provisions to changes made by the act; amending s. 1002.38, F.S.; revising provisions relating to the eligibility for opportunity scholarships to conform to changes made by the act; amending ss. 1008.345, 1012.07, 1012.22, and 1012.2315, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was taken up out of order and read the second time by title.

An amendment was considered and adopted to conform **CS for SB 1522** to **HB 7127**.

Pending further consideration of **CS for SB 1522** as amended, on motion by Senator Montford, by two-thirds vote **HB 7127** was withdrawn from the Committees on Education Pre-K - 12; Budget Subcommittee on Education Pre-K - 12 Appropriations; and Budget.

On motion by Senator Montford—

HB 7127—A bill to be entitled An act relating to school improvement and education accountability; amending s. 1001.42, F.S.; requiring a school improvement plan to include strategies for improving student achievement under certain circumstances; revising provisions relating to eligibility for an opportunity scholarship; amending s. 1002.33, F.S.; revising provisions requiring a charter school to implement a school improvement plan to raise student achievement; revising corrective actions to be selected and implemented by a charter school; providing requirements for implementation of corrective actions and intervention and support strategies identified in a school improvement plan; providing for termination of a charter school not making continuous improvement unless it meets specified criteria; amending s. 1002.332, F.S.; conforming provisions; amending s. 1002.38, F.S.; revising provisions relating to eligibility for an opportunity scholarship; amending s. 1008.22, F.S.; revising provisions relating to the statewide student assessment program; providing that certain end-of-course assessments replace corresponding FCAT assessments; amending s. 1008.33, F.S.; revising provisions relating to the State Board of Education's authority to enforce public school improvement; requiring the state board to comply with the federal flexibility waiver approved by the United States Secretary of Education; requiring the Department of Education to annually identify each school in need of intervention and support to improve student academic performance, basing the need for intervention and support on school grades; providing requirements for state board rules for intervention and support strategies for school improvement; deleting department duties relating to the categorization of low-performing schools; providing state board, school district, and school requirements for implementing strategies and turnaround options to improve school performance; revising turnaround options available to a school district and requiring state board approval of the option selected for implementation; providing certain exceptions; requiring the state board to adopt rules relating to plans for implementing turnaround options; amending s. 1008.34, F.S.; revising provisions relating to the school grading system; revising the contents of the annual report of the results of the statewide assessment program; revising certain criteria upon which school grades are based; revising the basis for calculating a school district's grade; amending ss. 1008.345, 1012.07, 1012.22, and 1012.2315, F.S.; conforming provisions; providing an effective date.

—a companion measure, was substituted for **CS for SB 1522** as amended and read the second time by title.

Senator Montford moved the following amendments which were adopted:

Amendment 1 (567208)—Delete lines 83-88 and insert: *rate, that school's improvement plan shall include strategies for improving these results. The state board shall adopt rules establishing*

Amendment 2 (237154) (with title amendment)—Between lines 835 and 836 insert:

Section 7. Paragraph (c) of subsection (5) of section 1008.331, Florida Statutes, is amended to read:

1008.331 Supplemental educational services in Title I schools; school district, provider, and department responsibilities.—

(5) RESPONSIBILITIES OF THE DEPARTMENT OF EDUCATION.—

(c) *For the 2012-2013 school year,* school districts *shall* ~~may~~ use *an amount equivalent to 15 percent of the* Title I, Part A funds *allocated to Title I schools* to meet the requirements *for supplemental educational services*~~, as provided in the Elementary and Secondary Education Act, as amended~~. *Supplemental educational services shall be provided in Title I schools to students who are performing at Level 1 or Level 2 on the FCAT. Each school district shall contract with supplemental educational service providers that have been approved by the department.*

And the title is amended as follows:

Delete line 45 and insert: options; amending s. 1008.331, F.S.; requiring that school districts use a specified percentage of Title I funds allocated to Title I schools to meet the requirements for supplemental educational services; specifying the use of such funds for certain students; requiring that each school district contract with supplemental educational service providers that have been approved by the Department of Education; amending s. 1008.34, F.S.; revising

On motion by Senator Montford, by two-thirds vote **HB 7127** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

On motion by Senator Joyner, by unanimous consent—

CS for CS for SB 208—A bill to be entitled An act relating to health care fraud; amending s. 456.0635, F.S.; revising the grounds under which the Department of Health or corresponding board is required to refuse to admit a candidate to an examination and refuse to issue or renew a license, certificate, or registration of a health care practitioner; providing an exception; amending s. 456.036, F.S.; providing that all persons who were denied renewal of licensure, certification, or registration under s. 456.0635(3), F.S., may regain licensure, certification, or registration only by completing the application process for initial licensure; providing an exception; providing an effective date.

—was taken up out of order and read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 208** to **CS for CS for HB 653**.

Pending further consideration of **CS for CS for SB 208** as amended, on motion by Senator Joyner, by two-thirds vote **CS for CS for HB 653** was withdrawn from the Committees on Health Regulation; Budget Subcommittee on Health and Human Services Appropriations; and Budget.

On motion by Senator Joyner—

CS for CS for HB 653—A bill to be entitled An act relating to health care fraud; amending s. 456.0635, F.S.; revising the grounds under which the Department of Health or corresponding board is required to refuse to admit a candidate to an examination and refuse to issue or renew a license, certificate, or registration of a health care practitioner; providing an exception; amending s. 456.036, F.S.; providing that all persons who were denied renewal of licensure, certification, or registration under s. 456.0635(3), F.S., may regain licensure, certification, or registration only by completing the application process for initial licensure; providing an exception; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 208** as amended and read the second time by title.

On motion by Senator Joyner, by two-thirds vote **CS for CS for HB 653** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Braynon	Evers
Alexander	Bullard	Fasano
Altman	Dean	Flores
Benacquisto	Detert	Gaetz
Bennett	Diaz de la Portilla	Garcia
Bogdanoff	Dockery	Gardiner
Gibson	Negron	Siplin
Hays	Norman	Smith
Jones	Oelrich	Sobel
Joyner	Rich	Storms
Latvala	Richter	Thrasher
Lynn	Ring	Wise
Margolis	Sachs	
Montford	Simmons	

Nays—None

On motion by Senator Gibson, by unanimous consent—

SB 1474—A bill to be entitled An act relating to public health; creating the expedited partner therapy pilot project in Duval and Gadsden Counties; providing an exemption from specified rules and statutory requirements for the pilot program; providing for training of physicians and patient education; requiring the pilot project to be funded by the existing budget of the pilot project area or by developing partnerships; providing for the use of funds; providing an effective date.

—was taken up out of order and read the second time by title. On motion by Senator Gibson, by two-thirds vote **SB 1474** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

On motion by Senator Bennett, by unanimous consent—

CS for CS for SB 1042—A bill to be entitled An act relating to emergency 911 service; amending s. 365.171, F.S.; providing an exception to certain confidentiality provisions for a 911 public safety telecommunicator when a confirmed coronary emergency call is taking place; amending s. 365.172, F.S.; increasing the membership of the E911 Board and revising the qualifications required for the members; requiring that a voice communications service provider, other than a wireless service provider, impose a fee based on the number of access lines to the E911 system and on the basis of certain access lines for each digital transmission link, up to a specified number of access lines per account bill rendered; revising the criteria that a local government may use in order to indemnify a local carrier; expanding the types of providers that may be indemnified and that are not liable for certain damages; revising cross-references; defining the term "911 or E911 service"; amending s. 401.2915, F.S.; providing for a person or entity in possession of an automated external defibrillator to notify the local public safety answering point regarding the location of the defibrillator; amending s. 427.706, F.S.; removing the requirement that the Florida Telephone Association recommend certain representatives to an advisory committee to the Public Service Commission; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for CS for SB 1042**, on motion by Senator Bennett, by two-thirds vote **CS for CS for HB 801** was

withdrawn from the Committees on Community Affairs; Communications, Energy, and Public Utilities; Budget Subcommittee on General Government Appropriations; and Budget.

On motion by Senator Bennett—

CS for CS for HB 801—A bill to be entitled An act relating to emergency 911 service; amending s. 365.171, F.S.; providing an exception to certain confidentiality provisions for a 911 public safety telecommunicator when a confirmed coronary emergency call is taking place; amending s. 365.172, F.S.; increasing the membership of the E911 Board and revising the qualifications required for the members; requiring that a voice communications service provider, other than a wireless service provider, impose a fee based on the number of access lines to the E911 system and on the basis of certain access lines for each digital transmission link, up to a specified number of access lines per account bill rendered; revising the criteria that a local government may use in order to indemnify a local carrier; expanding the types of providers that may be indemnified and that are not liable for certain damages; revising cross-references; defining the term "911 or E911 service"; amending s. 401.2915, F.S.; providing for a person or entity in possession of an automated external defibrillator to notify the local public safety answering point regarding the location of the defibrillator; amending s. 427.706, F.S.; removing the requirement that the Florida Telephone Association recommend certain representatives to an advisory committee to the Public Service Commission; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1042** and read the second time by title.

On motion by Senator Bennett, by two-thirds vote **CS for CS for HB 801** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **CS for CS for SB 470** was withdrawn from the Committee on Budget.

MOTIONS

On motion by Senator Thrasher, by two-thirds vote **CS for CS for SB 470** and **CS for SB 1348** were placed on the Special Order Calendar.

SPECIAL ORDER CALENDAR

On motion by Senator Benacquisto, by unanimous consent—

CS for SB 962—A bill to be entitled An act relating to the Florida Tax Credit Scholarship Program; amending s. 1002.395, F.S.; increasing the tax credit cap amount applicable to the program; providing an effective date.

—was taken up out of order and read the second time by title.

An amendment was considered and adopted to conform **CS for SB 962** to **CS for CS for CS for HB 859**.

Pending further consideration of **CS for SB 962** as amended, on motion by Senator Benacquisto, by two-thirds vote **CS for CS for CS for HB 859** was withdrawn from the Committees on Education Pre-K - 12; and Budget Subcommittee on Finance and Tax.

On motion by Senator Benacquisto, by two-thirds vote—

CS for CS for CS for HB 859—A bill to be entitled An act relating to the Florida Tax Credit Scholarship Program; amending s. 1002.395, F.S.; revising student eligibility requirements for participation in the program; increasing the tax credit cap amount applicable to the program; revising provisions relating to the reporting of test scores by private schools participating in the program; providing that a private school may choose to offer and administer statewide assessments at the school; revising Department of Education duties relating to site visits; requiring the department to provide at no cost statewide assessments and related materials to a school that makes such a request; providing conditions under which statewide assessments may be administered at a private school; requiring a private school to follow statutory requirements, State Board of Education rules, and district testing policies; requiring a school district to coordinate with the department to provide statewide assessments and related materials to a private school upon the department's request; providing school district responsibilities; revising the conditions upon which the Commissioner of Education may base the denial, suspension, or revocation of a private school's participation in the program or the suspension of scholarship fund payment; amending s. 1002.20, F.S.; conforming provisions; providing an effective date.

—a companion measure, was substituted for **CS for SB 962** as amended and by two-thirds vote read the second time by title.

On motion by Senator Benacquisto, further consideration of **CS for CS for CS for HB 859** was deferred.

CS for SJR 1056—A joint resolution proposing an amendment to Section 6 of Article VII and the creation of Section 32 of Article XII of the State Constitution to allow the Legislature by general law to provide ad valorem homestead property tax relief to the surviving spouse of a military veteran who died from service-connected causes while on active duty or a surviving spouse of a first responder who died in the line of duty, provide definitions with respect thereto, and provide an effective date.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 6 of Article VII and the creation of Section 32 of Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

SECTION 6. Homestead exemptions.—

(a) Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation thereon, except assessments for special benefits, up to the assessed valuation of twenty-five thousand dollars and, for all levies other than school district levies, on the assessed valuation greater than fifty thousand dollars and up to seventy-five thousand dollars, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entireties, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or member's proprietary interest in a corporation owning a fee or a leasehold initially in excess of ninety-eight years. The exemption shall not apply with respect to any assessment roll until such roll is first determined to be in compliance with the provisions of section 4 by a state agency designated by general law. This exemption is repealed on the effective date of any amendment to this Article which

provides for the assessment of homestead property at less than just value.

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which the interest in the corporation bears to the assessed value of the property.

(c) By general law and subject to conditions specified therein, the Legislature may provide to renters, who are permanent residents, ad valorem tax relief on all ad valorem tax levies. Such ad valorem tax relief shall be in the form and amount established by general law.

(d) The legislature may, by general law, allow counties or municipalities, for the purpose of their respective tax levies and subject to the provisions of general law, to grant an additional homestead tax exemption not exceeding fifty thousand dollars to any person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner and who has attained age sixty-five and whose household income, as defined by general law, does not exceed twenty thousand dollars. The general law must allow counties and municipalities to grant this additional exemption, within the limits prescribed in this subsection, by ordinance adopted in the manner prescribed by general law, and must provide for the periodic adjustment of the income limitation prescribed in this subsection for changes in the cost of living.

(e) Each veteran who is age 65 or older who is partially or totally permanently disabled shall receive a discount from the amount of the ad valorem tax otherwise owed on homestead property the veteran owns and resides in if the disability was combat related, the veteran was a resident of this state at the time of entering the military service of the United States, and the veteran was honorably discharged upon separation from military service. The discount shall be in a percentage equal to the percentage of the veteran's permanent, service-connected disability as determined by the United States Department of Veterans Affairs. To qualify for the discount granted by this subsection, an applicant must submit to the county property appraiser, by March 1, proof of residency at the time of entering military service, an official letter from the United States Department of Veterans Affairs stating the percentage of the veteran's service-connected disability and such evidence that reasonably identifies the disability as combat related, and a copy of the veteran's honorable discharge. If the property appraiser denies the request for a discount, the appraiser must notify the applicant in writing of the reasons for the denial, and the veteran may reapply. The Legislature may, by general law, waive the annual application requirement in subsequent years. This subsection shall take effect December 7, 2006, is self-executing, and does not require implementing legislation.

(f)(1) By general law and subject to conditions and limitations specified therein, the Legislature may provide ad valorem tax relief equal to the total amount or a portion of the ad valorem tax otherwise owed on homestead property to the surviving spouse of:

a. A veteran who died from service-connected causes while on active duty as a member of the United States Armed Forces.

b. A first responder who died in the line of duty.

(2) As used in this subsection and as further defined by general law, the term:

a. "First responder" means a law enforcement officer, a correctional officer, a firefighter, an emergency medical technician, or a paramedic.

b. "In the line of duty" means arising out of and in the actual performance of duty required by employment as a first responder.

ARTICLE XII

SCHEDULE

SECTION 32. Ad valorem tax relief for surviving spouses of veterans who died from service-connected causes and first responders who died in the line of duty.—This section and the amendment to Section 6 of Article VII permitting the legislature to provide ad valorem tax relief to surviving spouses of veterans who died from service-connected causes and first responders who died in the line of duty shall take effect January 1, 2013.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 6

ARTICLE XII, SECTION 32

HOMESTEAD PROPERTY TAX EXEMPTION FOR SURVIVING SPOUSE OF MILITARY VETERAN OR FIRST RESPONDER.—Proposing an amendment to the State Constitution to authorize the Legislature to provide by general law ad valorem homestead property tax relief to the surviving spouse of a military veteran who died from service-connected causes while on active duty or to the surviving spouse of a first responder who died in the line of duty. The amendment authorizes the Legislature to totally exempt or partially exempt such surviving spouse's homestead property from ad valorem taxation. The amendment defines a first responder as a law enforcement officer, a correctional officer, a firefighter, an emergency medical technician, or a paramedic. This amendment takes effect January 1, 2013.

—was read the second time in full.

Pending further consideration of **CS for SJR 1056**, on motion by Senator Norman, by two-thirds vote **CS for HJR 93** was withdrawn from the Committees on Military Affairs, Space, and Domestic Security; Community Affairs; Judiciary; Budget Subcommittee on Finance and Tax; and Budget.

On motion by Senator Norman—

CS for HJR 93—A joint resolution proposing an amendment to Section 6 of Article VII and the creation of Section 32 of Article XII of the State Constitution to allow the Legislature by general law to provide ad valorem homestead property tax relief to the surviving spouse of a military veteran who died from service-connected causes while on active duty or a surviving spouse of a first responder who died in the line of duty, provide definitions with respect thereto, and provide an effective date.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 6 of Article VII and the creation of Section 32 of Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

SECTION 6. Homestead exemptions.—

(a) Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation thereon, except assessments for special benefits, up to the assessed valuation of twenty-five thousand dollars and, for all levies other than school district levies, on the assessed valuation greater than fifty thousand dollars and up to seventy-five thousand dollars, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entireties, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or member's proprietary interest in a corporation owning a fee or a leasehold initially in excess of ninety-eight years. The exemption shall not apply with respect to any assessment roll until such roll is first determined to be in compliance with the provisions of section 4 by a state agency designated by general law. This exemption is repealed on the effective date of any amendment to this Article which provides for the assessment of homestead property at less than just value.

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall

exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which the interest in the corporation bears to the assessed value of the property.

(c) By general law and subject to conditions specified therein, the Legislature may provide to renters, who are permanent residents, ad valorem tax relief on all ad valorem tax levies. Such ad valorem tax relief shall be in the form and amount established by general law.

(d) The legislature may, by general law, allow counties or municipalities, for the purpose of their respective tax levies and subject to the provisions of general law, to grant an additional homestead tax exemption not exceeding fifty thousand dollars to any person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner and who has attained age sixty-five and whose household income, as defined by general law, does not exceed twenty thousand dollars. The general law must allow counties and municipalities to grant this additional exemption, within the limits prescribed in this subsection, by ordinance adopted in the manner prescribed by general law, and must provide for the periodic adjustment of the income limitation prescribed in this subsection for changes in the cost of living.

(e) Each veteran who is age 65 or older who is partially or totally permanently disabled shall receive a discount from the amount of the ad valorem tax otherwise owed on homestead property the veteran owns and resides in if the disability was combat related, the veteran was a resident of this state at the time of entering the military service of the United States, and the veteran was honorably discharged upon separation from military service. The discount shall be in a percentage equal to the percentage of the veteran's permanent, service-connected disability as determined by the United States Department of Veterans Affairs. To qualify for the discount granted by this subsection, an applicant must submit to the county property appraiser, by March 1, proof of residency at the time of entering military service, an official letter from the United States Department of Veterans Affairs stating the percentage of the veteran's service-connected disability and such evidence that reasonably identifies the disability as combat related, and a copy of the veteran's honorable discharge. If the property appraiser denies the request for a discount, the appraiser must notify the applicant in writing of the reasons for the denial, and the veteran may reapply. The Legislature may, by general law, waive the annual application requirement in subsequent years. This subsection shall take effect December 7, 2006, is self-executing, and does not require implementing legislation.

(f) By general law and subject to conditions and limitations specified therein, the Legislature may provide ad valorem tax relief equal to the total amount or a portion of the ad valorem tax otherwise owed on homestead property to the:

(1) Surviving spouse of a veteran who died from service-connected causes while on active duty as a member of the United States Armed Forces.

(2) Surviving spouse of a first responder who died in the line of duty.

(3) As used in this subsection and as further defined by general law, the term:

a. "First responder" means a law enforcement officer, a correctional officer, a firefighter, an emergency medical technician, or a paramedic.

b. "In the line of duty" means arising out of and in the actual performance of duty required by employment as a first responder.

ARTICLE XII

SCHEDULE

SECTION 32. Ad valorem tax relief for surviving spouses of veterans who died from service-connected causes and first responders who died in the line of duty.—This section and the amendment to Section 6 of Article VII permitting the legislature to provide ad valorem tax relief to surviving spouses of veterans who died from service-connected causes and first responders who died in the line of duty shall take effect January 1, 2013.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 6

ARTICLE XII, SECTION 32

HOMESTEAD PROPERTY TAX EXEMPTION FOR SURVIVING SPOUSE OF MILITARY VETERAN OR FIRST RESPONDER.—Proposing an amendment to the State Constitution to authorize the Legislature to provide by general law ad valorem homestead property tax relief to the surviving spouse of a military veteran who died from service-connected causes while on active duty or to the surviving spouse of a first responder who died in the line of duty. The amendment authorizes the Legislature to totally exempt or partially exempt such surviving spouse's homestead property from ad valorem taxation. The amendment defines a first responder as a law enforcement officer, a correctional officer, a firefighter, an emergency medical technician, or a paramedic. This amendment shall take effect January 1, 2013.

—a companion measure, was substituted for **CS for SJR 1056** and read the second time in full.

On motion by Senator Norman, by two-thirds vote **CS for HJR 93** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

CS for CS for SB 1058—A bill to be entitled An act relating to homestead property tax exemptions; providing a short title; amending s. 196.081, F.S.; exempting from taxation the homestead property of the surviving spouse of a first responder who dies in the line of duty; providing definitions for "first responder" and "line of duty"; providing construction with respect the applicable tax roll and the date of death; providing an appropriation; providing effective dates, one of which is contingent.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1058**, on motion by Senator Norman, by two-thirds vote **CS for HB 95** was withdrawn from the Committees on Military Affairs, Space, and Domestic Security; Community Affairs; Judiciary; Budget Subcommittee on Finance and Tax; and Budget.

On motion by Senator Norman—

CS for HB 95—A bill to be entitled An act relating to homestead property tax exemptions; providing a short title; amending s. 196.081, F.S.; providing definitions; providing application; exempting from taxation the homestead property of a surviving spouse of a first responder who dies in the line of duty under certain circumstances; providing construction, including application with respect to certain deaths preceding the effective date of the act; providing an appropriation; providing effective dates, including a contingent effective date.

—a companion measure, was substituted for **CS for CS for SB 1058** and read the second time by title.

MOTION

On motion by Senator Norman, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Norman moved the following amendment which was adopted:

Amendment 1 (775556) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *This act may be cited as the "Fallen Heroes Family Tax Relief Act."*

Section 2. Section 196.081, Florida Statutes, is amended to read:

196.081 Exemption for certain permanently and totally disabled veterans and for surviving spouses of veterans*; exemption for surviving spouses of first responders who die in the line of duty*.—

(1) Any real estate that is owned and used as a homestead by a veteran who was honorably discharged with a service-connected total and permanent disability and for whom a letter from the United States Government or United States Department of Veterans Affairs or its predecessor has been issued certifying that the veteran is totally and permanently disabled is exempt from taxation, if the veteran is a permanent resident of this state on January 1 of the tax year for which exemption is being claimed or was a permanent resident of this state on January 1 of the year the veteran died.

(2) The production by a veteran or the spouse or surviving spouse of a letter of total and permanent disability from the United States Government or United States Department of Veterans Affairs or its predecessor before the property appraiser of the county in which property of the veteran lies is prima facie evidence of the fact that the veteran or the surviving spouse is entitled to the exemption.

(3) If the totally and permanently disabled veteran predeceases his or her spouse and if, upon the death of the veteran, the spouse holds the legal or beneficial title to the homestead and permanently resides thereon as specified in s. 196.031, the exemption from taxation carries over to the benefit of the veteran's spouse until such time as he or she remarries or sells or otherwise disposes of the property. If the spouse sells the property, an exemption not to exceed the amount granted from the most recent ad valorem tax roll may be transferred to his or her new residence, as long as it is used as his or her primary residence and he or she does not remarry.

(4)~~(a)~~ Any real estate that is owned and used as a homestead by the surviving spouse of a veteran who died from service-connected causes while on active duty as a member of the United States Armed Forces and for whom a letter from the United States Government or United States Department of Veterans Affairs or its predecessor has been issued certifying that the veteran who died from service-connected causes while on active duty is exempt from taxation if the veteran was a permanent resident of this state on January 1 of the year in which the veteran died.

(a)~~(b)~~ The production *of the letter* by the surviving spouse *which* ~~of a letter that was issued as required under paragraph (a) and that~~ attests *to* the veteran's death while on active duty is prima facie evidence ~~of the fact~~ that the surviving spouse is entitled to *the* ~~an~~ exemption ~~under paragraph (a)~~.

(b)~~(c)~~ The tax exemption ~~that applies under paragraph (a) to the surviving spouse~~ carries over to the benefit of the veteran's surviving spouse as long as the spouse holds the legal or beneficial title to the homestead, permanently resides thereon as specified in s. 196.031, and does not remarry. If the surviving spouse sells the property, an exemption not to exceed the amount granted *under* ~~from~~ the most recent ad valorem tax roll may be transferred to his or her new residence as long as it is used as his or her primary residence and he or she does not remarry.

(5) Any real estate that is owned and used as a homestead by the surviving spouse of a first responder who died in the line of duty while employed by the state or any political subdivision of the state, including authorities and special districts, and for whom a letter from the state or appropriate political subdivision of the state, or other authority or special district, has been issued which legally recognizes and certifies that the first responder died in the line of duty while employed as a first responder is exempt from taxation if the first responder and his or her surviving spouse were permanent residents of this state on January 1 of the year in which the first responder died.

(a) The production of the letter by the surviving spouse which attests to the first responder's death in the line of duty is prima facie evidence that the surviving spouse is entitled to the exemption.

(b) The tax exemption applies as long as the surviving spouse holds the legal or beneficial title to the homestead, permanently resides thereon as specified in s. 196.031, and does not remarry. If the surviving spouse sells the property, an exemption not to exceed the amount granted under the most recent ad valorem tax roll may be transferred to his or her new residence if it is used as his or her primary residence and he or she does not remarry.

(c) As used in this subsection only, and not applicable to the payment of benefits under s. 112.19 or s. 112.191, the term:

1. "First responder" means a law enforcement officer or correctional officer as defined in s. 943.10, a firefighter as defined in s. 633.30, or an emergency medical technician or paramedic as defined in s. 401.23 who is a full-time paid employee, part-time paid employee, or unpaid volunteer.

2. "In the line of duty" means:

a. While engaging in law enforcement;

b. While performing an activity relating to fire suppression and prevention;

c. While responding to a hazardous material emergency;

d. While performing rescue activity;

e. While providing emergency medical services;

f. While performing disaster relief activity;

g. While otherwise engaging in emergency response activity; or

h. While engaging in a training exercise related to any of the events or activities enumerated in this subparagraph if the training has been authorized by the employing entity.

A heart attack or stroke that causes death or causes an injury resulting in death must occur within 24 hours after an event or activity enumerated in this subparagraph and must be directly and proximately caused by the event or activity in order to be considered as having occurred in the line of duty.

Section 3. *Construction.—*

(1) The revisions to s. 196.081, Florida Statutes, made by this act operate prospectively to the 2013 tax roll and do not provide a basis for relief from an assessment of taxes not paid or create a right to a refund of taxes paid before January 1, 2013.

(2) The provisions of s. 196.081(5), Florida Statutes, as created by this act apply to the homestead exemption of the surviving spouse of a first responder whose death occurs before, on, or after the effective date of this act.

Section 4. *Effective July 1, 2012, the sum of $100,302 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of State for purposes of publishing, as required under s. 5(d), Article XI of the State Constitution, the proposed constitutional amendment contained in Committee Substitute for Senate Joint Resolution 1056, or a similar joint resolution having substantially the same specific intent and purpose.*

Section 5. Except as otherwise expressly provided in this act and except for this section, which shall take effect July 1, 2012, this act shall take effect on the same date that CS for SJR 1056, or a similar joint resolution having substantially the same specific intent and purpose, takes effect if approved by the electors at the general election held in November 2012 or at an earlier special election specifically authorized by law for that purpose.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to homestead property tax exemptions; providing a short title; amending s. 196.081, F.S.; exempting from taxation the homestead property of the surviving spouse of a first responder who dies in the line of duty; providing definitions for "first responder" and "line of duty"; providing construction with respect the applicable tax roll and the date of death; providing an appropriation; providing effective dates, one of which is contingent.

On motion by Senator Norman, by two-thirds vote **CS for HB 95** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

On motion by Senator Smith, by unanimous consent—

CS for CS for SB 1428—A bill to be entitled An act relating to insurance; amending s. 624.307, F.S.; authorizing the Office of Insurance Regulation to expend funds for the professional development of its employees; amending s. 627.4133, F.S.; providing that the transfer of a policy to certain other insurers is considered a renewal of the policy rather than a cancellation or nonrenewal; requiring notice of such transfer; specifying which types of policies such transfer provisions apply to; amending s. 627.442, F.S.; exempting certain insurers from performing onsite premium audits for workers' compensation insurance; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for CS for SB 1428**, on motion by Senator Smith, by two-thirds vote **CS for HB 941** was withdrawn from the Committees on Banking and Insurance; Budget Subcommittee on General Government Appropriations; and Budget.

On motion by Senator Smith—

CS for HB 941—A bill to be entitled An act relating to commercial lines insurance policies; amending s. 627.4133, F.S.; authorizing an insurer to transfer a commercial lines policy under certain circumstances; requiring an insurer to provide notice before transferring such policy; providing application; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1428** and read the second time by title.

MOTION

On motion by Senator Smith, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Smith moved the following amendment which was adopted:

Amendment 1 (920488) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Effective July 1, 2013, subsection (9) of section 440.02, Florida Statutes, is amended to read:

440.02 Definitions.—When used in this chapter, unless the context clearly requires otherwise, the following terms shall have the following meanings:

(9) "Corporate officer" or "officer of a corporation" means any person who fills an office provided for in the corporate charter or articles of incorporation filed with the Division of Corporations of the Department of State or as permitted or required by chapter 607. ~~As to persons engaged in the construction industry,~~ The term "officer of a corporation" includes a member owning at least 10 percent of a limited liability company created and approved under chapter 608.

Section 2. Paragraph (b) of subsection (15) of section 440.02, Florida Statutes, is amended to read:

440.02 Definitions.—When used in this chapter, unless the context clearly requires otherwise, the following terms shall have the following meanings:

(15)

(b) "Employee" includes any person who is an officer of a corporation and who performs services for remuneration for such corporation within this state, whether or not such services are continuous.

1. Any officer of a corporation may elect to be exempt from this chapter by filing ~~written~~ notice of the election with the department as provided in s. 440.05.

2. As to officers of a corporation who are engaged in the construction industry, no more than three officers of a corporation or of any group of affiliated corporations may elect to be exempt from this chapter by filing *a* ~~written~~ notice of the election with the department as provided in s. 440.05. Officers must be shareholders, each owning at least 10 percent of the stock of such corporation and listed as an officer of such corporation with the Division of Corporations of the Department of State, in order to elect exemptions under this chapter. For purposes of this subparagraph, the term "affiliated" means and includes one or more corporations or entities, any one of which is a corporation engaged in the construction industry, under the same or substantially the same control of a group of business entities which are connected or associated so that one entity controls or has the power to control each of the other business entities. The term "affiliated" includes, but is not limited to, the officers, directors, executives, shareholders active in management, employees, and agents of the affiliated corporation. The ownership by one business entity of a controlling interest in another business entity or a pooling of equipment or income among business entities shall be prima facie evidence that one business is affiliated with the other.

3. An officer of a corporation who elects to be exempt from this chapter by filing a ~~written~~ notice of the election with the department as provided in s. 440.05 is not an employee.

Services are presumed to have been rendered to the corporation if the officer is compensated by other than dividends upon shares of stock of the corporation which the officer owns.

Section 3. Subsections (3) and (6) of section 440.05, Florida Statutes, are amended to read:

440.05 Election of exemption; revocation of election; notice; certification.—

(3) Each officer of a corporation who is engaged in the construction industry and who elects an exemption from this chapter or who, after electing such exemption, revokes that exemption, must *submit* ~~mail~~ a ~~written~~ notice to such effect to the department on a form prescribed by the department. ~~The notice of election to be exempt from the provisions of this chapter must be notarized and under oath.~~ The notice of election to be exempt which is *electronically* submitted to the department by the officer of a corporation who is allowed to claim an exemption as provided by this chapter must list the name, federal tax identification number, *date of birth, Florida driver license number or Florida identification card number* ~~social security number~~, all certified or registered licenses issued pursuant to chapter 489 held by the person seeking the exemption, ~~a copy of relevant documentation as to employment status filed with the Internal Revenue Service as specified by the department, a copy of the relevant occupational license in the primary jurisdiction of the business, and~~ the registration number of the corporation filed with the Division of

Corporations of the Department of State*, and the percentage of ownership* ~~along with a copy of the stock certificate~~ evidencing the required ownership under this chapter. The notice of election to be exempt must identify each corporation that employs the person electing the exemption and must list the social security number or federal tax identification number of each such employer and the additional documentation required by this section. In addition, the notice of election to be exempt must provide that the officer electing an exemption is not entitled to benefits under this chapter, must provide that the election does not exceed exemption limits for officers provided in s. 440.02, and must certify that any employees of the corporation whose officer elects an exemption are covered by workers' compensation insurance. Upon receipt of the notice of the election to be exempt, receipt of all application fees, and a determination by the department that the notice meets the requirements of this subsection, the department shall issue a certification of the election to the officer, unless the department determines that the information contained in the notice is invalid. The department shall revoke a certificate of election to be exempt from coverage upon a determination by the department that the person does not meet the requirements for exemption or that the information contained in the notice of election to be exempt is invalid. The certificate of election must list the name of the corporation listed in the request for exemption. A new certificate of election must be obtained each time the person is employed by a new or different corporation that is not listed on the certificate of election. A copy of the certificate of election must be sent to each workers' compensation carrier identified in the request for exemption. Upon filing a notice of revocation of election, an officer who is a subcontractor or an officer of a corporate subcontractor must notify her or his contractor. Upon revocation of a certificate of election of exemption by the department, the department shall notify the workers' compensation carriers identified in the request for exemption.

(6) A construction industry certificate of election to be exempt which is issued in accordance with this section shall be valid for 2 years after the effective date stated thereon. Both the effective date and the expiration date must be listed on the face of the certificate by the department. The construction industry certificate must expire at midnight, 2 years from its issue date, as noted on the face of the exemption certificate. A construction industry certificate of election to be exempt may be revoked before its expiration by the officer for whom it was issued or by the department for the reasons stated in this section. At least 60 days *before* ~~prior to~~ the expiration date of a construction industry certificate of exemption ~~issued after December 1, 1998~~, the department shall send notice of the expiration date ~~and an application for renewal~~ to the certificateholder at the address on the certificate *or to the e-mail address on file with the department*.

Section 4. Effective January 1, 2013, subsection (6) of section 440.05, Florida Statutes, as amended by this act, is amended to read:

440.05 Election of exemption; revocation of election; notice; certification.—

(6) A ~~construction industry~~ certificate of election to be exempt which is issued *on or after January 1, 2013,* in accordance with this section *is* ~~shall be~~ valid for 2 years after the effective date stated thereon. Both the effective date and the expiration date must be listed on the face of the certificate by the department. The ~~construction industry~~ certificate must expire at midnight, 2 years from its issue date, as noted on the face of the exemption certificate. A ~~construction industry~~ certificate of election to be exempt may be revoked before its expiration by the officer for whom it was issued or by the department for the reasons stated in this section. At least 60 days before the expiration date of a ~~construction industry~~ certificate of exemption, the department shall send notice of the expiration date to the certificateholder at the address on the certificate or to the e-mail address on file with the department.

Section 5. Subsection (15) is added to section 440.107, Florida Statutes, to read:

440.107 Department powers to enforce employer compliance with coverage requirements.—

(15) A limited liability company that is not engaged in the construction industry and that meets the definition of "employment" at any time between July 1, 2013, and December 31, 2013, may not be issued a penalty pursuant to this section for failing to secure the payment of workers' compensation.

Section 6. Subsections (7) and (8) of section 624.307, Florida Statutes, are renumbered as subsections (8) and (9), respectively, and a new subsection (7) is added to that section, to read:

624.307 General powers; duties.—

(7) The office, within existing resources, may expend funds for the professional development of its employees, including, but not limited to, professional dues for employees who are required to be members of professional organizations; examinations leading to professional designations required for employment with the office; training courses and examinations provided through, and to ensure compliance with, the National Association of Insurance Commissioners; or other training courses related to the regulation of insurance.

Section 7. Section 627.215, Florida Statutes, is amended to read:

627.215 Excessive profits for ~~workers' compensation, employer's liability,~~ commercial property~~,~~ and commercial casualty insurance prohibited.—

(1)(a) Each insurer group writing ~~workers' compensation and employer's liability insurance as defined in s. 624.605(1)(e),~~ commercial property insurance as defined in s. 627.0625, commercial umbrella liability insurance as defined in s. 627.0625, or commercial casualty insurance as defined in s. 627.0625 shall file with the office *before* ~~prior to~~ July 1 of each year, on a form prescribed by the commission, the following data for the component types of such insurance as provided in the form:

1. Calendar-year earned premium.

2. Accident-year incurred losses and loss adjustment expenses.

3. The administrative and selling expenses incurred in this state or allocated to this state for the calendar year.

4. Policyholder dividends applicable to the calendar year.

This paragraph does not ~~Nothing herein is intended to~~ prohibit an insurer from filing on a calendar-year basis.

(b) The data filed for the group shall be a consolidation of the data of the individual insurers of the group. However, an insurer may elect to ~~either~~ consolidate commercial umbrella liability insurance data with commercial casualty insurance data or to separately file data for commercial umbrella liability insurance. Each insurer shall elect its method of filing commercial umbrella liability insurance at the time of filing data for accident year 1987 and shall thereafter continue filing under the same method. In the case of commercial umbrella liability insurance data reported separately, a separate excessive profits test shall be applied and the test period shall be 10 years. ~~In the case of workers' compensation and employer's liability insurance, the final report for the test period including accident years 1984, 1985, and 1986 must be filed prior to July 1, 1988. In the case of commercial property and commercial casualty insurance, the final report for the test period including accident years 1987, 1988, and 1989 must be filed prior to July 1, 1991.~~

~~(2) Each insurer group writing workers' compensation and employer's liability insurance shall also file a schedule of Florida loss and loss adjustment experience for each of the 3 years previous to the most recent accident year. The incurred losses and loss adjustment expenses shall be valued as of December 31 of the first year following the latest accident year to be reported, developed to an ultimate basis, and at two 12-month intervals thereafter, each developed to an ultimate basis, so that a total of three evaluations will be provided for each accident year. The first year to be so reported shall be accident year 1984, so that the reporting of 3 accident years under this revised evaluation will not take place until accident years 1985 and 1986 have become available. For reporting purposes unrelated to determining excessive profits, the loss and loss adjustment experience of each accident year shall continue to be reported until each accident year has been reported at eight stages of development.~~

(2)~~(3)~~(a) Each insurer group writing commercial property insurance or commercial casualty insurance shall also file a schedule of Florida loss and loss adjustment experience for each of the 3 years previous to the most recent accident year. The incurred losses and loss adjustment expenses shall be valued as of December 31 of the first year following the

latest accident year, developed to an ultimate basis, and at two 12-month intervals thereafter, each developed to an ultimate basis, so that a total of 3 evaluations will be provided for each accident year. ~~The first year to be so reported shall be accident year 1987, which shall first be reported on or before July 1, 1989, and the reporting of 3 accident years will not take place until accident years 1988 and 1989 have become available. For medical malpractice insurance, the first year to be so reported shall be accident year 1990, which shall first be reported on or before July 1, 1992, and the reporting of 3 accident years for full inclusion of medical malpractice experience in commercial casualty insurance will not take place until accident years 1991 and 1992 become available. Accordingly, no medical malpractice insured shall be eligible for refunds or credits until the reporting period ending with calendar accident year 1992.~~ For reporting purposes unrelated to determining excess profits, the loss and loss adjustment experience of each accident year shall continue to be reported until each accident year has been reported at eight stages of development.

(b) Each insurer group writing commercial umbrella liability insurance which elects to file separate data for such insurance shall also file a schedule of Florida loss and loss adjustment experience for each of the 10 years previous to the most recent accident year. The incurred losses and loss adjustment expenses shall be valued as of December 31 of the first year following the latest accident year, developed to an ultimate basis, and at nine 12-month intervals thereafter, each developed to an ultimate basis, so that a total of 10 evaluations will be provided for each accident year. ~~The first year to be so reported shall be accident year 1987, which shall first be reported on or before October 1, 1989, and the reporting of 10 accident years will not take place until accident year 1996 data is reported.~~

(3)~~(4)~~ Each insurer group's underwriting gain or loss for each calendar-accident year shall be computed as follows: The sum of the accident-year incurred losses and loss adjustment expenses as of December 31 of the year, developed to an ultimate basis, plus the administrative and selling expenses incurred in the calendar year, plus policyholder dividends applicable to the calendar year, shall be subtracted from the calendar-year earned premium to determine the underwriting gain or loss.

(4)~~(5)~~ For the 3 most recent calendar-accident years for which data is to be filed under this section, the underwriting gain or loss shall be compared to the anticipated underwriting profit, except in the case of separately reported commercial umbrella liability insurance for which such comparison shall be made for the 10 most recent calendar-accident years.

~~(6) For those insurer groups writing workers' compensation and employer's liability insurance during the years 1984, 1985, 1986, 1987, and 1988, an excessive profit has been realized if underwriting gain is greater than the anticipated underwriting profit plus 5 percent of earned premiums for the 3 most recent calendar years for which data is to be filed under this section. Any excess profit of an insurance company offering workers' compensation or employer's liability insurance during this period of time, shall be returned to policyholders in the form of a cash refund or a credit toward future purchase of insurance. The excessive amount shall be refunded on a pro rata basis in relation to the final compilation year earned premiums to the workers' compensation policyholders of record of the insurer group on December 31 of the final compilation year.~~

(5)~~(7)~~(a) Beginning with the July 1, 1991, report for ~~workers' compensation insurance, employer's liability insurance,~~ commercial property insurance, and commercial casualty insurance, an excessive profit has been realized if the net aggregate underwriting gain for ~~all~~ these lines combined is greater than the net aggregate anticipated underwriting profit for these lines plus 5 percent of earned premiums for the 3 most recent calendar years for which data is to be filed under this section. For calculation purposes commercial property insurance and commercial casualty insurance shall be broken down into sublines in order to ascertain the anticipated underwriting profit factor versus the actual underwriting gain for the given subline.

(b) Beginning with the July 1, 1998, report for commercial umbrella liability insurance, if an insurer has elected to file data separately for such insurance, an excessive profit has been realized if the underwriting gain for such insurance is greater than the anticipated underwriting profit for such insurance plus 5 percent of earned premiums for the 10 most recent calendar years for which data is to be filed under this section.

(6)~~(8)~~ As used in this section with respect to any 3-year period, or with respect to any 10-year period in the case of commercial umbrella liability insurance, "anticipated underwriting profit" means the sum of the dollar amounts obtained by multiplying, for each rate filing of the insurer group in effect during such period, the earned premiums applicable to such rate filing during such period by the percentage factor included in such rate filing for profit and contingencies, such percentage factor having been determined with due recognition to investment income from funds generated by Florida business, except that the anticipated underwriting profit for the purposes of this section shall be calculated using a profit and contingencies factor that is not less than zero. Separate calculations need not be made for consecutive rate filings containing the same percentage factor for profits and contingencies.

(7)~~(9)~~ If the insurer group has realized an excessive profit, the office shall order a return of the excessive amounts after affording the insurer group an opportunity for hearing and otherwise complying with the requirements of chapter 120. Such excessive amounts shall be refunded in all instances unless the insurer group affirmatively demonstrates to the office that the refund of the excessive amounts will render a member of the insurer group financially impaired or will render it insolvent under the provisions of the Florida Insurance Code.

(8)~~(10)~~ Any excess profit of an insurance company ~~as determined on July 1, 1991, and thereafter~~ shall be returned to policyholders in the form of a cash refund or a credit toward the future purchase of insurance. The excessive amount shall be refunded on a pro rata basis in relation to the final compilation year earned premiums to the policyholders of record of the insurer group on December 31 of the final compilation year.

(9)~~(11)~~(a) Cash refunds to policyholders may be rounded to the nearest dollar.

(b) Data in required reports to the office may be rounded to the nearest dollar.

(c) Rounding, if elected by the insurer, shall be applied consistently.

(10)~~(12)~~(a) Refunds shall be completed in one of the following ways:

1. If the insurer group elects to make a cash refund, the refund shall be completed within 60 days *after* ~~of~~ entry of a final order indicating that excessive profits have been realized.

2. If the insurer group elects to make refunds in the form of a credit to renewal policies, such credits shall be applied to policy renewal premium notices which are forwarded to insureds more than 60 calendar days after entry of a final order indicating that excessive profits have been realized. If an insurer group has made this election but an insured thereafter cancels her or his policy or otherwise allows the policy to terminate, the insurer group shall make a cash refund *within* ~~not later than~~ 60 days after termination of such coverage.

(b) Upon completion of the renewal credits or refund payments, the insurer group shall immediately certify to the office that the refunds have been made.

(11)~~(13)~~ Any refund or renewal credit made pursuant to this section shall be treated as a policyholder dividend applicable to the year immediately succeeding the compilation period giving rise to the refund or credit, for purposes of reporting under this section for subsequent years.

(12)~~(14)~~ The application of this law to commercial property and commercial casualty insurance, which includes commercial umbrella liability insurance, ceases on January 1, 1997.

Section 8. Subsection (8) is added to section 627.4133, Florida Statutes, to read:

627.4133 Notice of cancellation, nonrenewal, or renewal premium.—

(8) Upon expiration of the policy term, an insurer may transfer a commercial lines policy to another authorized insurer that is a member of the same group or owned by the same holding company as the transferring insurer. The transfer constitutes a renewal of the policy and may not be treated as a cancellation or a nonrenewal of the policy. The insurer

must provide notice of its intent to transfer the policy at least 45 days before the effective date of the transfer along with the financial rating of the authorized insurer to which the policy is being transferred. Such notice may be provided in the notice of renewal premium. This subsection does not apply to a policy providing residential property insurance coverage, except for farmowners insurance and commercial general liability policies providing farm coverage or commercial property policies providing farm coverage.

Section 9. Subsection (2) of section 627.442, Florida Statutes, is amended to read:

627.442 Insurance contracts.—

(2) Notwithstanding s. 440.381(3), *an insurer having at least $200 million in surplus, or an insurer within an insurer group that has at least $400 million in surplus, as reflected in the combined annual statement filed by the insurer group with the office, is not required to perform physical onsite* premium audits ~~are not required~~ for workers' compensation coverage, other than an audit required by ~~the insurance policy or~~ an order of the office, or ~~at least once each policy period,~~ if requested by the insured.

Section 10. Subsection (4) of section 628.6017, Florida Statutes, is amended to read:

628.6017 Converting assessable mutual insurer.—

(4) An assessable mutual insurer becoming a stock insurer or a nonassessable mutual insurer *is* ~~shall~~ not ~~be~~ subject to s. 627.215 or s. 627.351(5) for 5 years following authorization of the conversion by the office. However, the converted stock insurer or nonassessable mutual insurer *must* ~~shall~~ file all necessary data required by s. 627.215. Such amounts otherwise subject to s. *627.215(8) must* ~~627.215(10) shall~~ be maintained as surplus as to policyholders and *are* not ~~be~~ available for dividends for ~~a period of~~ 5 years.

Section 11. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2012.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to insurance; amending s. 440.02, F.S.; redefining the terms "corporate officer" and "employee" for purposes of workers' compensation; amending s. 440.05, F.S.; revising requirements for submitting a notice of election of exemption; revising duties of the Department of Financial Services relating to the expiration of certificates of exemption; expanding applicability of requirements relating to certificates of exemption; amending s. 440.107, F.S.; exempting certain limited liability companies from penalties for failure to secure the payment of workers' compensation; amending s. 624.307, F.S.; authorizing the Office of Insurance Regulation to expend funds for the professional development of its employees; amending s. 627.215, F.S.; removing workers' compensation and employer's liability insurance from those types of insurance that must report and refund excess profits; deleting obsolete provisions; amending s. 627.4133, F.S.; providing that the transfer of a policy to certain other insurers is considered a renewal of the policy rather than a cancellation or nonrenewal; requiring notice of such transfer; specifying which types of policies such transfer provisions apply to; amending s. 627.442, F.S.; exempting certain insurers from performing onsite premium audits for workers' compensation insurance; amending s. 628.6017, F.S.; conforming a cross-reference; providing effective dates.

On motion by Senator Smith, by two-thirds vote **CS for HB 941** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bullard	Flores
Alexander	Dean	Gaetz
Altman	Detert	Garcia
Benacquisto	Diaz de la Portilla	Gardiner
Bennett	Dockery	Gibson
Bogdanoff	Evers	Hays
Braynon	Fasano	Jones
Joyner	Oelrich	Smith
Latvala	Rich	Sobel
Lynn	Richter	Storms
Margolis	Ring	Thrasher
Montford	Sachs	Wise
Negron	Simmons	
Norman	Siplin	

Nays—None

On motion by Senator Latvala, by unanimous consent—

CS for SB 1272—A bill to be entitled An act relating to possession of a firearm or destructive device during the commission of an offense; amending s. 775.087, F.S.; providing that an exception to the 10-year minimum term for persons convicted of certain offenses during which the person actually possessed a firearm or destructive device does not apply to offenders convicted for possession of a firearm by a felon who have certain prior convictions; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 1272**, on motion by Senator Latvala, by two-thirds vote **CS for CS for HB 947** was withdrawn from the Committees on Criminal Justice; Budget Subcommittee on Criminal and Civil Justice Appropriations; and Budget.

On motion by Senator Latvala—

CS for CS for HB 947—A bill to be entitled An act relating to possession of a firearm or destructive device during the commission of an offense; amending s. 775.087, F.S.; providing that an exception to the 10-year minimum term for persons convicted of certain offenses during which the person actually possessed a firearm or destructive device does not to apply to offenders convicted for possession of a firearm by a felon who have certain prior convictions and actually possessed a firearm or destructive device during the commission of the prior felony; providing an effective date.

—a companion measure, was substituted for **CS for SB 1272** and read the second time by title.

On motion by Senator Latvala, by two-thirds vote **CS for CS for HB 947** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

Vote after roll call:

Yea to Nay—Smith

On motion by Senator Negron, by unanimous consent—

SB 1768—A bill to be entitled An act relating to autonomous vehicle technology; defining the term "autonomous technology"; directing the Department of Highway Safety and Motor Vehicles to prepare a report

on the safe operation of vehicles equipped with autonomous technology on public roads; requiring submission of the report to the Legislature; providing an effective date.

—was taken up out of order and read the second time by title.

An amendment was considered and adopted to conform **SB 1768** to **CS for HB 1207**.

Pending further consideration of **SB 1768** as amended, on motion by Senator Negron, by two-thirds vote **CS for HB 1207** was withdrawn from the Committees on Transportation and Budget.

On motion by Senator Negron, the rules were waived and—

CS for HB 1207—A bill to be entitled An act relating to vehicles with autonomous technology; defining the term "autonomous technology"; providing legislative intent and findings; amending s. 316.003, F.S.; defining the terms "autonomous vehicle" and "autonomous technology" when used in provisions for traffic control; creating s. 316.85, F.S.; authorizing a person who possesses a valid driver license to operate an autonomous vehicle; specifying that the person who causes the vehicle's autonomous technology to engage is the operator; creating s. 319.145, F.S.; requiring an autonomous vehicle registered in this state to meet federal standards and regulations for a motor vehicle; specifying certain requirements for such vehicle; providing for the application of certain federal regulations; authorizing the operation of vehicles equipped with autonomous technology by certain persons for testing purposes under certain conditions; requiring an instrument of insurance, surety bond, or self-insurance prior to the testing of a vehicle; limiting liability of the original manufacturer of a vehicle converted to an autonomous vehicle; directing the department to prepare a report on the safe testing and operation of vehicles equipped with autonomous technology and submit the report to the Legislature by a certain date; providing an effective date.

—a companion measure, was substituted for **SB 1768** as amended and read the second time by title.

On motion by Senator Negron, by two-thirds vote **CS for HB 1207** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

On motion by Senator Wise, by unanimous consent—

CS for CS for CS for SB 834—A bill to be entitled An act relating to juvenile justice education and workforce programs; amending s. 985.03, F.S.; providing a definition for the term "juvenile justice education programs" for purposes of the act; amending s. 985.46, F.S.; requiring that each juvenile committed to a juvenile justice commitment program have a transition plan upon release; requiring that the transition plan include an education transition plan component and information regarding delinquency treatment and intervention services that are accessible upon exiting the program; amending s. 985.618, F.S.; providing legislative intent regarding juvenile justice education and workforce-related programs; requiring that the Department of Juvenile Justice, in collaboration with the Department of Education, annually verify that each juvenile justice education program meets specified minimum standards; requiring that the department collaborate with certain entities to adopt rules; amending s. 985.632, F.S.; conforming provisions to changes made by the act; requiring that the Department of Education rather than the Department of Juvenile Justice ensure that there is accurate cost accounting for certain education programs; requiring that the Department of Education submit annual cost data to the Department of Juvenile Justice; requiring that the effectiveness of juvenile justice education programs be determined by implementing systematic data collection, data analysis, and evaluations; requiring that the programs be evaluated based on student performance outcomes; requiring that the Department of Juvenile Justice, in collaboration with the Department of Education and in consultation with other entities, prepare and submit an annual report to the Governor and the Legislature by a specified date; amending s. 985.721, F.S.; conforming a cross-reference; amending s. 1001.42, F.S.; conforming provisions to changes made by the act; conforming a cross-reference; amending ss. 1002.20 and 1002.45, F.S.; conforming cross-references; amending s. 1003.01, F.S.; revising the term "juvenile justice education programs or schools" to conform to changes made by the act; creating s. 1003.515, F.S.; providing a short title; providing a legislative finding; providing purposes of the Florida Juvenile Justice Education Act; providing a definition for the term "juvenile justice education programs"; providing responsibilities for school districts and private providers contracted by school districts to offer education services to youth in juvenile justice education programs; requiring that each juvenile justice residential and nonresidential program involve the regional workforce board or economic development agency and local postsecondary institutions to determine the occupational areas for the education and workforce-related program; providing requirements for education and workforce-related services in juvenile justice programs; providing responsibilities for the Department of Education; requiring that the department identify each juvenile justice residential and nonresidential education program, excluding detention programs, by performance ratings; providing criteria for determining performance ratings; requiring that the department make available a common student pre- and post-assessment to measure the academic progress in reading and mathematics of youth in juvenile justice education programs; requiring that juvenile justice residential and nonresidential education programs, excluding detention centers, be held accountable for student performance outcomes for a specified period after youth are released from the programs; providing for program accountability; requiring that the department monitor the education performance of youth, prohibit certain school district or private providers, under specified circumstances, from delivering education services, and verify that a school district is operating or contracting to deliver education services; providing for a school district's responsibilities; requiring that a youth who exits the program attain an industry certification or occupational completion points, enroll in a program to complete the industry certification, be gainfully employed, or enroll in and continue his or her education based on a transition plan; requiring that an education transition plan component be incorporated in a youth's transition plan; requiring that each juvenile justice education program develop the education transition plan component during the course of the youth's stay in a juvenile justice residential or nonresidential program; prohibiting a district school board from being charged rent, maintenance, utilities, or overhead on facilities; requiring that the Department of Juvenile Justice provide maintenance, repairs, and remodeling of existing facilities; requiring that the State Board of Education collaborate with the Department of Juvenile Justice, the Department of Economic Opportunity, school districts, and private providers to adopt rules; amending s. 1003.52, F.S.; deleting provisions relating to educational services in Department of Juvenile Justice programs to conform to changes made by the act; amending s. 1009.25, F.S.; providing an exemption from the payment of postsecondary education fees and tuition for certain youth who are ordered by a court to participate in a juvenile justice residential program; amending s. 1010.20, F.S.; revising provisions relating to expenditure requirements for juvenile justice programs; amending s. 1011.62, F.S.; extending dates relating to the funding of students who are enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities; conforming a cross-reference; providing an effective date.

—was taken up out of order and read the second time by title.

An amendment was considered and adopted to conform **CS for CS for CS for SB 834** to **CS for CS for HB 949**.

Pending further consideration of **CS for CS for CS for SB 834** as amended, on motion by Senator Wise, by two-thirds vote **CS for CS for HB 949** was withdrawn from the Committees on Education Pre-K - 12; Criminal Justice; Budget Subcommittee on Criminal and Civil Justice Appropriations; and Budget.

On motion by Senator Wise, the rules were waived and—

CS for CS for HB 949—A bill to be entitled An act relating to juvenile justice education and workforce programs; amending s. 985.632, F.S.; requiring the Department of Juvenile Justice to provide cost and effectiveness information on programs and program activities and to implement an accountability system; requiring the department, in consultation with the Department of Education, to submit a report to the Governor and Legislature regarding program costs and effectiveness; requiring the report to include uniform cost data for programs, data on student learning gains, and recommendations for modification and elimination of programs and program activities; amending s. 1001.42, F.S.; conforming a cross-reference; amending s. 1003.52, F.S., relating to educational services in Department of Juvenile Justice programs; requiring school districts or contracted private providers to provide certain instruction; providing qualifications for instructional personnel; requiring the State Board of Education to adopt rules relating to quality assurance standards and review; requiring the Department of Education to monitor and report on the educational performance of youth in juvenile justice programs; requiring an individualized transition plan to be developed for each student receiving services in a juvenile justice education program; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 834** as amended and read the second time by title.

MOTION

On motion by Senator Wise, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Wise moved the following amendment:

Amendment 1 (629088) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Present subsections (30) through (57) of section 985.03, Florida Statutes, are redesignated as subsections (31) through (58), respectively, and a new subsection (30) is added to that section, to read:

985.03 Definitions.—As used in this chapter, the term:

(30) "Juvenile justice education programs" has the same meaning as provided in s. 1003.01(11)(a).

Section 2. Subsection (6) is added to section 985.46, Florida Statutes, to read:

985.46 Conditional release.—

(6) Each juvenile committed to a commitment program shall have a transition plan upon release. Transition planning shall begin for each juvenile upon placement in a commitment program and shall result in an individual transition plan for each youth before he or she is released. The transition plan shall be developed with the participation of the youth, representatives of the commitment program, school district personnel, and representatives of conditional release or postcommitment probation programs, if appropriate. The transition plan shall include an education transition plan component as provided in s. 1003.515(10), as well as information regarding pertinent delinquency treatment and intervention services that are accessible upon exiting the program.

(a) For a juvenile who is released on conditional release or postcommitment probation status, the transition plan shall be incorporated into the conditions of release.

(b) For a juvenile who is not released on conditional release or postcommitment probation status, the transition plan shall be explained to the youth and provided upon release, with all necessary referrals having been made at least 30 days before the youth exits the program.

(c) For a juvenile who participates in a nonresidential program, the transition plan shall be explained to the youth and provided upon release. For a juvenile who participates in a nonresidential program and who is released on conditional release or postcommitment probation status, the transition plan shall be incorporated into the conditions of release.

Section 3. Section 985.618, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 985.618, F.S., for present text.)

985.618 Education and workforce-related programs.—

(1) The Legislature intends for youth in juvenile justice programs to be provided a quality education that includes workforce-related skills that lead to continuing education or meaningful employment, or both, and that results in reduced rates of recidivism.

(2) The department, in collaboration with the Department of Education, shall annually verify that each juvenile justice education program, at a minimum:

(a) Provides access to virtual course offerings that maximize learning opportunities for youth.

(b) Encourages access to virtual counseling to address the educational and workforce needs of adjudicated youth.

(c) Provides instruction from individuals who hold industry credentials in the occupational areas in which they teach.

(d) Ensures that students in juvenile justice residential education programs have access to virtual instruction or instruction offered by volunteers during evenings and weekends.

(e) Considers, before placement, the age, interests, prior education, training, work experience, emotional and mental abilities, treatment needs, and physical capabilities of the youth and the duration of the term of placement imposed.

(f) Provides specialized instruction, related services, accommodations, and modifications as are necessary to ensure the provision of a free, appropriate public education for students with disabilities.

(g) Expends funds in a manner that directly supports the attainment of successful student outcomes as specified in s. 1003.515(7) and that allows youth to engage in real work situations whenever possible.

(3) The department shall collaborate with the Department of Education, the Department of Economic Opportunity, school districts, and private providers to adopt rules to administer this section.

Section 4. Section 985.632, Florida Statutes, is amended to read:

985.632 Quality assurance and cost-effectiveness.—

(1) It is the intent of the Legislature that the department:

(a) Ensure that information be provided to decisionmakers in a timely manner so that resources are allocated to programs of the department which achieve desired performance levels.

(b) Provide information about the cost of such programs and their differential effectiveness so that the quality of such programs can be compared and improvements made continually.

(c) Provide information to aid in developing related policy issues and concerns.

(d) Provide information to the public about the effectiveness of such programs in meeting established goals and objectives.

(e) Provide a basis for a system of accountability so that each client is afforded the best programs to meet his or her needs.

(f) Improve service delivery to clients.

(g) Modify or eliminate activities that are not effective.

(2) As used in this section, the term:

(a) "Client" means any person who is being provided treatment or services by the department or by a provider under contract with the department.

(b) "Program component" means an aggregation of generally related objectives which, because of their special character, related workload, and interrelated output, can logically be considered an entity for purposes of organization, management, accounting, reporting, and budgeting.

(c) "Program effectiveness" means the ability of the program to achieve desired client outcomes, goals, and objectives.

(3) The department shall annually collect and report cost data for every program operated *by the department or its contracted provider* ~~or contracted by the department~~. The cost data shall conform to a format approved by the department and the Legislature. Uniform cost data shall be reported and collected for *each education program operated by a school district or private provider contracted by a school district* ~~state-operated and contracted programs~~ so that comparisons can be made among programs. The Department *of Education* shall ensure that there is accurate cost accounting for *education programs operated by school districts, including those programs operated by private providers under contract with school districts* ~~state-operated services including market-equivalent rent and other shared cost~~. ~~The cost of the educational program provided to a residential facility shall be reported and included in the cost of a program.~~ The Department *of Education* shall submit ~~an~~ annual cost *data* ~~report~~ to the *department* ~~President of the Senate, the Speaker of the House of Representatives, the Minority Leader of each house of the Legislature, the appropriate substantive and fiscal committees of each house of the Legislature, and the Governor, no later than December 1 of each year~~. *The annual cost data shall be included in the annual report required in subsection (7).* Cost-benefit analysis for *juvenile justice education* ~~educational~~ programs *shall* ~~will~~ be developed and implemented in collaboration with and in cooperation with the Department of Education, local providers, and local school districts. ~~Cost data for the report shall include data collected by the Department of Education for the purposes of preparing the annual report required by s. 1003.52(19).~~

(4)(a) The department, in consultation with the Office of Economic and Demographic Research and contract service providers, shall develop a cost-effectiveness model and apply the model to each commitment program. Program recidivism rates shall be a component of the model. The cost-effectiveness model shall compare program costs to client outcomes and program outputs. It is the intent of the Legislature that continual development efforts take place to improve the validity and reliability of the cost-effectiveness model.

(b) The department shall rank commitment programs based on the cost-effectiveness model and shall submit a report to the appropriate substantive and fiscal committees of each house of the Legislature by December 31 of each year.

(c) Based on reports of the department on client outcomes and program outputs and on the department's most recent cost-effectiveness rankings, the department may terminate a program operated by the department or a provider if the program has failed to achieve a minimum threshold of program effectiveness. This paragraph does not preclude the department from terminating a contract as provided under this section or as otherwise provided by law or contract, and does not limit the department's authority to enter into or terminate a contract.

(d) In collaboration with the Office of Economic and Demographic Research, and contract service providers, the department shall develop a work plan to refine the cost-effectiveness model so that the model is consistent with the performance-based program budgeting measures approved by the Legislature to the extent the department deems appropriate. The department shall notify the Office of Program Policy Analysis and Government Accountability of any meetings to refine the model.

(e) Contingent upon specific appropriation, the department, in consultation with the Office of Economic and Demographic Research, and contract service providers, shall:

1. Construct a profile of each commitment program that uses the results of the quality assurance report required by this section, the cost-effectiveness report required in this subsection, and other reports available to the department.

2. Target, for a more comprehensive evaluation, any commitment program that has achieved consistently high, low, or disparate ratings in the reports required under subparagraph 1.

3. Identify the essential factors that contribute to the high, low, or disparate program ratings.

4. Use the results of these evaluations in developing or refining juvenile justice programs or program models, client outcomes and program outputs, provider contracts, quality assurance standards, and the cost-effectiveness model.

(5)(a) Program effectiveness shall be determined by implementing systematic data collection, data analysis, and education and workforce-related program evaluations pursuant to this section and s. 1003.515.

(b) The evaluation of juvenile justice education and workforce-related programs shall be based on the performance outcomes provided in s. 1003.515(7).

(6)~~(5)~~ The department shall:

(a) Establish a comprehensive quality assurance system for each program operated by the department or *its contracted provider* ~~operated by a provider under contract with the department~~. Each contract entered into by the department must provide for quality assurance.

(b) Provide operational definitions of and criteria for quality assurance for each specific program component.

(c) Establish quality assurance goals and objectives for each specific program component.

(d) Establish the information and specific data elements required for the quality assurance program.

(e) Develop a quality assurance manual of specific, standardized terminology and procedures to be followed by each program.

(f) Evaluate each program operated by the department or *its contracted* ~~a~~ provider ~~under a contract with the department~~ and establish minimum thresholds for each program component. If a provider fails to meet the established minimum thresholds, such failure shall cause the department to cancel the provider's contract unless the provider achieves compliance with minimum thresholds within 6 months or unless there are documented extenuating circumstances. In addition, the department may not contract with the same provider for the canceled service for a period of 12 months. If a department-operated program fails to meet the established minimum thresholds, the department must take necessary and sufficient steps to ensure and document program changes to achieve compliance with the established minimum thresholds. If the department-operated program fails to achieve compliance with the established minimum thresholds within 6 months and if there are no documented extenuating circumstances, the department must notify the Executive Office of the Governor and the Legislature of the corrective action taken. Appropriate corrective action may include, but is not limited to:

1. Contracting out for the services provided in the program;

2. Initiating appropriate disciplinary action against all employees whose conduct or performance is deemed to have materially contributed to the program's failure to meet established minimum thresholds;

3. Redesigning the program; or

4. Realigning the program.

The department shall submit an annual report to the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of each house of the Legislature, the appropriate substantive and fiscal committees of each house of the Legislature, and the Governor, no later than February 1 of each year. The annual report must contain, at a minimum, for each specific program component: a comprehensive description of the population served by the program; a specific description of the services provided by the program; cost; a comparison of ex-

penditures to federal and state funding; immediate and long-range concerns; and recommendations to maintain, expand, improve, modify, or eliminate each program component so that changes in services lead to enhancement in program quality. The department shall ensure the reliability and validity of the information contained in the report.

(7) The department, in collaboration with the Department of Education and in consultation with the school districts and private juvenile justice education program providers, shall prepare an annual report containing the education performance outcomes, based on the criteria in s. 1003.515(7), of youth in juvenile justice education programs. The report shall delineate the performance outcomes of youth in the state, in each school district's juvenile justice education program, and for each private provider's juvenile justice education program, including the performance outcomes of all major student populations and genders, as determined by the Department of Education. The report shall address the use and successful completion of virtual instruction courses and the successful implementation of transition and reintegration plans. The report must include an analysis of the performance of youth over time, including, but not limited to, additional education attainment, employment, earnings, industry certification, and rates of recidivism. The report must also include recommendations for improving performance outcomes and for additional cost savings and efficiencies. The report shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by February 15, 2014, and each year thereafter.

(8)~~(6)~~ The department shall collect and analyze available statistical data for the purpose of ongoing evaluation of all programs. The department shall provide the Legislature with necessary information and reports to enable the Legislature to make informed decisions regarding the effectiveness of, and any needed changes in, services, programs, policies, and laws.

Section 5. Section 985.721, Florida Statutes, is amended to read:

985.721 Escapes from secure detention or residential commitment facility.—An escape from:

(1) Any secure detention facility maintained for the temporary detention of children, pending adjudication, disposition, or placement;

(2) Any residential commitment facility described in s. *985.03(46)* ~~985.03(45)~~, maintained for the custody, treatment, punishment, or rehabilitation of children found to have committed delinquent acts or violations of law; or

(3) Lawful transportation to or from any such secure detention facility or residential commitment facility,

constitutes escape within the intent and meaning of s. 944.40 and is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 6. Paragraph (b) of subsection (18) of section 1001.42, Florida Statutes, is amended to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—Maintain a state system of school improvement and education accountability as provided by statute and State Board of Education rule. This system of school improvement and education accountability shall be consistent with, and implemented through, the district's continuing system of planning and budgeting required by this section and ss. 1008.385, 1010.01, and 1011.01. This system of school improvement and education accountability shall comply with the provisions of ss. 1008.33, 1008.34, 1008.345, and 1008.385 and include the following:

(b) *Public disclosure.*—The district school board shall provide information regarding the performance of students *in* ~~and~~ *education* ~~educational~~ programs as required pursuant to ss. 1008.22 and 1008.385 and implement a system of school reports as required by statute and State Board of Education rule which shall include schools operating for the purpose of providing *education* ~~educational~~ services to youth in Department of Juvenile Justice *residential and nonresidential* programs, and for those *programs* ~~schools~~, report on the *data and education outcomes* ~~elements~~ specified in s. *1003.515(7)* ~~1003.52(19)~~. Annual public disclosure reports shall be in an easy-to-read report card format and shall include the school's grade, high school graduation rate calculated without GED tests, disaggregated by student ethnicity, and performance data as specified in state board rule.

Section 7. Subsection (20) of section 1002.20, Florida Statutes, is amended to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(20) JUVENILE JUSTICE PROGRAMS.—Students who are in juvenile justice programs have the right to receive educational programs and services in accordance with the provisions of s. *1003.515* ~~1003.52~~.

Section 8. Paragraph (b) of subsection (1) of section 1002.45, Florida Statutes, is amended to read:

1002.45 Virtual instruction programs.—

(1) PROGRAM.—

(b) Each school district that is eligible for the sparsity supplement pursuant to s. 1011.62(7) shall provide all enrolled public school students within its boundaries the option of participating in part-time and full-time virtual instruction programs. Each school district that is not eligible for the sparsity supplement shall provide at least three options for part-time and full-time virtual instruction. All school districts must provide parents with timely written notification of an open enrollment period for full-time students of at least 90 days that ends no later than 30 days *before* ~~prior to~~ the first day of the school year. The purpose of the program is to make quality virtual instruction available to students using online and distance learning technology in the nontraditional classroom. A school district virtual instruction program shall provide the following:

1. Full-time virtual instruction for students enrolled in kindergarten through grade 12.

2. Part-time virtual instruction for students enrolled in grades 9 through 12 courses that are measured pursuant to subparagraph (8)(a)2.

3. Full-time or part-time virtual instruction for students enrolled in dropout prevention and academic intervention programs under s. 1003.53, Department of Juvenile Justice education programs under s. *1003.515* ~~1003.52~~, core-curricula courses to meet class size requirements under s. 1003.03, or Florida College System institutions under this section.

Section 9. Paragraph (a) of subsection (11) of section 1003.01, Florida Statutes, is amended to read:

1003.01 Definitions.—As used in this chapter, the term:

(11)(a) "Juvenile justice education programs ~~or schools~~" means programs ~~or schools~~ operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs, for a school year comprised of 250 days of instruction distributed over 12 months. At the request of the provider, a district school board may decrease the minimum number of days of instruction by up to 10 days for teacher planning for residential programs and up to 20 days for teacher planning for nonresidential programs, subject to the approval of the Department of Juvenile Justice and the Department of Education.

Section 10. Section 1003.515, Florida Statutes, is created to read:

1003.515 The Florida Juvenile Justice Education Act.—

(1) SHORT TITLE.—This section may be cited as the "Florida Juvenile Justice Education Act."

(2) LEGISLATIVE FINDING.—The Legislature finds that an education is the single most important factor in the rehabilitation of adjudicated youth who are in Department of Juvenile Justice residential and nonresidential programs.

(3) PURPOSES.—The purposes of this section are to:

(a) Provide performance-based outcome measures and accountability for juvenile justice education programs; and

(b) Improve academic and workforce-related outcomes so that adjudicated and at-risk youth may successfully complete the transition to and reenter the academic and workforce environments.

(4) DEFINITION.—For purposes of this section, the term "juvenile justice education programs" has the same meaning as in s. 1003.01(11)(a).

(5) SCHOOL DISTRICT AND CONTRACTED EDUCATION PROVIDER RESPONSIBILITIES.—

(a) A school district or private provider contracted by a school district to offer education services to youth in a juvenile justice education program shall:

1. Provide rigorous and relevant academic and workforce-related curricula that will lead to industry certifications or occupational completion points in an occupational area identified in the Industry Certification Funding list adopted by the State Board of Education, or articulate to secondary or postsecondary-level coursework, as appropriate.

2. Support state, local, and regional economic development demands.

3. Make high-wage and high-demand careers more accessible to adjudicated and at-risk youth.

4. Reduce rates of recidivism for adjudicated youth.

5. Provide access to the appropriate courses and instruction to prepare youth for a standard high school diploma, a special diploma, or a high school equivalency diploma, as appropriate.

6. Provide access to virtual education courses that are appropriate to meet the requirements of academic or workforce-related programs and the requirements for continuing education specified in the youth's transition and postrelease plans.

7. Provide opportunities for earning credits toward high school graduation or credits that articulate to postsecondary education institutions while the youth are in residential and nonresidential juvenile justice facilities.

8. Ensure that the credits and partial credits earned by the youth are transferred and included in the youth's records as part of the transition plan.

9. Ensure that the education program consists of the appropriate academic, workforce-related, or exceptional education curricula and related services that directly support performance outcomes, which must be specified in each youth's education transition plan component as required by subsection (10).

10. If the duration of a youth's stay in a program is less than 40 days, ensure that the youth receives employability, life skills, and academic remediation, as appropriate. In addition, counseling and transition services must be provided which mitigate the youth's identified risk factors and prepare the youth for a successful reintegration into the school, community, and home settings.

11. Maintain an academic record for each youth who is enrolled in a juvenile justice facility, as required by s. 1003.51, and ensure that the coursework, credits, partial credits, occupational completion points, and industry certifications earned by the youth are transferred and included in the youth's transition plan pursuant to s. 985.46.

(b) Each school district and private provider shall ensure that the following youth participate in the program:

1. Youth who are of compulsory school attendance age pursuant to s. 1003.21.

2. Youth who are not of compulsory school attendance age and who have not received a high school diploma or its equivalent, if the youth is in a residential or nonresidential juvenile justice program. Such youth must participate in the education program and participate in a workforce-related education program that leads to industry certification or occupational completion points in an occupational area identified in the Industry Certification Funding list adopted by the State Board of Education. This subparagraph does not limit the rights of students with disabilities, as defined under the Individuals with Disabilities Education Act, who are not of compulsory school attendance age and who have not received a high school diploma to receive a free, appropriate public education in accordance with their individualized needs.

3. Youth who have attained a high school diploma or its equivalent and who are not employed. Such youth must participate in a workforce-related education program that leads to employment in an occupational area identified in the Industry Certification Funding list adopted by the State Board of Education. Such youth may enroll in a state postsecondary institution to complete the workforce-related education program and are exempt from the payment of tuition and fees pursuant to s. 1009.25(1)(g).

(6) PROGRAM REQUIREMENTS.—In compliance with the strategic 5-year plan under s. 1003.491, each juvenile justice residential and nonresidential education program shall, in collaboration with the regional workforce board or economic development agency and local postsecondary institutions, determine the appropriate occupational areas for the program. Juvenile justice education programs must:

(a) Ensure that rigorous academic and workforce-related coursework is offered and meets or exceeds appropriate state-approved subject area standards, and results in the attainment of industry certification and postsecondary credit, when appropriate;

(b) Ensure instruction from individuals who hold state certifications, school district certifications pursuant to ss. 1012.39 and 1012.55(1), or industry credentials in the occupational areas in which they teach;

(c) Maximize the use of private sector personnel;

(d) Use strategies to maximize the delivery of virtual instruction;

(e) Maximize instructional efficiency for youth in juvenile justice facilities;

(f) Provide opportunities for youth to earn weighted or dual enrollment credit for higher-level courses, when appropriate;

(g) Promote credit recovery; and

(h) Provide instruction that results in competency, certification, or credentials in workplace skills, including, but not limited to, communication skills, interpersonal skills, decisionmaking skills, work ethic, and the importance of attendance and timeliness in the work environment.

(7) DEPARTMENT RESPONSIBILITIES.—

(a) The department shall identify each residential and nonresidential juvenile justice education program, excluding detention programs, as having one of the following performance ratings as defined by State Board of Education rule:

1. High performance.

2. Adequate performance.

3. Failing performance.

(b) The department shall consider the level of rigor associated with the attainment of a particular outcome when assigning weight to the outcome. The department shall evaluate the following elements in determining a juvenile justice education program's performance rating:

1. One or more of the following outcomes for a youth who is 14 years of age or younger:

a. Achieving academic progress in reading and mathematics, as measured by the statewide common pre- and post-assessment adopted by the department for use in juvenile justice education programs.

b. Participating in continuing education upon release from a juvenile justice residential or nonresidential program.

c. Completing secondary coursework upon release from a juvenile justice residential or nonresidential program.

d. Attaining occupational completion points in an occupational area identified in the Industry Certification Funding list adopted by the State Board of Education.

e. Attaining an industry certification in an occupational area identified in the Industry Certification Funding list adopted by the State Board of Education, if available and appropriate.

2. One or more of the following outcomes for a youth who is 15 years of age or older:

a. Achieving academic progress in reading and mathematics, as measured by the statewide common pre- and post-assessment adopted by the department for use in juvenile justice education programs.

b. Participating in continuing education upon release from a juvenile justice residential or nonresidential program.

c. Earning secondary or postsecondary credit upon release from a juvenile justice residential or nonresidential program.

d. Attaining a high school diploma or its equivalent upon release from a juvenile justice residential or nonresidential program.

e. Obtaining employment upon release from a juvenile justice residential or nonresidential program.

f. Attaining an industry certification in an occupational area identified in the Industry Certification Funding list adopted by the State Board of Education.

g. Attaining occupational completion points in an occupational area identified in the Industry Certification Funding list adopted by the State Board of Education.

h. Participating in continuing education upon release from a juvenile justice residential or nonresidential program in order to complete the industry certification identified in the Industry Certification Funding list adopted by the State Board of Education.

(c) By September 1, 2012, the department shall make available a common student pre- and post-assessment to measure the academic progress in reading and mathematics of youth who are assigned to juvenile justice education programs.

For purposes of performance ratings, juvenile justice residential and nonresidential education programs, excluding detention centers, shall be held accountable for the performance outcomes of youth for no more than 6 months after the release of youth from the residential or nonresidential program. This subsection does not abrogate the provisions of s. 1002.22 which relate to education records or the requirements of 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy Act.

(8) PROGRAM ACCOUNTABILITY.—

(a) The department shall, in collaboration with the Department of Juvenile Justice:

1. Monitor the education performance of youth in juvenile justice facilities.

2. Prohibit school districts or private providers that have failing performance ratings from delivering the education services.

3. Verify that a school district is operating or contracting with a private provider to deliver education services.

(b) If a school district's juvenile justice residential or nonresidential education program earns two failing performance ratings in any 3-year period, as provided in subsection (7), the school district shall contract with a private provider that has an adequate or higher performance rating or enter into an agreement with a school district that has an adequate or higher performance rating to deliver the education services to the youth in the program.

(c) Except as provided in paragraph (b), the school district of the county in which the residential or nonresidential facility is located shall deliver education services to youth in Department of Juvenile Justice programs. A school district may contract with a private provider to deliver the education services in lieu of directly providing the education services. The contract shall include performance criteria as provided in subsection (7).

(d) When determining educational placement for youth who enroll in a school district upon release, the school district must adhere to the transition plan established under s. 985.46(6).

(e) If a private provider under contract with a school district maintains an adequate or high-performance rating pursuant to subsection (7), the school district may not require a private provider to use the school district's personnel.

(f) Academic instructional personnel must be certified by the Department of Education; however, a nondegreed teacher of career education may be certified by a local school district under s. 1012.39 and may be designated as teaching out-of-field. An instructor who is deemed to be an expert in a specific field may be employed under s. 1012.55(1).

(g) Each school district must provide juvenile justice education programs access to substitute classroom teachers used by the school district.

(9) EXITING PROGRAM.—Upon exiting a program, a youth must:

(a) Attain an industry certification or occupational completion points in an occupational area identified in the Industry Certification Funding list adopted by the State Board of Education;

(b) Enroll in a program to complete the industry certification;

(c) Be gainfully employed and earning full-time wages; or

(d) Enroll in and continue his or her education based on the transition and postrelease plan provided in s. 958.46.

(10) EDUCATION TRANSITION PLAN COMPONENT.—

(a) The education transition plan component shall be incorporated in the transition plan pursuant to s. 985.46(6).

(b) Each juvenile justice education program must develop an education transition plan component during the course of a youth's stay in a juvenile justice residential or nonresidential program which coordinates academic and workforce services and assists the youth in successful community reintegration upon the youth's release.

(c) The development of the education transition plan component shall begin upon a youth's placement in the program. The education transition plan component must include the academic and workforce services to be provided during the program stay and the establishment of services to be implemented upon release. The appropriate personnel in the juvenile justice residential and nonresidential program, the members of the community, the youth, and the youth's family, when appropriate, shall collaborate to develop the education transition plan component.

(d) Education planning for reintegration shall begin when placement decisions are made and continue throughout the youth's stay in order to provide for continuing education, job placement, and other necessary services. Individuals who are responsible for reintegration shall coordinate activities to ensure that the education transition plan component is successfully implemented and a youth is provided access to support services that will sustain the youth's success once he or she is no longer under the supervision of the Department of Juvenile Justice. The education transition plan component must provide for continuing education, workforce development, or meaningful job placement pursuant to the performance outcomes in subsection (7). For purposes of this section, the term "reintegration" means the process by which a youth returns to the community following release from a juvenile justice program.

(11) FACILITIES.—The district school board may not be charged any rent, maintenance, utilities, or overhead on the facilities. Maintenance, repairs, and remodeling of existing facilities shall be provided by the Department of Juvenile Justice.

(12) RULEMAKING.—The State Board of Education shall collaborate with the Department of Juvenile Justice, the Department of Economic Opportunity, school districts, and private providers to adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this section which must include provisions for uniform contracts and contract requirements between school districts and private providers.

Section 11. Section 1003.52, Florida Statutes, is amended to read:

1003.52 Educational services in Department of Juvenile Justice programs.—

~~(1) The Legislature finds that education is the single most important factor in the rehabilitation of adjudicated delinquent youth in the custody of Department of Juvenile Justice programs. It is the goal of the Legislature that youth in the juvenile justice system continue to be allowed the opportunity to obtain a high quality education. The Department of Education shall serve as the lead agency for juvenile justice education programs, curriculum, support services, and resources. To this end, the Department of Education and the Department of Juvenile Justice shall each designate a Coordinator for Juvenile Justice Education Programs to serve as the point of contact for resolving issues not addressed by district school boards and to provide each department's participation in the following activities:~~

~~(a) Training, collaborating, and coordinating with the Department of Juvenile Justice, district school boards, educational contract providers, and juvenile justice providers, whether state operated or contracted.~~

~~(b) Collecting information on the academic performance of students in juvenile justice programs and reporting on the results.~~

~~(c) Developing academic and career protocols that provide guidance to district school boards and providers in all aspects of education programming, including records transfer and transition.~~

~~(d) Prescribing the roles of program personnel and interdepartmental district school board or provider collaboration strategies.~~

~~Annually, a cooperative agreement and plan for juvenile justice education service enhancement shall be developed between the Department of Juvenile Justice and the Department of Education and submitted to the Secretary of Juvenile Justice and the Commissioner of Education by June 30.~~

~~(2) Students participating in Department of Juvenile Justice programs pursuant to chapter 985 which are sponsored by a community-based agency or are operated or contracted for by the Department of Juvenile Justice shall receive educational programs according to rules of the State Board of Education. These students shall be eligible for services afforded to students enrolled in programs pursuant to s. 1003.53 and all corresponding State Board of Education rules.~~

~~(3) The district school board of the county in which the residential or nonresidential care facility or juvenile assessment facility is located shall provide appropriate educational assessments and an appropriate program of instruction and special education services.~~

~~(a) The district school board shall make provisions for each student to participate in basic, career education, and exceptional student programs as appropriate. Students served in Department of Juvenile Justice programs shall have access to the appropriate courses and instruction to prepare them for the GED test. Students participating in GED preparation programs shall be funded at the basic program cost factor for Department of Juvenile Justice programs in the Florida Education Finance Program. Each program shall be conducted according to applicable law providing for the operation of public schools and rules of the State Board of Education. School districts shall provide the GED exit option for all juvenile justice programs.~~

~~(b) By October 1, 2004, the Department of Education, with the assistance of the school districts, shall select a common student assessment instrument and protocol for measuring student learning gains and student progression while a student is in a juvenile justice education program. The assessment instrument and protocol must be implemented in all juvenile justice education programs in this state by January 1, 2005.~~

~~(4) Educational services shall be provided at times of the day most appropriate for the juvenile justice program. School programming in juvenile justice detention, commitment, and rehabilitation programs shall be made available by the local school district during the juvenile justice school year, as defined in s. 1003.01(11). In addition, students in juvenile justice education programs shall have access to Florida Virtual School courses. The Department of Education and the school districts shall adopt policies necessary to ensure such access.~~

~~(5) The educational program shall consist of appropriate basic academic, career, or exceptional curricula and related services which support the treatment goals and reentry and which may lead to completion of the requirements for receipt of a high school diploma or its equivalent. If the duration of a program is less than 40 days, the educational component may be limited to tutorial activities and career employability skills.~~

~~(6) Participation in the program by students of compulsory school-attendance age as provided for in s. 1003.21 shall be mandatory. All students of noncompulsory school-attendance age who have not received a high school diploma or its equivalent shall participate in the educational program, unless the student files a formal declaration of his or her intent to terminate school enrollment as described in s. 1003.21 and is afforded the opportunity to take the general educational development test and attain a Florida high school diploma prior to release from a facility. A youth who has received a high school diploma or its equivalent and is not employed shall participate in workforce development or other career or technical education or Florida College System institution or university courses while in the program, subject to available funding.~~

~~(7) A progress monitoring plan shall be developed for students who score below the level specified in district school board policy in reading, writing, and mathematics or below the level specified by the Commissioner of Education on statewide assessments as required by s. 1008.25. These plans shall address academic, literacy, and life skills and shall include provisions for intensive remedial instruction in the areas of weakness.~~

~~(8) Each district school board shall maintain an academic record for each student enrolled in a juvenile justice facility as prescribed by s. 1003.51. Such record shall delineate each course completed by the student according to procedures in the State Course Code Directory. The district school board shall include a copy of a student's academic record in the discharge packet when the student exits the facility.~~

~~(9) The Department of Education shall ensure that all district school boards make provisions for high school level youth to earn credits toward high school graduation while in residential and nonresidential juvenile justice facilities. Provisions must be made for the transfer of credits and partial credits earned.~~

~~(10) The district school board shall recruit and train teachers who are interested, qualified, or experienced in educating students in juvenile justice programs. Students in juvenile justice programs shall be provided a wide range of educational programs and opportunities including textbooks, technology, instructional support, and other resources available to students in public schools. Teachers assigned to educational programs in juvenile justice settings in which the district school board operates the educational program shall be selected by the district school board in consultation with the director of the juvenile justice facility. Educational programs in juvenile justice facilities shall have access to the substitute teacher pool utilized by the district school board.~~

~~(11) District school boards may contract with a private provider for the provision of educational programs to youths placed with the Department of Juvenile Justice and shall generate local, state, and federal funding, including funding through the Florida Education Finance Program for such students. The district school board's planning and budgeting process shall include the needs of Department of Juvenile Justice programs in the district school board's plan for expenditures for state categorical and federal funds.~~

~~(12)~~ The district school board shall fund the educational program in a Department of Juvenile Justice facility at the same or higher level of funding for equivalent students in the district school system based on the funds generated by state funding through the Florida Education Finance Program for such students. It is the intent of the Legislature

that the school district maximize its available local, state, and federal funding to a juvenile justice program.

(1)~~(a)~~ Juvenile justice educational programs shall be funded in the appropriate FEFP program based on the educational services needed by the student for Department of Juvenile Justice programs in accordance with s. 1011.62.

(2)~~(b)~~ Juvenile justice educational programs to receive the appropriate FEFP funding for Department of Juvenile Justice programs shall include those *that are* operated through a contract with the Department of Juvenile Justice and ~~which~~ are under purview of the Department of Juvenile Justice quality assurance standards for education.

(3)~~(c)~~ Consistent with the rules of the State Board of Education, district school boards are required to request an alternative FTE survey for Department of Juvenile Justice programs experiencing fluctuations in student enrollment.

(4)~~(d)~~ FTE count periods shall be prescribed in rules of the State Board of Education and shall be the same for programs of the Department of Juvenile Justice as for other public school programs. The summer school period for students in Department of Juvenile Justice programs shall begin on the day immediately following the end of the regular school year and end on the day immediately preceding the subsequent regular school year. Students shall be funded for no more than 25 hours per week of direct instruction.

(5)~~(e)~~ Each juvenile justice education program must receive all federal funds for which the program is eligible.

~~(13) Each district school board shall negotiate a cooperative agreement with the Department of Juvenile Justice on the delivery of educational services to youths under the jurisdiction of the Department of Juvenile Justice. Such agreement must include, but is not limited to:~~

~~(a) Roles and responsibilities of each agency, including the roles and responsibilities of contract providers.~~

~~(b) Administrative issues including procedures for sharing information.~~

~~(c) Allocation of resources including maximization of local, state, and federal funding.~~

~~(d) Procedures for educational evaluation for educational exceptionalities and special needs.~~

~~(e) Curriculum and delivery of instruction.~~

~~(f) Classroom management procedures and attendance policies.~~

~~(g) Procedures for provision of qualified instructional personnel, whether supplied by the district school board or provided under contract by the provider, and for performance of duties while in a juvenile justice setting.~~

~~(h) Provisions for improving skills in teaching and working with juvenile delinquents.~~

~~(i) Transition plans for students moving into and out of juvenile facilities.~~

~~(j) Procedures and timelines for the timely documentation of credits earned and transfer of student records.~~

~~(k) Methods and procedures for dispute resolution.~~

~~(l) Provisions for ensuring the safety of education personnel and support for the agreed-upon education program.~~

~~(m) Strategies for correcting any deficiencies found through the quality assurance process.~~

~~(14) Nothing in this section or in a cooperative agreement shall be construed to require the district school board to provide more services than can be supported by the funds generated by students in the juvenile justice programs.~~

~~(15)(a) The Department of Education in consultation with the Department of Juvenile Justice, district school boards, and providers shall establish objective and measurable quality assurance standards for the educational component of residential and nonresidential juvenile justice facilities. These standards shall rate the district school board's performance both as a provider and contractor. The quality assurance rating for the educational component shall be disaggregated from the overall quality assurance score and reported separately.~~

~~(b) The Department of Education shall develop a comprehensive quality assurance review process and schedule for the evaluation of the educational component in juvenile justice programs. The Department of Juvenile Justice quality assurance site visit and the education quality assurance site visit shall be conducted during the same visit.~~

~~(c) The Department of Education, in consultation with district school boards and providers, shall establish minimum thresholds for the standards and key indicators for educational programs in juvenile justice facilities. If a district school board fails to meet the established minimum standards, it will be given 6 months to achieve compliance with the standards. If after 6 months, the district school board's performance is still below minimum standards, the Department of Education shall exercise sanctions as prescribed by rules adopted by the State Board of Education. If a provider, under contract with the district school board, fails to meet minimum standards, such failure shall cause the district school board to cancel the provider's contract unless the provider achieves compliance within 6 months or unless there are documented extenuating circumstances.~~

~~(d) The requirements in paragraphs (a), (b), and (c) shall be implemented to the extent that funds are available.~~

~~(16) The district school board shall not be charged any rent, maintenance, utilities, or overhead on such facilities. Maintenance, repairs, and remodeling of existing facilities shall be provided by the Department of Juvenile Justice.~~

~~(17) When additional facilities are required, the district school board and the Department of Juvenile Justice shall agree on the appropriate site based on the instructional needs of the students. When the most appropriate site for instruction is on district school board property, a special capital outlay request shall be made by the commissioner in accordance with s. 1013.60. When the most appropriate site is on state property, state capital outlay funds shall be requested by the Department of Juvenile Justice provided by s. 216.043 and shall be submitted as specified by s. 216.023. Any instructional facility to be built on state property shall have educational specifications jointly developed by the district school board and the Department of Juvenile Justice and approved by the Department of Education. The size of space and occupant design capacity criteria as provided by State Board of Education rules shall be used for remodeling or new construction whether facilities are provided on state property or district school board property.~~

~~(18) The parent of an exceptional student shall have the due process rights provided for in this chapter.~~

~~(19) The Department of Education and the Department of Juvenile Justice, after consultation with and assistance from local providers and district school boards, shall report annually to the Legislature by February 1 on the progress toward developing effective educational programs for juvenile delinquents, including the amount of funding provided by district school boards to juvenile justice programs, the amount retained for administration including documenting the purposes for such expenses, the status of the development of cooperative agreements, the results of the quality assurance reviews including recommendations for system improvement, and information on the identification of, and services provided to, exceptional students in juvenile justice commitment facilities to determine whether these students are properly reported for funding and are appropriately served.~~

~~(20) The educational programs at the Arthur Dozier School for Boys in Jackson County and the Florida School for Boys in Okeechobee shall be operated by the Department of Education, either directly or through grants or contractual agreements with other public or duly accredited education agencies approved by the Department of Education.~~

~~(21) The State Board of Education may adopt any rules necessary to implement the provisions of this section, including uniform curriculum,~~

~~funding, and second chance schools. Such rules must require the minimum amount of paperwork and reporting.~~

~~(22) The Department of Juvenile Justice and the Department of Education, in consultation with Workforce Florida, Inc., the statewide Workforce Development Youth Council, district school boards, Florida College System institutions, providers, and others, shall jointly develop a multiagency plan for career education which describes the funding, curriculum, transfer of credits, goals, and outcome measures for career education programming in juvenile commitment facilities, pursuant to s. 985.622. The plan must be reviewed annually.~~

Section 12. Present paragraph (g) of subsection (1) of section 1009.25, Florida Statutes, is redesignated as paragraph (h), and a new paragraph (g) is added to that subsection, to read:

1009.25 Fee exemptions.—

(1) The following students are exempt from the payment of tuition and fees, including lab fees, at a school district that provides postsecondary career programs, Florida College System institution, or state university:

(g) For purposes of completing coursework initiated while in the temporary custody of the state, youth who are eligible under s. 1003.515(5)(b)3. and who are ordered by a court to participate in a juvenile justice residential program.

Section 13. Paragraph (a) of subsection (3) of section 1010.20, Florida Statutes, is amended to read:

1010.20 Cost accounting and reporting for school districts.—

(3) PROGRAM EXPENDITURE REQUIREMENTS.—

(a) Each district shall expend at least the percent of the funds generated by each of the programs listed in this section on the aggregate total school costs for such programs:

1. Kindergarten and grades 1, 2, and 3, 90 percent.

2. Grades 4, 5, 6, 7, and 8, 80 percent.

3. Grades 9, 10, 11, and 12, 80 percent.

4. Programs for exceptional students, on an aggregate program basis, 90 percent.

5. Grades 7 through 12 career education programs, on an aggregate program basis, 80 percent.

6. Students-at-risk programs, on an aggregate program basis, 80 percent.

7. Juvenile justice programs, on an aggregate program basis, *95* ~~90~~ percent.

8. Any new program established and funded under s. 1011.62(1)(c), that is not included under subparagraphs 1.-7., on an aggregate basis as appropriate, 80 percent.

Section 14. Paragraph (f) of subsection (1) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(f) *Supplemental academic instruction; categorical fund.*—

1. There is created a categorical fund to provide supplemental academic instruction to students in kindergarten through grade 12. This paragraph may be cited as the "Supplemental Academic Instruction Categorical Fund."

2. Categorical funds for supplemental academic instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. These funds shall be in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. These funds shall be used to provide supplemental academic instruction to students enrolled in the K-12 program. Supplemental instruction strategies may include, but are not limited to: modified curriculum, reading instruction, after-school instruction, tutoring, mentoring, class size reduction, extended school year, intensive skills development in summer school, and other methods for improving student achievement. Supplemental instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.

3. Effective with the *2012-2013* ~~1999-2000~~ fiscal year, funding on the basis of FTE membership beyond the 180-day regular term shall be provided in the FEFP only for students enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities or programs under s. 985.19. Funding for instruction beyond the regular 180-day school year for all other K-12 students shall be provided through the supplemental academic instruction categorical fund and other state, federal, and local fund sources with ample flexibility for schools to provide supplemental instruction to assist students in progressing from grade to grade and graduating.

4. The Florida State University School, as a lab school, is authorized to expend from its FEFP or Lottery Enhancement Trust Fund allocation the cost to the student of remediation in reading, writing, or mathematics for any graduate who requires remediation at a postsecondary educational institution.

5. ~~Beginning in the 1999-2000 school year,~~ Dropout prevention programs as defined in ss. *1003.515* ~~1003.52~~, 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in group 1 programs under subparagraph (d)3.

Section 15. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to juvenile justice education and workforce programs; amending s. 985.03, F.S.; providing a definition for the term "juvenile justice education programs" for purposes of the act; amending s. 985.46, F.S.; requiring that each juvenile committed to a juvenile justice commitment program have a transition plan upon release; requiring that the transition plan include an education transition plan component and information regarding delinquency treatment and intervention services that are accessible upon exiting the program; amending s. 985.618, F.S.; providing legislative intent regarding juvenile justice education and workforce-related programs; requiring that the Department of Juvenile Justice, in collaboration with the Department of Education, annually verify that each juvenile justice education program meets specified minimum standards; requiring that the department collaborate with certain entities to adopt rules; amending s. 985.632, F.S.; conforming provisions to changes made by the act; requiring that the Department of Education rather than the Department of Juvenile Justice ensure that there is accurate cost accounting for certain education programs; requiring that the Department of Education submit annual cost data to the Department of Juvenile Justice; requiring that the effectiveness of juvenile justice education programs be determined by implementing systematic data collection, data analysis, and evaluations; requiring that the programs be evaluated based on student performance outcomes; requiring that the Department of Juvenile Justice, in collaboration with the Department of Education and in consultation with other entities, prepare and submit an annual report to the Governor and the Legislature by a specified date; amending s. 985.721, F.S.; conforming a cross-reference; amending s. 1001.42, F.S.; conforming provisions to changes made by the act; conforming a cross-reference; amending ss. 1002.20 and 1002.45, F.S.; conforming cross-references; amending s. 1003.01, F.S.; revising the term "juvenile justice education programs or schools" to conform to changes made by the act; creating s. 1003.515, F.S.; providing a short title; providing a legislative finding; providing purposes of the Florida Juvenile Justice Education Act; providing a definition for the term "juvenile justice education programs"; providing responsibilities for school districts and private providers con-

tracted by school districts to offer education services to youth in juvenile justice education programs; requiring that each juvenile justice residential and nonresidential program involve the regional workforce board or economic development agency and local postsecondary institutions to determine the occupational areas for the education and workforce-related program; providing requirements for education and workforce-related services in juvenile justice programs; providing responsibilities for the Department of Education; requiring that the department identify each juvenile justice residential and nonresidential education program, excluding detention programs, by performance ratings; providing criteria for determining performance ratings; requiring that the department make available a common student pre- and post-assessment to measure the academic progress in reading and mathematics of youth in juvenile justice education programs; requiring that juvenile justice residential and nonresidential education programs, excluding detention centers, be held accountable for student performance outcomes for a specified period after youth are released from the programs; providing for program accountability; requiring that the department monitor the education performance of youth, prohibit certain school district or private providers, under specified circumstances, from delivering education services, and verify that a school district is operating or contracting to deliver education services; providing for a school district's responsibilities; requiring that a youth who exits the program attain an industry certification or occupational completion points, enroll in a program to complete the industry certification, be gainfully employed, or enroll in and continue his or her education based on a transition plan; requiring that an education transition plan component be incorporated in a youth's transition plan; requiring that each juvenile justice education program develop the education transition plan component during the course of the youth's stay in a juvenile justice residential or nonresidential program; prohibiting a district school board from being charged rent, maintenance, utilities, or overhead on facilities; requiring that the Department of Juvenile Justice provide maintenance, repairs, and remodeling of existing facilities; requiring that the State Board of Education collaborate with the Department of Juvenile Justice, the Department of Economic Opportunity, school districts, and private providers to adopt rules; amending s. 1003.52, F.S.; deleting provisions relating to educational services in Department of Juvenile Justice programs to conform to changes made by the act; amending s. 1009.25, F.S.; providing an exemption from the payment of postsecondary education fees and tuition for certain youth who are ordered by a court to participate in a juvenile justice residential program; amending s. 1010.20, F.S.; revising provisions relating to expenditure requirements for juvenile justice programs; amending s. 1011.62, F.S.; extending dates relating to the funding of students who are enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities; conforming a cross-reference; providing an effective date.

MOTION

On motion by Senator Wise, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Wise moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A (318890) (with title amendment)—Delete lines 993-1014.

And the title is amended as follows:

Delete lines 1182-1184 and insert: residential program; amending

Amendment 1 as amended was adopted.

On motion by Senator Wise, by two-thirds vote **CS for CS for HB 949** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bogdanoff	Diaz de la Portilla
Alexander	Braynon	Dockery
Altman	Bullard	Evers
Benacquisto	Dean	Fasano
Bennett	Detert	Flores
Gaetz	Margolis	Simmons
Garcia	Montford	Siplin
Gardiner	Negron	Smith
Gibson	Norman	Sobel
Hays	Oelrich	Storms
Jones	Rich	Thrasher
Joyner	Richter	Wise
Latvala	Ring	
Lynn	Sachs	

Nays—None

On motion by Senator Hays, by unanimous consent—

CS for SB 1242—A bill to be entitled An act relating to broadband Internet service; amending s. 364.0135, F.S.; revising provisions that promote adoption of broadband Internet service; providing for the Department of Economic Opportunity to receive and manage certain federal funds; directing the department to establish a public-private partnership to perform certain functions; authorizing the department to accept certain funds, enter into contracts, and establish committees and workgroups for certain purposes; authorizing the department to adopt rules; removing authority of the Department of Management Services to perform certain functions; providing for a type two transfer of the Broadband Initiative Program from the Department of Management Services to the Department of Economic Opportunity; requiring the Department of Management Services to submit to the United States Department of Commerce a request to transfer its federal broadband grant to the Department of Economic Opportunity; requiring the Department of Management Services to notify the Governor and Legislature of the decision of the United States Department of Commerce; requiring the Department of Management Services, if the request is approved, to submit a budget amendment for approval by the Legislative Budget Commission to transfer from the department to the Department of Economic Opportunity the funds necessary to implement this act; providing effective dates, one of which is contingent.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 1242**, on motion by Senator Hays, by two-thirds vote **CS for HB 945** was withdrawn from the Committees on Communications, Energy, and Public Utilities; Commerce and Tourism; Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations; and Budget.

On motion by Senator Hays—

CS for HB 945—A bill to be entitled An act relating to broadband Internet service; amending s. 364.0135, F.S.; revising provisions to promote adoption of broadband Internet service; providing for the Department of Economic Opportunity to receive and manage certain federal funds; directing the department to establish a public-private partnership to perform certain functions; authorizing the department to accept certain funds, enter into contracts, and establish committees and workgroups for certain purposes; authorizing the department to adopt rules; removing authority of the Department of Management Services to perform certain functions; providing for a type two transfer of the Broadband Initiative Program from the Department of Management Services to the Department of Economic Opportunity; requiring the Department of Management Services to submit to the United States Department of Commerce a request to transfer its federal broadband grant to the Department of Economic Opportunity; requiring the Department of Management Services to notify the Governor and Legislature of the decision of the United States Department of Commerce; requiring the Department of Management Services, if the request is approved, to submit a budget amendment for approval by the Legislative Budget Commission to transfer from the department to the Department of Economic Opportunity the funds necessary to implement this act; providing a contingent effective date.

—a companion measure, was substituted for **CS for SB 1242** and read the second time by title.

On motion by Senator Hays, by two-thirds vote **CS for HB 945** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

On motion by Senator Detert, by unanimous consent—

CS for CS for SB 1298—A bill to be entitled An act relating to identification cards and driver licenses; amending s. 322.051, F.S., relating to identification cards; revising requirements for documentation verifying veteran status; providing for issuance of a replacement identification card with a designation indicating the holder is a veteran; requiring documentation of veteran status; providing for a fee and disposition of the fee; providing an exception to certain fees; amending s. 322.14, F.S., relating to driver licenses; revising requirements for documentation verifying veteran status; providing for issuance of a replacement driver license with a designation indicating the holder is a veteran; requiring documentation of veteran status; providing for a fee and disposition of the fee; providing an exception to certain fees; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for CS for SB 1298**, on motion by Senator Detert, by two-thirds vote **CS for HB 1165** was withdrawn from the Committees on Military Affairs, Space, and Domestic Security; Transportation; Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations; and Budget.

On motion by Senator Detert,—

CS for HB 1165—A bill to be entitled An act relating to identification cards and driver licenses; amending s. 322.051, F.S., relating to identification cards; revising requirements for documentation verifying veteran status; providing for issuance of a replacement identification card with a designation indicating the holder is a veteran; requiring documentation of veteran status; providing for a fee and disposition of the fee; providing an exception to certain fees; amending s. 322.14, F.S., relating to driver licenses; revising requirements for documentation verifying veteran status; providing for issuance of a replacement driver license with a designation indicating the holder is a veteran; requiring documentation of veteran status; providing for a fee and disposition of the fee; providing an exception to certain fees; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1298** and read the second time by title.

On motion by Senator Detert, by two-thirds vote **CS for HB 1165** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bullard	Flores
Alexander	Dean	Gaetz
Altman	Detert	Garcia
Benacquisto	Diaz de la Portilla	Gardiner
Bennett	Dockery	Gibson
Bogdanoff	Evers	Hays
Braynon	Fasano	Jones
Joyner	Oelrich	Smith
Latvala	Rich	Sobel
Lynn	Richter	Storms
Margolis	Ring	Thrasher
Montford	Sachs	Wise
Negron	Simmons	
Norman	Siplin	

Nays—None

BILLS ON THIRD READING

CS for CS for SB 1718—A bill to be entitled An act relating to parent empowerment in education; amending s. 1001.10, F.S.; conforming a cross-reference; amending s. 1002.20, F.S.; authorizing parents of students who are assigned to certain underperforming public schools to submit a petition to the school district requesting implementation of a school turnaround option; requiring a school district, upon request, to provide a parent with a performance evaluation for each classroom teacher assigned to his or her child; requiring notification to the parent of each student who is assigned to a classroom teacher who is teaching out-of-field or who has received unsatisfactory performance evaluations; requiring such notification to include information about the availability of virtual instruction; amending s. 1002.32, F.S.; correcting a cross-reference; amending s. 1002.33, F.S.; requiring charter schools to be in compliance with statutes relating to notifications and assignment of teachers; creating s. 1003.07, F.S., the Parent Empowerment Act; requiring each school district to notify parents of students attending a lowest-performing school that has been unable to improve performance and must implement a school turnaround option; authorizing parents to submit a petition requesting implementation of an available school turnaround option; providing requirements for submission of a petition and its consideration and adoption by the district school board; requiring the State Board of Education to adopt rules for the petition process and specifying requirements therefor; amending s. 1008.33, F.S.; identifying the options for improving a school identified in the lowest-performing category as school turnaround options; authorizing parents to submit a petition to the school district to implement a school turnaround option; amending s. 1012.2315, F.S.; requiring that each district school board adopt rules to implement an assistance plan for out-of-field classroom teachers and requiring their participation in certain programs; requiring that the school district annually notify the parent of each student assigned to an out-of-field classroom teacher or a classroom teacher who has received unsatisfactory performance evaluations; requiring such notification to include information about the availability of virtual instruction; requiring that a school district, upon request, provide a parent with the performance evaluation of each classroom teacher assigned to his or her child; prohibiting the consecutive assignment of students to classroom teachers who receive certain performance evaluations; repealing s. 1012.42, F.S., relating to teachers teaching out-of-field; providing an effective date.

—as amended March 8 was read the third time by title.

SENATOR BENNETT PRESIDING

SENATOR THRASHER PRESIDING

THE PRESIDENT PRESIDING

On motion by Senator Flores, **CS for CS for SB 1718** as amended failed to pass. The vote was:

Yeas—20

Mr. President	Evers	Norman
Alexander	Flores	Richter
Altman	Gaetz	Simmons
Benacquisto	Garcia	Storms
Bennett	Gardiner	Thrasher
Bogdanoff	Latvala	Wise
Diaz de la Portilla	Negron	

Nays—20

Braynon	Hays	Rich
Bullard	Jones	Ring
Dean	Joyner	Sachs
Detert	Lynn	Siplin
Dockery	Margolis	Smith
Fasano	Montford	Sobel
Gibson	Oelrich	

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed HB 7131 as further amended, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

HB 7131—A bill to be entitled An act for the relief of Irving Hoffman and Marjorie Weiss, parents of Rachel Hoffman, deceased, individually and as co-personal representatives of the Estate of Rachel Hoffman, by the City of Tallahassee; providing an appropriation to compensate them for the wrongful death of their daughter, Rachel Hoffman, who was murdered while serving as a confidential informant for the Tallahassee Police Department; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

House Amendment 1 to Senate Amendment 1 (525769)—Remove lines 5-7 of the amendment and insert: *$270,000. However, taxable costs, which may not include attorney fees and lobbying fees, related to the underlying civil action may be collected in addition to the $270,000.*

On motion by Senator Fasano, the Senate concurred in the House amendment to the Senate amendment.

HB 7131 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

Mr. President	Evers	Montford
Alexander	Fasano	Negron
Altman	Garcia	Norman
Benacquisto	Gardiner	Rich
Bogdanoff	Gibson	Richter
Braynon	Hays	Ring
Bullard	Jones	Sachs
Dean	Joyner	Simmons
Detert	Latvala	Siplin
Diaz de la Portilla	Lynn	Smith
Dockery	Margolis	Thrasher

Nays—3

Bennett	Gaetz	Wise

SPECIAL ORDER CALENDAR

The Senate resumed consideration of—

CS for CS for CS for HB 859—A bill to be entitled An act relating to the Florida Tax Credit Scholarship Program; amending s. 1002.395, F.S.; revising student eligibility requirements for participation in the program; increasing the tax credit cap amount applicable to the program; revising provisions relating to the reporting of test scores by private schools participating in the program; providing that a private school may choose to offer and administer statewide assessments at the school; revising Department of Education duties relating to site visits; requiring the department to provide at no cost statewide assessments and related materials to a school that makes such a request; providing conditions under which statewide assessments may be administered at a private school; requiring a private school to follow statutory requirements, State Board of Education rules, and district testing policies; requiring a school district to coordinate with the department to provide statewide assessments and related materials to a private school upon the department's request; providing school district responsibilities; revising the conditions upon which the Commissioner of Education may base the denial, suspension, or revocation of a private school's participation in the program or the suspension of scholarship fund payment; amending s. 1002.20, F.S.; conforming provisions; providing an effective date.

—which was previously considered this day.

MOTION

On motion by Senator Lynn, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Lynn moved the following amendment which failed:

Amendment 1 (882728) (with title amendment)—Delete line 213 and insert: *school board. However, the state may not impose requirements on the curriculum of a private school regardless of whether the private school chooses to administer the statewide assessments.*

And the title is amended as follows:

Between lines 18 and 19 insert: prohibiting the state from imposing requirements on the curriculum of a private school regardless of whether the private school chooses to administer the statewide assessments;

On motion by Senator Benacquisto, by two-thirds vote **CS for CS for CS for HB 859** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Evers	Negron
Alexander	Fasano	Norman
Altman	Flores	Oelrich
Benacquisto	Gaetz	Richter
Bennett	Garcia	Ring
Bogdanoff	Gardiner	Simmons
Bullard	Hays	Siplin
Dean	Jones	Storms
Detert	Latvala	Thrasher
Diaz de la Portilla	Lynn	Wise
Dockery	Montford	

Nays—8

Braynon	Margolis	Smith
Gibson	Rich	Sobel
Joyner	Sachs	

On motion by Senator Latvala, by unanimous consent—

CS for SB 620—A bill to be entitled An act relating to district school boards; amending s. 1001.371, F.S.; requiring that each district school board organize and elect a chair in November of each year which, during an election year, must coincide with the date upon which newly elected members' terms begin pursuant to s. 100.041, F.S.; providing an exception if the chair is elected by a districtwide vote; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 620**, on motion by Senator Latvala, by two-thirds vote **CS for HB 1357** was withdrawn from the Committees on Education Pre-K - 12; Governmental Oversight and Accountability; Budget Subcommittee on Education Pre-K - 12 Appropriations; and Budget.

On motion by Senator Latvala—

CS for HB 1357—A bill to be entitled An act relating to district school boards; amending s. 1001.371, F.S.; requiring that each district school board organize and elect a chair in November and, in an election year, elect a chair in compliance with requirements for a general election year; providing an exception if the chair is elected by a districtwide vote; providing an effective date.

—a companion measure, was substituted for **CS for SB 620** and read the second time by title.

On motion by Senator Latvala, by two-thirds vote **CS for HB 1357** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

CS for CS for SB 222—A bill to be entitled An act relating to limited agricultural associations; amending s. 604.14, F.S.; providing for the conversion of limited agricultural associations to corporations not for profit; conforming provisions; amending s. 617.0122, F.S.; specifying a fee for filing a limited agricultural association's certificate of conversion to a domestic corporation; creating s. 617.1809, F.S.; defining the term "limited agricultural association" for purposes of the act; providing procedures for conversion of a limited agricultural association to a domestic corporation not for profit; requiring the filing of a certificate of conversion and articles of incorporation with the Department of State; providing for the effective date of the conversion; providing that the conversion does not affect any obligation or liability of the association; providing that all rights, property, and obligations of the association are vested in the corporation; specifying that the association is not required to wind up its affairs or pay its liabilities and distribute its assets; providing for the association's approval before the certificate of conversion is filed; authorizing the association to provide a plan or other record of conversion; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 222**, on motion by Senator Siplin, by two-thirds vote **CS for HB 827** was withdrawn from the Committees on Commerce and Tourism; Agriculture; Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations; and Budget.

On motion by Senator Siplin—

CS for HB 827—A bill to be entitled An act relating to limited agricultural associations; amending s. 604.14, F.S.; providing for the conversion of limited agricultural associations to corporations not for profit; conforming provisions; amending s. 617.0122, F.S.; specifying a fee for filing a limited agricultural association's certificate of conversion to a domestic corporation; creating s. 617.1809, F.S.; defining the term "limited agricultural association" for purposes of the act; providing procedures for conversion of a limited agricultural association to a domestic corporation not for profit; requiring the filing of a certificate of conversion and articles of incorporation with the Department of State; providing for the effective date of the conversion; providing that the conversion does not affect any obligation or liability of the association; providing that all rights, property, and obligations of the association are vested in the corporation; specifying that the association is not required to wind up its affairs or pay its liabilities and distribute its assets; providing for the association's approval before the certificate of conversion is filed; authorizing the association to provide a plan or other record of conversion; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 222** and read the second time by title.

On motion by Senator Siplin, by two-thirds vote **CS for HB 827** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Norman
Alexander	Flores	Oelrich
Altman	Gaetz	Rich
Benacquisto	Gardiner	Richter
Bennett	Gibson	Ring
Bogdanoff	Hays	Sachs
Braynon	Jones	Simmons
Bullard	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise

Nays—None

INTRODUCTION OF FORMER SENATOR

Senator Rich introduced Congresswoman Debbie Wasserman-Schultz, former Senator, who was present in the chamber.

On motion by Senator Oelrich, by unanimous consent—

CS for CS for SB 1262—A bill to be entitled An act relating to warranty associations; amending s. 634.011, F.S.; revising the definition of the term "motor vehicle service agreement"; amending s. 634.121, F.S.; providing criteria for a motor vehicle service agreement company to effectuate refunds through the issuing salesperson or agent; requiring the salesperson, agent, or service agreement company to maintain a copy of certain documents; requiring a salesperson or agent to provide a copy of a document to the service agreement company if requested by the Department of Financial Services or the Office of Insurance Regulation; requiring the office to provide to the department findings that a salesperson or agent exhibits a pattern or practice of failing to effectuate refunds or to maintain and remit to the service agreement company the required documentation; amending s. 634.141, F.S.; authorizing rather than requiring the office to examine service agreement companies; limiting the examination period to the most recent 5 years; limiting the cost of certain examinations; creating s. 634.2855, F.S.; authorizing a governmental entity, public agency, institution, person, firm, or legal entity to provide money to the department to pursue unauthorized entities operating as motor vehicle service agreement companies; providing requirements for the deposit of the money; providing that funds remaining at the end of any fiscal year shall be available for carrying out duties and responsibilities of the department or the office; amending s. 634.312, F.S.; authorizing a home warranty association to effectuate a refund through the issuing sales representative; amending s. 634.314, F.S.; authorizing rather than requiring the office to examine home warranty associations; limiting the examination period to the most recent 5 years; limiting the cost of certain examinations; removing the requirement that the commission establish rules for conducting examinations; removing the criteria for determining whether an examination is warranted; creating s. 634.3385, F.S.; authorizing a governmental entity, public agency, institution, person, firm, or legal entity to provide money to the department to pursue unauthorized entities operating as home warranty associations; providing that funds remaining at the end of any fiscal year shall be available for carrying out duties and responsibilities of the department or the office; amending s. 634.414, F.S.; authorizing service warranty associations to effectuate refunds through the issuing sales

representative; authorizing a service warranty association to issue refunds by cash, check, store credit, gift card, or other similar means; amending s. 634.416, F.S.; authorizing rather than requiring the office to examine service warranty associations; limiting the examination period to the most recent 5 years; limiting the costs of certain examinations; removing the requirement that the commission establish rules for conducting examinations; removing the criteria for determining whether an examination is warranted; removing provisions relating to the rates charged a to service warranty association for examinations; creating s. 634.4385, F.S.; authorizing a governmental entity, public agency, institution, person, firm, or legal entity to provide money to the department to pursue unauthorized entities operating as service warranty associations; providing that funds remaining at the end of any fiscal year shall be available for carrying out duties and responsibilities of the department or the office; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for CS for SB 1262**, on motion by Senator Oelrich, by two-thirds vote **CS for CS for HB 1011** was withdrawn from the Committees on Banking and Insurance; and Budget Subcommittee on General Government Appropriations.

On motion by Senator Oelrich—

CS for CS for HB 1011—A bill to be entitled An act relating to warranty associations; amending s. 634.011, F.S.; revising the definition of the term "motor vehicle service agreement"; amending s. 634.121, F.S.; providing criteria for a motor vehicle service agreement company to effectuate refunds through the issuing salesperson or agent; requiring the salesperson, agent, or service agreement company to maintain a copy of certain documents; requiring a salesperson or agent to provide a copy of a document to the service agreement company if requested by the Department of Financial Services or the Office of Insurance Regulation; requiring the office to provide to the department findings that a salesperson or agent exhibits a pattern or practice of failing to effectuate refunds or to maintain and remit to the service agreement company the required documentation; amending s. 634.141, F.S.; authorizing rather than requiring the office to examine service agreement companies; limiting the examination period to the most recent 5 years; limiting the cost of certain examinations; creating s. 634.2855, F.S.; authorizing a governmental entity, public agency, institution, person, firm, or legal entity to provide money to the department to pursue unauthorized entities operating as motor vehicle service agreement companies; providing requirements for the deposit of the money; providing that funds remaining at the end of any fiscal year shall be available for carrying out duties and responsibilities of the department or the office; amending s. 634.312, F.S.; authorizing a home warranty association to effectuate a refund through the issuing sales representative; amending s. 634.314, F.S.; authorizing rather than requiring the office to examine home warranty associations; limiting the examination period to the most recent 5 years; limiting the cost of certain examinations; removing the requirement that the commission establish rules for conducting examinations; removing the criteria for determining whether an examination is warranted; creating s. 634.3385, F.S.; authorizing a governmental entity, public agency, institution, person, firm, or legal entity to provide money to the department to pursue unauthorized entities operating as home warranty associations; providing that funds remaining at the end of any fiscal year shall be available for carrying out duties and responsibilities of the department or the office; amending s. 634.414, F.S.; authorizing service warranty associations to effectuate refunds through the issuing sales representative; authorizing a service warranty association to issue refunds by cash, check, store credit, gift card, or other similar means; amending s. 634.416, F.S.; authorizing rather than requiring the office to examine service warranty associations; limiting the examination period to the most recent 5 years; limiting the costs of certain examinations; removing the requirement that the commission establish rules for conducting examinations; removing the criteria for determining whether an examination is warranted; removing provisions relating to the rates charged a to service warranty association for examinations; creating s. 634.4385, F.S.; authorizing a governmental entity, public agency, institution, person, firm, or legal entity to provide money to the department to pursue unauthorized entities operating as service warranty associations; providing that funds remaining at the end of any fiscal year shall be available for carrying out duties and responsibilities of the department or the office; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1262** and read the second time by title.

On motion by Senator Oelrich, by two-thirds vote **CS for CS for HB 1011** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

BILLS ON THIRD READING

CS for SB 752—A bill to be entitled An act relating to equitable distribution of marital assets and liabilities; amending s. 61.075, F.S.; redefining the term "marital assets and liabilities" to include the value of the marital portion of the passive appreciation of nonmarital real property; authorizing a court to require security and the payment of a reasonable rate of interest if installment payments are required for the distribution of marital assets and liabilities; requiring the court to provide written findings regarding any installment payments; creating s. 61.0765, F.S.; providing formulas for the calculation of the value of the marital portion of nonmarital real property subject to equitable distribution; requiring the court in the dissolution action to use the formulas unless sufficient evidence is presented showing that the application of the formulas is not equitable; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 752**, on motion by Senator Flores, by two-thirds vote **CS for CS for HB 565** was withdrawn from the Committees on Judiciary; Banking and Insurance; and Budget.

On motion by Senator Flores, the rules were waived and by two-thirds vote—

CS for CS for HB 565—A bill to be entitled An act relating to family law; amending s. 61.075, F.S.; redefining the term "marital assets and liabilities" to include the value of the marital portion of the passive appreciation of nonmarital real property; authorizing a court to require security and the payment of a reasonable rate of interest if installment payments are required for the distribution of marital assets and liabilities; requiring the court to provide written findings regarding any installment payments; creating s. 61.0765, F.S.; providing formulas for the calculation of the value of the marital portion of nonmarital real property subject to equitable distribution; requiring the court in the dissolution action to use the formulas unless sufficient evidence is presented showing that the application of the formulas is not equitable; amending s. 61.08, F.S.; revising requirements relating to the awarding of durational alimony; requiring a court to make certain written findings concerning awards of durational alimony; changing the term "permanent alimony" to "long-term alimony"; requiring written findings regarding the incomes of the parties after dissolution of marriage; crating a rebuttable presumption concerning the standard of living after dissolution of marriage; revising provisions relating to security of alimony awards; providing for calculation of duration of marriages of parties married to each other more than once; requiring written findings for certain awards of durational alimony; amending s. 61.14, F.S.; revising provisions relating to the effect of a supportive relationship on an award of alimony; authorizing a court to award an obligor attorney fees and costs under certain circumstances; providing that the fact that an obligor has

reached a reasonable retirement age for his or her profession, has retired, and has no intent to return to work is a substantial change in circumstances as a matter of law; requiring a court to impute income to the obligee based on the analysis and factors set forth in specified provisions; amending s. 61.18, F.S.; conforming provisions to changes made by act; amending s. 61.19, F.S.; prohibiting the separate adjudication of issues in a dissolution of marriage case within 180 days after filing unless a court finds that there are exceptional circumstances; authorizing the separate adjudication of issues in a dissolution of marriage case if the case is more than 180 days past filing; requiring the separate adjudication of issues of a dissolution of marriage case, absent a showing of irreparable harm, if the case is more than 365 days past filing; providing an effective date.

—a companion measure, was substituted for **CS for SB 752** and read the second time by title.

On motion by Senator Flores, further consideration of **CS for CS for HB 565** was deferred.

CONFERENCE COMMITTEE REPORT ON SB 1958

SENATOR BENNETT PRESIDING

SENATOR THRASHER PRESIDING

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 1958, same being:

An act relating to Department of Health.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House of Representatives recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
s/ Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring, At Large
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large

s/ Richard "Rich" Glorioso
Lead Manager
Charles S. "Chuck" Chestnut IV
Chris Dorworth, At Large
s/ Eric Eisnaugle
s/ Matt Gaetz
s/ Gayle B. Harrell
Dorothy L. Hukill, At Large
John Legg, At Large
s/ Charles McBurney
s/ Larry Metz
s/ Ray Pilon
s/ Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
James W. "Jim" Waldman

At Large
s/ James C. "Jim" Frishe, At Large
s/ James W. "J.W." Grant
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Seth McKeel, At Large
s/ W. Keith Perry
Darryl Ervin Rouson
Ron Saunders, At Large
s/ William D. Snyder, At Large
Darren Soto
s/ Will W. Weatherford, At Large

Managers on the part of the House

The Conference Committee Amendment for 1958, Department of Health, provides for the following:

- Amends s. 945.602(1), Florida Statutes, by assigning, for administrative purposes, the Correctional Medical Authority (CMA) to the Executive Office of the Governor rather than the Department of Health.
- Transfers all powers, duties, and functions of the CMA and its 7 member governing board to the Executive Office of the Governor.

Conference Committee Amendment (744154)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsections (1) and (3) of section 945.602, Florida Statutes, are amended to read:

945.602 State of Florida Correctional Medical Authority; creation; members.—

(1) There is created the State of Florida Correctional Medical Authority, which for administrative purposes shall be assigned to the *Executive Office of the Governor* ~~Department of Health~~. The governing board of the authority shall be composed of *seven* ~~nine~~ persons appointed by the Governor subject to confirmation by the Senate. One member must be a member of the Florida Hospital Association~~; one member must be a member of the Florida League of Hospitals; one member must be a member of the Association of Community Hospitals and Health Systems of Florida;~~ and one member must be a member of the Florida Medical Association. The authority shall contract with the *Executive Office of the Governor* ~~Department of Health~~ for the provision of administrative support services, including purchasing, personnel, general services, and budgetary matters. The authority *is* ~~shall~~ not ~~be~~ subject to control, supervision, or direction by the *Executive Office of the Governor* ~~Department of Health~~ or the Department of Corrections. The authority shall annually elect one member to serve as chair. Members shall be appointed for terms of 4 years each. Each member *may* ~~is authorized to~~ continue to serve upon the expiration of his or her term until a successor is duly appointed as provided in this section. Before entering upon his or her duties, each member of the authority shall take and subscribe to the oath or affirmation required by the State Constitution.

(3) ~~Effective for new appointments after July 1, 1996,~~ At least one member of the authority must be a physician licensed under chapter 458, and one member of the authority may be a physician licensed under chapter 458 or chapter 459. At least two other members of the authority must have had at least 5 years' experience in health care administration.

Section 2. *All powers, duties, functions, records, offices, personnel, associated administrative support positions, property, pending issues, existing contracts, administrative authority, and administrative rules relating to the State of Florida Correctional Medical Authority in the Department of Health are transferred to the Executive Office of the Governor.*

Section 3. This act shall take effect July 1, 2012.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Department of Health; amending s. 945.602, F.S.; assigning, for administrative purposes, the Correctional Medical Authority to the Executive Office of the Governor, rather than

the Department of Health; reducing the membership of the authority; conforming provisions to changes made by the act; deleting an obsolete provision; providing for a transfer of the administration of the Correctional Medical Authority from the Department of Health to the Executive Office of the Governor; providing an effective date.

On motion by Senator Bogdanoff, **SB 1958** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 1958** which comes before the Senate floor for a vote on March 9, 2012.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 4th District

CONFERENCE COMMITTEE REPORT ON SB 1960

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 1960, same being:

An act relating to state judicial system.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House of Representatives recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
s/ Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
Chris Dorworth, At Large
s/ Eric Eisnaugle
s/ James W. "J.W." Grant
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Seth McKeel, At Large
s/ W. Keith Perry
Darryl Ervin Rouson
Ron Saunders, At Large
s/ William D. Snyder, At Large
Darren Soto
s/ Will W. Weatherford, At Large
s/ Richard "Rich" Glorioso
Lead Manager
Charles S. "Chuck" Chestnut IV
At Large
s/ James C. "Jim" Frishe, At Large
s/ Gayle B. Harrell
Dorothy L. Hukill, At Large
John Legg, At Large
s/ Charles McBurney
s/ Larry Metz
s/ Ray Pilon
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
James W. "Jim" Waldman

Managers on the part of the House

The Conference Committee Amendment for SB 1960, State Judicial System, provides for the following:

- This bill makes conforming changes to the Florida Statutes necessary to implement the budget in the judiciary. Specifically, the bill:
- Amends statutes to refine the qualifications of the Regional Conflict Counsel and provide for a more efficient Regional Counsel selection and appointment process.
- Makes real property record and motor vehicle record searches optional when clerks review applications of persons applying for indigency status.
- Permits a judicial circuit to create a limited registry of court-appointed attorneys willing to waive compensation above the flat fees to handle conflict cases.
- Requires the state court system to pay court-appointed attorney fees ordered by the court above the flat fees established in law, once the funds appropriated for that purpose have been spent.
- Allows guardian ad litem volunteers to transport clients.
- Allows for the supervision and oversight of county funded employees by the guardian ad litem program.
- Requires the Clerk of Court Operations Corporation to collect and submit to the Legislature a quarterly report from the clerks of court on a local surcharge on traffic infractions.

Conference Committee Amendment (300386)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsections (3) and (4) of section 27.40, Florida Statutes, are amended to read:

27.40 Court-appointed counsel; circuit registries; minimum requirements; appointment by court.—

(3) In utilizing a registry:

(a) The chief judge of the circuit shall compile a list of attorneys in private practice, by county and by category of cases, and provide the list to the clerk of court in each county. *The chief judge of the circuit may restrict the number of attorneys on the general registry list.* ~~From October 1, 2005, through September 30, 2007, the list of attorneys compiled by the Eleventh Judicial Circuit shall provide the race, gender, and national origin of assigned attorneys.~~ To be included on a registry, attorneys shall certify*:*

1. That they meet any minimum requirements *established by the chief judge and by* ~~established in~~ general law for court appointment*;*~~;~~

2. That they are available to represent indigent defendants in cases requiring court appointment of private counsel*;*~~, and~~

3. That they are willing to abide by the terms of the contract for services*; and*

4. Whether they are willing to accept as full payment the flat fees prescribed in s. 27.5304, notwithstanding the provisions of s. 27.5304(12), except for cases brought under the Racketeer Influenced and Corrupt Organizations Act and capital cases as defined in s. 27.5304(5)(a)4.

To be included on a registry, an attorney also must enter into a contract for services with the Justice Administrative Commission. Failure to comply with the terms of the contract for services may result in termination of the contract and removal from the registry. Each attorney on the registry shall be responsible for notifying the clerk of the court and the Justice Administrative Commission of any change in his or her status. Failure to comply with this requirement shall be cause for termination of the contract for services and removal from the registry until the requirement is fulfilled. *In addition to general registries, the chief judge may establish limited registries that include only those attorneys willing to waive compensation in excess of the flat fee prescribed in s. 27.5304, notwithstanding the provisions of s. 27.5304(12).*

(b) The court shall appoint attorneys in rotating order in the order in which names appear on the applicable registry, unless the court makes a finding of good cause on the record for appointing an attorney out of order. *If a chief judge establishes a limited registry of attorneys willing to waive compensation in excess of the flat fee, the court shall appoint attorneys from that limited registry unless there are no attorneys available to accept the appointment on the limited registry.* The clerk of court shall maintain the registry and provide to the court the name of the attorney for appointment. An attorney not appointed in the order in which his or her name appears on the list shall remain next in order.

(c) If the number of attorneys on the registry in a county or circuit for a particular category of cases is inadequate, the chief judge of the particular circuit shall provide to the clerk of court the names of at least three private attorneys who have relevant experience. The clerk of court shall send an application to each of these attorneys to register for appointment.

(d) Quarterly, each chief judge shall provide a current copy of each registry to the Chief Justice of the Supreme Court, the state attorney and public defender in each judicial circuit, the office of criminal conflict and civil regional counsel, the clerk of court in each county, and the Justice Administrative Commission. ~~From October 1, 2005, through September 30, 2007,~~ *Circuits utilizing a limited registry list as allowed by paragraph (a)* ~~the report submitted by the Eleventh Judicial Circuit~~ shall include the race, gender, and national origin of all attorneys listed in and appointed under the *limited* registry.

(4) To be eligible for court appointment, an attorney must be a member in good standing of The Florida Bar in addition to any other qualifications specified by general law *and any requirements set by the chief judge of the circuit.*

Section 2. Subsection (3) of section 27.511, Florida Statutes, is amended to read:

27.511 Offices of criminal conflict and civil regional counsel; legislative intent; qualifications; appointment; duties.—

(3)*(a)* Each regional counsel must be, and must have been for the preceding 5 years, a member in good standing of The Florida Bar ~~or a similar organization in another state~~. Each regional counsel shall be appointed by the Governor and is subject to confirmation by the Senate. The Supreme Court Judicial Nominating Commission*, in addition to the current regional counsel,* shall recommend to the Governor *not fewer than two or more than five additional* ~~three~~ qualified candidates for appointment to each of the five regional counsel positions. The Governor shall appoint the regional counsel for the five regions from among the recommendations, or, if it is in the best interest of the fair administration of justice, the Governor may reject the nominations and request that the Supreme Court Judicial Nominating Commission submit three new nominees. The regional counsel shall be appointed to a term of 4 years, the ~~first~~ term beginning on *October 1, 2015* ~~July 1, 2007~~. Vacancies shall be filled in the ~~same~~ manner *provided in paragraph (b)* ~~as appointments~~.

(b) If for any reason a regional counsel is unable to complete a full term in office, the Governor may immediately appoint an interim regional counsel who meets the qualifications to be a regional counsel to serve as regional counsel for that district until a new regional counsel is appointed in the manner provided in paragraph (a). The Florida Supreme Court Judicial Nominating Commission shall provide the Governor with a list of nominees for appointment within 6 months after the date of the vacancy. A temporary vacancy in office does not affect the validity of any matters or activities of the office of regional counsel.

Section 3. Paragraph (a) of subsection (2) of section 27.52, Florida Statutes, is amended to read:

27.52 Determination of indigent status.—

(2) DETERMINATION BY THE CLERK.—The clerk of the court shall determine whether an applicant seeking appointment of a public defender is indigent based upon the information provided in the application and the criteria prescribed in this subsection.

(a)~~1.~~ An applicant, including an applicant who is a minor or an adult tax-dependent person, is indigent if the applicant's income is equal to or below 200 percent of the then-current federal poverty guidelines prescribed for the size of the household of the applicant by the United States Department of Health and Human Services or if the person is receiving Temporary Assistance for Needy Families-Cash Assistance, poverty-related veterans' benefits, or Supplemental Security Income (SSI).

1.~~2.a.~~ There is a presumption that the applicant is not indigent if the applicant owns, or has equity in, any intangible or tangible personal property or real property or the expectancy of an interest in any such property having a net equity value of $2,500 or more, excluding the value of the person's homestead and one vehicle having a net value not exceeding $5,000.

2.~~b.~~ Notwithstanding the information that the applicant provides, the clerk *may* ~~shall~~ conduct a review of the property records for the county in which the applicant resides and the motor vehicle title records of the state to identify any property interests of the applicant under this *paragraph* ~~subparagraph~~. The clerk *may* ~~shall~~ evaluate and consider the results of the review in making a determination under this subsection. *If the review is conducted,* the clerk shall maintain the results of the review in a file with the application and provide the file to the court if the applicant seeks review under subsection (4) of the clerk's determination of indigent status.

Section 4. Section 27.5304, Florida Statutes, is amended to read:

27.5304 Private court-appointed counsel; compensation*; notice*.—

(1) Private court-appointed counsel shall be compensated by the Justice Administrative Commission as provided in this section and the General Appropriations Act. The flat fees prescribed in this section are limitations on compensation. The specific flat fee amounts for compensation shall be established annually in the General Appropriations Act. The attorney also shall be reimbursed for reasonable and necessary expenses in accordance with s. 29.007. If the attorney is representing a defendant charged with more than one offense in the same case, the attorney shall be compensated at the rate provided for the most serious offense for which he or she represented the defendant. This section does not allow stacking of the fee limits established by this section.

(2) The Justice Administrative Commission shall review an intended billing by private court-appointed counsel for *attorney* ~~attorney's~~ fees

based on a flat fee per case for completeness and compliance with contractual and statutory requirements. The commission may approve the intended bill for a flat fee per case for payment without approval by the court if the intended billing is correct. An intended billing that seeks compensation for any amount exceeding the flat fee established for a particular type of representation, as prescribed in the General Appropriations Act, shall comply with subsections (11) and (12).

(3) The court retains primary authority and responsibility for determining the reasonableness of all billings for *attorney* ~~attorney's~~ fees, costs, and related expenses, subject to statutory limitations. Private court-appointed counsel is entitled to compensation upon final disposition of a case.

(4)(a) The attorney shall submit a bill for *attorney* ~~attorney's~~ fees, costs, and related expenses within 90 days after the disposition of the case at the lower court level, notwithstanding any appeals. The Justice Administrative Commission shall provide by contract with the attorney for imposition of a penalty of:

1. Fifteen percent of the allowable *attorney* ~~attorney's~~ fees, costs, and related expenses for a bill that is submitted more than 90 days after the disposition of the case at the lower court level, notwithstanding any appeals;

2. For cases for which disposition occurs on or after July 1, 2010, 50 percent of the allowable *attorney* ~~attorney's~~ fees, costs, and related expenses for a bill that is submitted more than 1 year after the disposition of the case at the lower court level, notwithstanding any appeals; or

3. For cases for which disposition occurs on or after July 1, 2010, 75 percent of the allowable *attorney* ~~attorney's~~ fees, costs, and related expenses for a bill that is submitted more than 2 years after the disposition of the case at the lower court level, notwithstanding any appeals.

(b) For purposes of this subsection, the term "disposition" means:

1. At the trial court level, that the court has entered a final appealable judgment, unless rendition of judgment is stayed by the filing of a timely motion for rehearing. The filing of a notice of appeal does not stay the time for submission of an intended billing; and

2. At the appellate court level, that the court has issued its mandate.

(5) The compensation for representation in a criminal proceeding shall not exceed the following:

(a)1. For misdemeanors and juveniles represented at the trial level: $1,000.

2. For noncapital, nonlife felonies represented at the trial level: $2,500.

3. For life felonies represented at the trial level: $3,000.

4. For capital cases represented at the trial level: $15,000. For purposes of this subparagraph, a "capital case" is any offense for which the potential sentence is death and the state has not waived seeking the death penalty.

5. For representation on appeal: $2,000.

(b) If a death sentence is imposed and affirmed on appeal to the Supreme Court, the appointed attorney shall be allowed compensation, not to exceed $1,000, for *attorney* ~~attorney's~~ fees and costs incurred in representing the defendant as to an application for executive clemency, with compensation to be paid out of general revenue from funds budgeted to the Department of Corrections.

(6) For compensation for representation pursuant to a court appointment in a proceeding under chapter 39:

(a) At the trial level, compensation for representation for dependency proceedings shall not exceed $1,000 for the first year following the date of appointment and shall not exceed $200 each year thereafter. Compensation shall be paid based upon representation of a parent irrespective of the number of case numbers that may be assigned or the number of children involved, including any children born during the pendency of the proceeding. Any appeal, except for an appeal from an adjudication of dependency, shall be completed by the trial attorney and is considered compensated by the flat fee for dependency proceedings.

1. Counsel may bill the flat fee not exceeding $1,000 following disposition or upon dismissal of the petition.

2. Counsel may bill the annual flat fee not exceeding $200 following the first judicial review in the second year following the date of appointment and each year thereafter as long as the case remains under protective supervision.

3. If the court grants a motion to reactivate protective supervision, the attorney shall receive the annual flat fee not exceeding $200 following the first judicial review and up to an additional $200 each year thereafter.

4. If, during the course of dependency proceedings, a proceeding to terminate parental rights is initiated, compensation shall be as set forth in paragraph (b). If counsel handling the dependency proceeding is not authorized to handle proceedings to terminate parental rights, the counsel must withdraw and new counsel must be appointed.

(b) At the trial level, compensation for representation in termination of parental rights proceedings shall not exceed $1,000 for the first year following the date of appointment and shall not exceed $200 each year thereafter. Compensation shall be paid based upon representation of a parent irrespective of the number of case numbers that may be assigned or the number of children involved, including any children born during the pendency of the proceeding. Any appeal, except for an appeal from an order granting or denying termination of parental rights, shall be completed by trial counsel and is considered compensated by the flat fee for termination of parental rights proceedings. If the individual has dependency proceedings ongoing as to other children, those proceedings are considered part of the termination of parental rights proceedings as long as that termination of parental rights proceeding is ongoing.

1. Counsel may bill the flat fee not exceeding $1,000 30 days after rendition of the final order. Each request for payment submitted to the Justice Administrative Commission must include the trial counsel's certification that:

a. Counsel discussed grounds for appeal with the parent or that counsel attempted and was unable to contact the parent; and

b. No appeal will be filed or that a notice of appeal and a motion for appointment of appellate counsel, containing the signature of the parent, have been filed.

2. Counsel may bill the annual flat fee not exceeding $200 following the first judicial review in the second year after the date of appointment and each year thereafter as long as the termination of parental rights proceedings are still ongoing.

(c) For appeals from an adjudication of dependency, compensation may not exceed $1,000.

1. Counsel may bill a flat fee not exceeding $750 upon filing the initial brief or the granting of a motion to withdraw.

2. If a brief is filed, counsel may bill an additional flat fee not exceeding $250 upon rendition of the mandate.

(d) For an appeal from an adjudication of termination of parental rights, compensation may not exceed $2,000.

1. Counsel may bill a flat fee not exceeding $1,000 upon filing the initial brief or the granting of a motion to withdraw.

2. If a brief is filed, counsel may bill an additional flat fee not exceeding $1,000 upon rendition of the mandate.

(7) Counsel entitled to receive compensation from the state for representation pursuant to court appointment in a proceeding under chapter 384, chapter 390, chapter 392, chapter 393, chapter 394, chapter 397, chapter 415, chapter 743, chapter 744, or chapter 984 shall receive compensation not to exceed the limits prescribed in the General Appropriations Act.

(8) A private attorney appointed in lieu of the public defender or the criminal conflict and civil regional counsel to represent an indigent defendant may not reassign or subcontract the case to another attorney or allow another attorney to appear at a critical stage of a case who is not on the registry developed under s. 27.40.

(9) Private court-appointed counsel representing an individual in an appeal to a district court of appeal or the Supreme Court may submit a request for payment to the Justice Administrative Commission at the following intervals:

(a) Upon the filing of an appellate brief, including, but not limited to, a reply brief.

(b) When the opinion of the appellate court is finalized.

(10) Private court-appointed counsel may not bill for preparation of invoices.

(11) It is the intent of the Legislature that the flat fees prescribed under this section and the General Appropriations Act comprise the full and complete compensation for private court-appointed counsel. It is further the intent of the Legislature that the fees in this section are prescribed for the purpose of providing counsel with notice of the limit on the amount of compensation for representation in particular proceedings.

(a) If court-appointed counsel moves to withdraw prior to the full performance of his or her duties through the completion of the case, the court shall presume that the attorney is not entitled to the payment of the full flat fee established under this section and the General Appropriations Act.

(b) If court-appointed counsel is allowed to withdraw from representation prior to the full performance of his or her duties through the completion of the case and the court appoints a subsequent attorney, the total compensation for the initial and any and all subsequent attorneys may not exceed the flat fee established under this section and the General Appropriations Act, except as provided in subsection (12).

This subsection constitutes notice to any subsequently appointed attorney that he or she will not be compensated the full flat fee.

(12) The Legislature recognizes that on rare occasions an attorney may receive a case that requires extraordinary and unusual effort.

(a) If counsel seeks compensation that exceeds the limits prescribed *by law* ~~under this section and the General Appropriations Act~~, he or she must file a motion with the chief judge for an order approving payment of *attorney* ~~attorney's~~ fees in excess of these limits.

1. *Before* ~~Prior to~~ filing the motion, the counsel shall deliver a copy of the intended billing, together with supporting affidavits and all other necessary documentation, to the Justice Administrative Commission.

2. The Justice Administrative Commission shall review the billings, affidavit, and documentation for completeness and compliance with contractual and statutory requirements. If the Justice Administrative Commission objects to any portion of the proposed billing, the objection and *supporting* reasons *must* ~~therefor shall~~ be communicated in writing to the private court-appointed counsel. The counsel may thereafter file his or her motion, which must specify whether the commission objects to any portion of the billing or the sufficiency of documentation, and shall attach the commission's letter stating its objection.

(b) Following receipt of the motion to exceed the fee limits, the chief judge or a *single* designee shall hold an evidentiary hearing. *The chief judge may select only one judge per circuit to hear and determine motions pursuant to this subsection, except multicounty circuits and the eleventh circuit may have up to two designees.*

1. At the hearing, the attorney seeking compensation must prove by competent and substantial evidence that the case required extraordinary and unusual efforts. The chief judge or *single* designee shall consider criteria such as the number of witnesses, the complexity of the factual and legal issues, and the length of trial. The fact that a trial was conducted in a case does not, by itself, constitute competent substantial evidence of an extraordinary and unusual effort. In a criminal case, relief under this section may not be granted if the number of work hours does not exceed 75 or the number of the state's witnesses deposed does not exceed 20.

2. The chief judge or *single* designee shall enter a written order detailing his or her findings and identifying the extraordinary nature of the time and efforts of the attorney in the case which warrant exceeding the flat fee established by this section and the General Appropriations Act.

(c) A copy of the motion and attachments shall be served on the Justice Administrative Commission at least 5 business days *before* ~~prior to~~ the date of a hearing. The Justice Administrative Commission *has* ~~shall have~~ standing to appear before the court, including at the hearing under paragraph (b), to contest any motion for an order approving payment of *attorney* ~~attorney's~~ fees, costs, or related expenses and may participate in a hearing on the motion by use of telephonic or other communication equipment ~~unless ordered otherwise~~. The Justice Administrative Commission may contract with other public or private entities or individuals to appear before the court for the purpose of contesting any motion for an order approving payment of *attorney* ~~attorney's~~ fees, costs, or related expenses. The fact that the Justice Administrative Commission has not objected to any portion of the billing or to the sufficiency of the documentation is not binding on the court.

(d) If the chief judge or *a single* designee finds that counsel has proved by competent and substantial evidence that the case required extraordinary and unusual efforts, the chief judge or *single* designee shall order the compensation to be paid to the attorney at a percentage above the flat fee rate, depending on the extent of the unusual and extraordinary effort required. The percentage *must* ~~shall~~ be only the rate necessary to ensure that the fees paid are not confiscatory under common law. The percentage may not exceed 200 percent of the established flat fee, absent a specific finding that 200 percent of the flat fee in the case would be confiscatory. If the chief judge or *single* designee determines that 200 percent of the flat fee would be confiscatory, he or she shall order the amount of compensation using an hourly rate not to exceed $75 per hour for a noncapital case and $100 per hour for a capital case. However, the compensation calculated by using the hourly rate shall be only that amount necessary to ensure that the total fees paid are not confiscatory.

(e) Any order granting relief under this subsection must be attached to the final request for a payment submitted to the Justice Administrative Commission.

(f) For criminal cases only, if the court orders payment in excess of the flat fee established by law, fees shall be paid as follows:

1. The flat fee shall be paid from funds appropriated to the Justice Administrative Commission in the General Appropriations Act.

2. The amount ordered by the court in excess of the flat fee shall be paid by the Justice Administrative Commission in a special category designated for that purpose in the General Appropriations Act.

3. If, during the fiscal year, all funds designated for payment of the amount ordered by the court in excess of the flat fee are spent, the amount of payments in excess of the flat fee shall be made from the due process funds, or other funds as necessary, appropriated to the state courts system in the General Appropriations Act. Funds from the state courts system must be used in a manner approved by the Chief Justice and administered by the Trial Court Budget Commission.

(g) The Justice Administrative Commission shall provide to the Office of the State Courts Administrator monthly data by statewide uniform case number, attorney, and defendant name concerning:

1. Private court-appointed cases opened;

2. Cases paid and the amount of payment, including any amount in excess of the flat fee; and

3. Cases for which compensation was waived.

(h)~~(f)~~ The Justice Administrative Commission shall provide *monthly* to the Office of the State Courts Administrator data concerning the number of cases approved for compensation in excess of the *flat fee* ~~limitation~~ and the amount of these awards by circuit and by judge. The *Justice Administrative Commission* ~~Office of the State Courts Administrator~~ shall report the data quarterly *in an electronic format* to the *chairs*

of the legislative appropriations committees and the Office of the State Courts Administrator ~~President of the Senate, the Speaker of the House of Representatives, the Chief Justice of the Supreme Court, and the chief judge of each circuit~~.

Section 5. Paragraph (b) of subsection (2) of section 39.8296, Florida Statutes, is amended to read:

39.8296 Statewide Guardian Ad Litem Office; legislative findings and intent; creation; appointment of executive director; duties of office.—

(2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a Statewide Guardian Ad Litem Office within the Justice Administrative Commission. The Justice Administrative Commission shall provide administrative support and service to the office to the extent requested by the executive director within the available resources of the commission. The Statewide Guardian Ad Litem Office shall not be subject to control, supervision, or direction by the Justice Administrative Commission in the performance of its duties, but the employees of the office shall be governed by the classification plan and salary and benefits plan approved by the Justice Administrative Commission.

(b) The Statewide Guardian Ad Litem Office shall, within available resources, have oversight responsibilities for and provide technical assistance to all guardian ad litem and attorney ad litem programs located within the judicial circuits.

1. The office shall identify the resources required to implement methods of collecting, reporting, and tracking reliable and consistent case data.

2. The office shall review the current guardian ad litem programs in Florida and other states.

3. The office, in consultation with local guardian ad litem offices, shall develop statewide performance measures and standards.

4. The office shall develop a guardian ad litem training program. The office shall establish a curriculum committee to develop the training program specified in this subparagraph. The curriculum committee shall include, but not be limited to, dependency judges, directors of circuit guardian ad litem programs, active certified guardians ad litem, a mental health professional who specializes in the treatment of children, a member of a child advocacy group, a representative of the Florida Coalition Against Domestic Violence, and a social worker experienced in working with victims and perpetrators of child abuse.

5. The office shall review the various methods of funding guardian ad litem programs, shall maximize the use of those funding sources to the extent possible, and shall review the kinds of services being provided by circuit guardian ad litem programs.

6. The office shall determine the feasibility or desirability of new concepts of organization, administration, financing, or service delivery designed to preserve the civil and constitutional rights and fulfill other needs of dependent children.

7. In an effort to promote normalcy and establish trust between a court-appointed volunteer guardian ad litem and a child alleged to be abused, abandoned, or neglected under this chapter, a guardian ad litem may transport a child. However, a guardian ad litem volunteer may not be required or directed by the program or a court to transport a child.

8.~~7.~~ ~~No later than October 1, 2004,~~ The office shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Supreme Court an interim report describing the progress of the office in meeting the goals as described in this section. ~~No later than October 1, 2004,~~ The office shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Supreme Court a proposed plan including alternatives for meeting the state's guardian ad litem and attorney ad litem needs. This plan may include recommendations for less than the entire state, may include a phase-in system, and shall include estimates of the cost of each of the alternatives. Each year ~~thereafter,~~ the office shall provide a status report and provide further recommendations to address the need for guardian ad litem services and related issues.

Section 6. Section 39.8297, Florida Statutes, is created to read:

39.8297 County funding for guardian ad litem employees.—

(1) A county and the executive director of the Statewide Guardian Ad Litem Office may enter into an agreement by which the county agrees to provide funds to the local guardian ad litem office in order to employ persons who will assist in the operation of the guardian ad litem program in the county.

(2) The agreement, at a minimum, must provide that:

(a) Funding for the persons who are employed will be provided on at least a fiscal-year basis.

(b) The persons who are employed will be hired, supervised, managed, and terminated by the executive director of the Statewide Guardian Ad Litem Office. The statewide office is responsible for compliance with all requirements of federal and state employment laws, and shall fully indemnify the county from any liability under such laws, as authorized by s. 768.28(19), to the extent such liability is the result of the acts or omissions of the Statewide Guardian Ad Litem Office or its agents or employees.

(c) The county is the employer for purposes of s. 440.10 and chapter 443.

(d) Employees funded by the county under this section and other county employees may be aggregated for purposes of a flexible benefits plan pursuant to s. 125 of the Internal Revenue Code of 1986.

(e) Persons employed under this section may be terminated after a substantial breach of the agreement or because funding to the program has expired.

(3) Persons employed under this section may not be counted in a formula or similar process used by the Statewide Guardian Ad Litem Office to measure personnel needs of a judicial circuit's guardian ad litem program.

(4) Agreements created pursuant to this section do not obligate the state to allocate funds to a county to employ persons in the guardian ad litem program.

Section 7. Paragraph (b) of subsection (13) of section 318.18, Florida Statutes, is amended to read:

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(13)

(b) A county may impose a surcharge under subparagraph (a)1., subparagraph(a)2., or subparagraph(a)3., but may not impose more than one surcharge under this subsection. A county may elect to impose a different authorized surcharge but may not impose more than one surcharge at a time. The clerk of court shall report, no later than 30 days after the end of the quarter, the amount of funds collected under this subsection during each quarter of the fiscal year. The clerk shall submit the report, in *an electronic* ~~a~~ format developed by the *Florida Clerks of Court Operations Corporation* ~~Office of State Courts Administrator~~, to the chief judge of the circuit *and to*~~,~~ the *Florida Clerks of Court Operations Corporation. The corporation shall submit the report in an electronic format to the* Governor, the President of the Senate, the Speaker of the House of Representatives, and the board of county commissioners.

Section 8. This act shall take effect July 1, 2012.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the state judicial system; amending s. 27.40, F.S.; authorizing the chief judge of the circuit to limit the number of attorneys on the circuit registry list; providing criteria in order to qualify for inclusion on a registry; authorizing the chief judge to establish a limited registry that includes only those attorneys willing to waive compensation in excess of a flat fee; requiring the court to appoint attorneys from the flat-fee limited registry unless there are no attorneys available to accept the appointment on the limited registry; amending s. 27.511, F.S.; revising the procedures by which a regional conflict counsel is appointed by the Governor; providing that, if a regional counsel is

unable to complete a full term in office, the Governor may immediately appoint an interim regional counsel to serve as regional counsel for that district until a new regional counsel is appointed; requiring the Florida Supreme Court Judicial Nominating Commission to provide the Governor with a list of nominees for appointment within 6 months after the date of a vacancy; amending s. 27.52, F.S.; authorizing the clerk to conduct a review of the county's property records to confirm that an applicant seeking appointment of a public defender is indigent; amending s. 27.5304, F.S.; revising procedures for court-appointed counsel who apply for compensation for casework when the attorney fees exceed the limits of compensation prescribed by law; providing procedures to be applied in criminal cases if the court orders payment in excess of the flat fee established by law; providing procedures for payment of fees when payments due exceed the available funding designated by the court; amending s. 39.8296, F.S.; authorizing court-appointed volunteers to transport children who are abused, abandoned, or neglected; prohibiting a guardian ad litem program or the court from requiring that volunteers transport children; creating s. 39.8297, F.S.; authorizing a county and the Statewide Guardian Ad Litem Office to enter into an agreement whereby the county provides funding to the office in order to employ additional guardian ad litem personnel to serve in the county; requiring an agreement between the county and the Statewide Guardian Ad Litem Office; specifying the duties and responsibilities of the county and the participating guardian ad litem office; requiring the statewide office to indemnify the county from liability resulting from the acts or omissions of the guardian ad litem office; prohibiting the Statewide Guardian Ad Litem Office from using county-paid positions in a formula to measure the county's need for additional guardian ad litem personnel; providing that an agreement between the county and the office does not obligate the state to provide additional funds to the county; amending s. 318.18, F.S.; requiring the clerk of court and the Florida Clerks of Court Operations Corporation to submit reports on local traffic assessments in an electronic format; providing an effective date.

On motion by Senator Bogdanoff, **SB 1960** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

CONFERENCE COMMITTEE REPORT ON SB 1964

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 1964, same being:

An act relating to court-related assessments.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House of Representatives recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
s/ Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
Chris Dorworth, At Large
s/ Eric Eisnaugle
s/ James W. "J.W." Grant
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Seth McKeel, At Large
s/ W. Keith Perry
Darryl Ervin Rouson
Ron Saunders, At Large
s/ William D. Snyder, At Large
Darren Soto
s/ Will W. Weatherford, At Large

s/ Richard "Rich" Glorioso
Lead Manager
Charles S. "Chuck" Chestnut IV
At Large
s/ James C. "Jim" Frishe, At Large
s/ Gayle B. Harrell
Dorothy L. Hukill, At Large
John Legg, At Large
s/ Charles McBurney
s/ Larry Metz
s/ Ray Pilon
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
James W. "Jim" Waldman

Managers on the part of the House

The Conference Committee Amendment for SB 1964, Court-Related Assessments, provides for the following:

- Provides that a monetary assessment mandated by law shall be imposed and included in the judgment without regard to whether the assessment is announced in open court.

- Requires the clerks of court to develop a uniform form for the identification and imposition of all assessments mandated by statutes.

- Refines the definition of assessment data elements collected by the clerks of court.

Conference Committee Amendment (763580)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 28.2457, Florida Statutes, is created to read:

28.2457 Mandatory monetary assessments.—

(1)(a) Except as otherwise provided by law, a monetary assessment mandated by statute shall be imposed and included in the judgment without regard to whether the assessment is announced in open court.

(b) When an assessment mandated by statute prescribes a minimum assessment and a maximum assessment, or prescribes solely a minimum

assessment, the minimum assessment is presumed and shall be imposed and included in the judgment, unless the court specifies a greater amount.

(2) The clerks of court, through their association and in consultation with the Office of the State Courts Administrator, shall develop by October 1, 2012, a uniform form for the identification and imposition of all assessments mandated by statute. The clerks shall submit the form by that date, and by October 1 every year thereafter if necessary to reflect changes in the law, to the Supreme Court for approval. Upon approval of the form by the Supreme Court, all circuit and county courts shall use the form.

(3) As used in this section, the term "monetary assessment" or "assessment" includes, but is not limited to, a fine or other monetary penalty, fee, service charge, or cost.

Section 2. Section 28.246, Florida Statutes, is amended to read:

28.246 Payment of court-related *fines or other monetary penalties,* fees, charges, and costs; partial payments; distribution of funds.—

(1) The clerk of the circuit court shall report the following information to the Legislature and the Florida Clerks of Court Operations Corporation on a form*, and using guidelines* developed by the *clerks of court, through their association and in consultation with the Office of the State Courts Administrator* ~~Department of Financial Services~~:

(a) The total amount of mandatory fees, service charges, and costs~~; the total amount actually~~ assessed; the total amount *underassessed, if any, which is the amount less than the minimum amount required by law to be* ~~discharged, waived, or otherwise not~~ assessed; and the total amount collected.

(b) The *total* amount of discretionary fees, service charges, and costs assessed~~; the total amount discharged;~~ and the total amount collected.

(c) The total amount of mandatory fines and other monetary penalties~~; the total amount~~ assessed; the total amount *underassessed, if any, which is the amount less than the minimum amount required by law to be* ~~discharged, waived, or otherwise not~~ assessed; and the total amount collected.

(d) The *total* amount of discretionary fines and other monetary penalties assessed~~; the amount discharged;~~ and the total amount collected.

~~If provided to the clerk of court by the judge,~~ The clerk, in reporting *to* the *Legislature and corporation* ~~amount assessed~~, shall separately identify the *monetary* amount assessed *and subsequently discharged or converted* ~~pursuant~~ to ~~s. 938.30 as~~ community service*,*~~; assessed by reducing the amount~~ to a judgment or lien*, or to*~~; satisfied by~~ time served~~; or other~~. The form developed by the *clerks* ~~Chief Financial Officer~~ shall include separate entries for recording *the amount discharged and the amount converted* ~~these amounts~~*. If a court waives, suspends, or reduces an assessment as authorized by law, the portion waived, suspended, or reduced may not be deemed assessed or underassessed for purposes of the reporting requirements of this section. The clerk also shall report a collection rate for mandatory and discretionary assessments. In calculating the rate, the clerk shall deduct amounts discharged or converted from the amount assessed.* The clerk shall submit the report on an annual basis *90* ~~60~~ days after the end of the county fiscal year. *The clerks and the courts shall develop by October 1, 2012, the form and guidelines to govern the accurate and consistent reporting statewide of assessments as provided in this section. The clerk shall use the new reporting form and guidelines in submitting the report for the county fiscal year ending September 30, 2013, and for each year thereafter.*

(2) The clerk of the circuit court shall establish and maintain a system of accounts receivable for court-related fees, charges, and costs.

(3) Court costs, fines, and other dispositional assessments shall be enforced by order of the courts, collected by the clerks of the circuit and county courts, and disbursed in accordance with authorizations and procedures as established by general law.

(4) The clerk of the circuit court shall accept partial payments for court-related fees, service charges, costs, and fines in accordance with the terms of an established payment plan. An individual seeking to defer payment of fees, service charges, costs, or fines imposed by operation of law or order of the court under any provision of general law shall apply to the clerk for enrollment in a payment plan. The clerk shall enter into a payment plan with an individual who the court determines is indigent for costs. A monthly payment amount, calculated based upon all fees and all anticipated costs, is presumed to correspond to the person's ability to pay if the amount does not exceed 2 percent of the person's annual net income, as defined in s. 27.52(1), divided by 12. The court may review the reasonableness of the payment plan.

(5) When receiving partial payment of fees, service charges, court costs, and fines, clerks shall distribute funds according to the following order of priority:

(a) That portion of fees, service charges, court costs, and fines to be remitted to the state for deposit into the General Revenue Fund.

(b) That portion of fees, service charges, court costs, and fines ~~which are~~ required to be retained by the clerk of the court or deposited into the Clerks of the Court Trust Fund within the Justice Administrative Commission.

(c) That portion of fees, service charges, court costs, and fines payable to state trust funds, allocated on a pro rata basis among the various authorized funds if the total collection amount is insufficient to fully fund all such funds as provided by law.

(d) That portion of fees, service charges, court costs, and fines payable to counties, municipalities, or other local entities, allocated on a pro rata basis among the various authorized recipients if the total collection amount is insufficient to fully fund all such recipients as provided by law.

To offset processing costs, clerks may impose either a per-month service charge pursuant to s. 28.24(26)(b) or a one-time administrative processing service charge at the inception of the payment plan pursuant to s. 28.24(26)(c).

(6) A clerk of court shall pursue the collection of any fees, service charges, fines, court costs, and liens for the payment of *attorney* ~~attorney's~~ fees and costs pursuant to s. 938.29 which remain unpaid after 90 days by referring the account to a private attorney who is a member in good standing of The Florida Bar or collection agent who is registered and in good standing pursuant to chapter 559. In pursuing the collection of such unpaid financial obligations through a private attorney or collection agent, the clerk of the court must have attempted to collect the unpaid amount through a collection court, collections docket, or other collections process, if any, established by the court, find this to be cost-effective and follow any applicable procurement practices. The collection fee, including any reasonable attorney's fee, paid to any attorney or collection agent retained by the clerk may be added to the balance owed in an amount not to exceed 40 percent of the amount owed at the time the account is referred to the attorney or agent for collection. The clerk shall give the private attorney or collection agent the application for the appointment of court-appointed counsel regardless of whether the court file is otherwise confidential from disclosure.

Section 3. Section 28.42, Florida Statutes, is amended to read:

28.42 Manual of ~~court-related~~ filing fees, charges, costs, and fines.— ~~No later than July 1, 2004,~~ The *clerks of court, through their association and in consultation with the* Office of the State Courts Administrator*,* shall prepare and disseminate a manual of ~~court-related~~ filing fees, service charges, costs, and fines imposed pursuant to state law, ~~organized by county~~ for each type of action and offense*,* and classified as ~~either~~ mandatory or discretionary. *The manual also shall classify the fee, charge, cost, or fine as court-related revenue or noncourt-related revenue.* The *clerks, through their association,* ~~Office of the State Courts Administrator~~ shall disseminate this manual to the chief judge, state attorney, public defender, and court administrator in each circuit and to the clerk of the court in each county. The *clerks, through their association and in consultation with the* Office of the State Courts Administrator*,* shall *at a minimum* update and disseminate this manual on July 1 of each year ~~thereafter~~.

Section 4. *Notwithstanding the amendments made by this act to s. 28.246, Florida Statutes, the clerks of court shall use the reporting requirements, standards, and form prescribed in that section before July 1, 2012, for the report due for the county fiscal year ending September 30, 2012. The amendments made by this act to s. 28.246, Florida Statutes,*

apply beginning with the report for the county fiscal year ending September 30, 2013.

Section 5. This act shall take effect July 1, 2012.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to court-related assessments; creating s. 28.2457, F.S.; providing for a monetary assessment mandated by statute to be imposed regardless of whether the assessment is announced in open court; providing guidelines for establishing the amount of a mandatory assessment under certain conditions; requiring the clerks of court to develop a uniform form to be used in identifying and imposing mandatory assessments; providing for the clerks to consult with the Office of the State Courts Administrator; providing for the Supreme Court to approve the form; defining terms; amending s. 28.246, F.S.; revising requirements for the clerks of court to report on the assessment and collection of certain fines or other monetary penalties, fees, costs, and charges; prescribing requirements for reporting certain assessments that are waived, suspended, or reduced; requiring the clerks to report collection rates; providing guidelines for calculating the collection rate; revising the timeframe for submitting the report; requiring the clerks, rather than the Department of Financial Services, to develop a reporting form and guidelines; providing for the clerks to consult with the Office of the State Courts Administrator; amending s. 28.42, F.S.; removing an obsolete date; providing for the clerks of court, rather than the Office of the State Courts Administrator, to prepare and disseminate a manual of filing fees, service charges, costs, and fines; revising requirements relating to the content and presentation of information in the manual; providing for the clerks to consult with the Office of the State Courts Administrator; providing for applicability of amendments made by the act; providing an effective date.

On motion by Senator Bogdanoff, **SB 1964** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Fasano	Norman
Alexander	Flores	Oelrich
Altman	Gaetz	Rich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Gibson	Sachs
Braynon	Hays	Simmons
Bullard	Jones	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise

Nays—None

Vote after roll call:

Yea—Joyner

THE PRESIDENT PRESIDING

CONFERENCE COMMITTEE REPORT ON SB 1968

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 1968, same being:

An act relating to criminal justice.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House of Representatives recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
s/ Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
Chris Dorworth, At Large
s/ Eric Eisnaugle
s/ James W. "J.W." Grant
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Seth McKeel, At Large
s/ W. Keith Perry
Darryl Ervin Rouson
Ron Saunders, At Large
s/ William D. Snyder, At Large
Darren Soto
s/ Will W. Weatherford, At Large

s/ Richard "Rich" Glorioso
Lead Manager
Charles S. "Chuck" Chestnut IV
At Large
s/ James C. "Jim" Frishe, At Large
s/ Gayle B. Harrell
Dorothy L. Hukill, At Large
John Legg, At Large
s/ Charles McBurney
s/ Larry Metz
s/ Ray Pilon
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
James W. "Jim" Waldman

Managers on the part of the House

The Conference Committee Amendment for SB 1968, Criminal Justice, provides for the following:

- The bill adds language which makes it a requirement for the courts to assess individuals convicted of a crime a $100 fee for any crime lab services provided.

- Requires all fines collected will continue to be deposited into FDLE's Operating Trust Fund and used to reimburse local county-operated crime laboratories.

Conference Committee Amendment (280758)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 938.25, Florida Statutes, is transferred, renumbered as section 938.055, Florida Statutes, and amended to read:

938.055 ~~938.25~~ Operating Trust Fund of the Department of Law Enforcement.—Notwithstanding any *other law* ~~provision to the contrary of the laws of this state~~, the court may assess *a* ~~any~~ defendant who pleads guilty or nolo contendere to, or is convicted of, a violation of any provision of *chapters 775-896* ~~s. 893.13~~, without regard to whether adjudication was withheld, in addition to any fine and other penalty provided or authorized by law, an amount of $100, to be paid to the clerk of the court, who shall forward it to the Department of Revenue for deposit

in the Operating Trust Fund of the Department of Law Enforcement to be used by the statewide criminal analysis laboratory system for the purposes specified in s. 943.361. *This amount shall be assessed if the services of a local county-operated crime laboratory enumerated in s. 943.35(1) are used in connection with the investigation or prosecution of a violation of any provision of chapters 775-896.* ~~The court is authorized to order a defendant to pay an additional assessment if it finds that the defendant has the ability to pay the fine and the additional assessment and will not be prevented thereby from being rehabilitated or from making restitution.~~

Section 2. Paragraph (l) of subsection (1) of section 921.187, Florida Statutes, is amended to read:

921.187 Disposition and sentencing; alternatives; restitution.—

(1) The alternatives provided in this section for the disposition of criminal cases shall be used in a manner that will best serve the needs of society, punish criminal offenders, and provide the opportunity for rehabilitation. If the offender does not receive a state prison sentence, the court may:

(l)1. Require the offender who violates any criminal provision of chapter 893 to pay an additional assessment in an amount up to the amount of any fine imposed, pursuant to ss. 938.21 and 938.23.

2. Require the offender who violates any provision of s. 893.13 to pay an additional assessment in an amount of $100, pursuant to ss. *938.055* ~~938.25~~ and 943.361.

Section 3. Section 943.361, Florida Statutes, is amended to read:

943.361 Statewide criminal analysis laboratory system; funding through fine surcharges.—

(1) Funds deposited pursuant to ss. *938.055 and* 938.07 ~~and 938.25~~ for the statewide criminal analysis laboratory system shall be used for state reimbursements to local county-operated crime laboratories enumerated in s. 943.35(1), and for the equipment, health, safety, and training of member crime laboratories of the statewide criminal analysis laboratory system.

(2) Moneys deposited pursuant to ss. *938.055 and* 938.07 ~~and 938.25~~ for the statewide criminal analysis laboratory system shall be appropriated by the Legislature in accordance with the provisions of chapter 216 and with the purposes stated in subsection (1).

Section 4. This act shall take effect October 1, 2012.

And the title is amended as follows:

Delete everything before the enacting clause and insert:An act relating to criminal justice; transferring, renumbering, and amending s. 938.25, F.S.; requiring a court to assess a specified fine against a defendant who pleads guilty or nolo contendere to, or who is convicted of, violating certain specified offenses if the services of a criminal analysis laboratory are used in the investigation of the offense; providing for the proceeds of the assessment to be deposited into the Operating Trust Fund of the Department of Law Enforcement and used by the statewide criminal analysis laboratory system; amending ss. 921.187 and 943.361, F.S.; conforming cross-references to changes made by the act; providing an effective date.

On motion by Senator Bogdanoff, **SB 1968** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Detert	Gibson
Alexander	Diaz de la Portilla	Hays
Altman	Dockery	Jones
Benacquisto	Evers	Joyner
Bennett	Fasano	Latvala
Bogdanoff	Flores	Lynn
Braynon	Gaetz	Margolis
Bullard	Garcia	Montford
Dean	Gardiner	Negron
Norman	Sachs	Storms
Oelrich	Simmons	Thrasher
Rich	Siplin	Wise
Richter	Smith	
Ring	Sobel	

Nays—None

CONFERENCE COMMITTEE REPORT ON SB 1986

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 1986, 1st Eng., same being:

An act relating to water management districts.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House of Representatives recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Frank Artiles
Leonard L. Bembry
Charles S. "Chuck" Chestnut IV
At Large
s/ James C. "Jim" Frishe, At Large
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Elizabeth W. Porter
Ron Saunders, At Large
s/ William D. Snyder, At Large
s/ Will W. Weatherford, At Large

s/ Trudi K. Williams
Lead Manager
s/ Gary Aubuchon, At Large
Jim Boyd
s/ Steve Crisafulli
Chris Dorworth, At Large
s/ Tom Goodson
Dorothy L. Hukill, At Large
s/ John Legg, At Large
s/ Seth McKeel, At Large
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large

Managers on the part of the House

The Conference Committee Amendment for SB 1986, Water Management Districts, provides for the following:

- Authorizes the Legislature to set the maximum millage rate for each district.

- Removes a provision requiring that the maximum property tax revenue for water management districts revert to the amount authorized for the prior year if the Legislature does not set the amount.

- Removes the maximum revenue limitation for the 2011-2012 fiscal year.

- Creates s. 373.535, F.S., to require each water management district to submit a preliminary budget by January 15 for legislative review, requires the preliminary budget to include certain information, and authorizes the President of the Senate and the Speaker of the House of Representatives to submit comments regarding the preliminary budget to the district by March 1. Requires each district to respond to the comments no later than March 15.

- Provides for the preliminary budget reviewed by the Legislature to be the basis for developing each district's tentative budget for the next fiscal year.

- Provides criteria for the Legislative Budget Commission to use in approving the tentative budget of a district and authorizes the Legislative Budget Commission to reject certain district budget proposals.

- Requires a district to submit for review a description of any significant changes made from the preliminary budget to the tentative budget.

- Requires that a five-year water resource development work program describe the district's implementation strategy and funding plan for water resource, water supply, and alternative water supply development components of each approved regional water supply plan.

- Authorizes the governing board of a water management district to provide group insurance for its employees and the employees of another water management district.

- Allows each water management district to own, acquire, develop, construct, operate, and manage a public information system and exempts local government review or approval of such public information system.

- Revises the definitions of the terms "regularly established position" and "temporary position" for purposes of district positions within the state retirement system, effective October 1, 2012.

- Provides an effective date of July 1, 2012, except as otherwise expressly provided in the bill.

Conference Committee Amendment (402856)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Effective October 1, 2012, paragraph (b) of subsection (52) and paragraph (b) of subsection (53) of section 121.021, Florida Statutes, are amended, and paragraph (c) is added to subsection (52) and paragraph (c) is added to subsection (53) of that section, to read:

121.021 Definitions.—The following words and phrases as used in this chapter have the respective meanings set forth unless a different meaning is plainly required by the context:

(52) "Regularly established position" means:

(b) With respect to a local agency employer (district school board, county agency, *Florida College System institution* ~~community college~~, municipality, metropolitan planning organization, charter school, charter technical career center, or special district), *other than a water management district operating pursuant to chapter 373,* a regularly established position that will be in existence for a period beyond 6 consecutive months, except as provided by rule.

(c) With respect only to a water management district operating pursuant to chapter 373, a position authorized in the district's final adopted budget and compensated from a salaries and benefits appropriation or account.

(53) "Temporary position" means:

(b) With respect to a local agency employer, *other than a water management district operating pursuant to chapter 373,* a position that will exist for less than 6 consecutive months, or other position as determined by rule of the division, regardless of whether it will exist for 6 consecutive months or longer.

(c) With respect only to a water management district operating pursuant to chapter 373, a position not authorized in the district's final adopted budget, and designated as a temporary position by the district.

Section 2. Subsection (4) of section 373.503, Florida Statutes, is amended to read:

373.503 Manner of taxation.—

(4)~~(a)~~ To ensure that taxes authorized by this chapter continue to be in proportion to the benefits derived by the parcels of real estate within the districts, the Legislature shall annually review the preliminary budget *for each district* for the next fiscal year *as provided in s. 373.535* ~~and the authorized millage rate for each district~~. Based upon *the* ~~this~~ review, the Legislature *may enact legislation to* ~~shall~~ set the *authorized maximum millage rate or the* maximum amount of *property tax* revenue to be raised by each district in the next fiscal year from the taxes levied. ~~Except as provided in paragraph (b), if the annual maximum amount of property tax revenue is not set by the Legislature on or before July 1 of each year, the maximum property tax revenue that may be raised reverts to the amount authorized in the prior year.~~

~~(b) For the 2011-2012 fiscal year, the total ad valorem taxes levied may not exceed $3,946,969 for the Northwest Florida Water Management District, $5,412,674 for the Suwannee River Water Management District, $85,335,619 for the St. Johns Water Management District, $107,766,957 for the Southwest Florida Water Management District, and $284,901,967 for the South Florida Water Management District.~~

Section 3. Section 373.535, Florida Statutes, is created to read:

373.535 Preliminary district budgets.—

(1) BUDGET DEVELOPMENT.—

(a) By January 15 of each year, each water management district shall submit a preliminary budget for the next fiscal year for legislative review to the President of the Senate, the Speaker of the House of Representatives, and the chairs of each legislative committee and subcommittee having substantive or fiscal jurisdiction over water management districts, as determined by the President of the Senate or the Speaker of the House of Representatives, as applicable, in the form and manner prescribed in s. 373.536(5)(e). Each preliminary budget must also include:

1. A section that clearly identifies and provides justification for each proposed expenditure listed in s. 373.536(5)(e)4.e.-f. and identifies the source of funds for each proposed expenditure.

2. A section identifying the justification for proposed expenditures by core mission area of responsibility and the source of funds needed for activities related to water supply, including alternative water supply and water resource development projects identified in the district's regional water supply plans, water quality, flood protection and floodplain management, and natural systems.

3. A section reviewing the adopted and proposed budget allocations by program area and the performance metrics for the prior year.

4. An analysis of each preliminary budget to determine the adequacy of fiscal resources available to the district and the adequacy of proposed district expenditures related to the core mission areas of responsibility for water supply, including alternative water supply and water resource development projects identified in the district's regional water supply plans, water quality, flood protection and floodplain management, and natural systems. The analysis must be based on the particular needs within each district for core mission areas of responsibility. The water supply analysis must specifically include a determination of the adequacy of each district's fiscal resources provided in the district's preliminary budget to

achieve appropriate progress toward meeting the districtwide 20-year projected water supply demands, including funding for alternative water supply development and conservation projects.

(b) If applicable, the preliminary budget for each district must specify that the district's first obligation for payment is the debt service on bonds and certificates of participation.

(2) LEGISLATIVE REVIEW.—

(a) The Legislature may annually review the preliminary budget for each district, including, but not limited to, those items listed in s. 373.536(5)(e)4.d.-f., specific to regulation, outreach, management, and administration program areas.

(b) On or before March 1 of each year, the President of the Senate and the Speaker of the House of Representatives may submit comments regarding the preliminary budget to the districts, and provide a copy of the comments to the Executive Office of the Governor. Each district shall respond to the comments in writing on or before March 15 of each year to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor.

(c) If, following such review, the Legislature does not take any action pursuant to s. 373.503 on or before July 1 of each year, a water management district may proceed with budget development as provided in subsection (3) and s. 373.536.

(3) FUNDING AUTHORITY GRANTED.—Each district shall use the preliminary budget as submitted pursuant to subsection (1), and as may be amended by the district in response to review by the Legislature pursuant to this section and s. 373.503, as the basis for developing the tentative budget for the next fiscal year as provided in s. 373.536(5).

Section 4. Subsections (4), (5), and (6) of section 373.536, Florida Statutes, are amended to read:

373.536 District budget and hearing thereon.—

(4) BUDGET CONTROLS; FINANCIAL INFORMATION.—

(a) The final adopted budget for the district *is* ~~will thereupon be~~ the operating and fiscal guide for the district for the ensuing year; however, transfers of funds may be made within the budget by action of the governing board at a public meeting of the governing board. *A budget amendment greater than $1 million must be reviewed and approved by the Executive Office of the Governor. The office shall provide notice of approval to the Legislative Budget Commission.*

(b) The district shall control its budget, at a minimum, by funds and shall *submit* ~~provide~~ to the Executive Office of the Governor a description of its budget control mechanisms *for approval*.

(c) *If* ~~Should~~ the district *receives* ~~receive~~ unanticipated funds after the adoption of the final budget, the final budget may be amended*, following review and approval by the Executive Office of the Governor,* by including such funds, *if* ~~so long as~~ notice of intention to amend is *provided to the Legislative Budget Commission and is* published in the notice of the governing board meeting at which the amendment will be considered, pursuant to s. 120.525. The notice *must* ~~shall~~ set forth a summary of the proposed amendment.

(d) ~~However,~~ In the event of a disaster or of an emergency arising to prevent or avert the same, the governing board *is* ~~shall~~ not be limited by the budget but *may expend* ~~shall have authority to apply such~~ funds ~~as may be~~ available *for the disaster or emergency* ~~therefor~~ or as may be procured for such purpose. *In such an event, the governing board shall notify the Executive Office of the Governor and the Legislative Budget Commission as soon as practical, but within 30 days after the governing board's action.*

(e)~~(d)~~ By September 1, *2012* ~~2011~~, each ~~water management~~ district shall provide a monthly financial statement *in the form and manner prescribed by the Department of Financial Services* to *the district's* ~~its~~ governing board and make such monthly financial statement available for public access on its website.

(5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND APPROVAL.—

(a) The Executive Office of the Governor *may approve or* ~~and the Legislative Budget Commission are authorized to~~ disapprove, in whole or in part, the budget of each water management district. The Executive Office of the Governor shall analyze each budget as to the adequacy of fiscal resources available to the district and the adequacy of district expenditures related to water supply, including water resource development projects identified in the district's regional water supply plans; water quality; flood protection and floodplain management; and natural systems. This analysis shall be based on the particular needs within each water management district in those four areas of responsibility and shall be provided to the Legislative Budget Commission.

(b) The Executive Office of the Governor, the Legislative Budget Commission, and the ~~water management~~ districts shall develop a process to facilitate review and communication regarding *the tentative budgets of districts* ~~water management district budgets~~, as necessary.

(c) The Legislative Budget Commission may reject any of the following district budget proposals:

1. A single purchase of land in excess of $10 million, except for land exchanges.

2. Any cumulative purchase of land during a single fiscal year in excess of $50 million.

3. Any issuance of debt on or after July 1, 2012.

4. Any program expenditures as described in sub-subparagraphs (e) 4.e.-f. in excess of 15 percent of a district's total annual budget.

5. Any individual variances in a district's tentative budget in excess of 25 percent from a district's preliminary budget.

Written disapproval of any provision in the tentative budget must be received by the district at least 5 business days *before* ~~prior to~~ the final district budget adoption hearing conducted under s. 200.065(2)(d). If written disapproval ~~of any portion of the budget~~ is not received at least 5 business days *before* ~~prior to~~ the final budget adoption hearing, the governing board may proceed with final adoption. Any provision rejected by the *Executive Office of the* Governor or the Legislative Budget Commission *may* ~~shall~~ not be included in a district's final budget *and may not be acted upon through any other means without the prior approval of the entity rejecting the provision*.

(d)~~(c)~~ Each ~~water management~~ district shall, by August 1 of each year, submit for review a tentative budget *and a description of any significant changes from the preliminary budget submitted to the Legislature pursuant to s. 373.535* to the Governor, the President of the Senate, the Speaker of the House of Representatives, *the chairs of all legislative committees and subcommittees having substantive or fiscal jurisdiction over water management districts, as determined by the President of the Senate or the Speaker of the House of Representatives, as applicable* ~~the Legislative Budget Commission~~, the secretary of the department, and the governing body of each county in which the district has jurisdiction or derives any funds for the operations of the district. The tentative budget must be posted on the ~~water management~~ district's official website at least 2 days before budget hearings held pursuant to s. 200.065 or other law.

(e)~~(d)~~ The tentative budget *must be based on the preliminary budget as submitted to the Legislature, and as may be amended by the district in response to review by the Legislature pursuant to ss. 373.503 and 373.535, as the basis for developing the tentative budget for the next fiscal year as provided in this subsection, and* must set forth the proposed expenditures of the district, to which may be added an amount to be held as reserve. The tentative budget must include, but is not limited to, the following information for the preceding fiscal year and the current fiscal year, and the proposed amounts for the upcoming fiscal year, in a standard format prescribed by the Executive Office of the Governor*, in consultation with the Legislature*:

1. The estimated amount of funds remaining at the beginning of the fiscal year which have been obligated for the payment of outstanding commitments not yet completed.

2. The estimated amount of unobligated funds or net cash balance on hand at the beginning of the fiscal year*; an accounting of the source, balance, and projected future use of the unobligated funds;*~~,~~ and the es-

timated amount of funds to be raised by district taxes or received from other sources to meet the requirements of the district.

3. The millage rates and the percentage increase above the rolled-back rate, together with a summary of the reasons the increase is required, and the percentage increase in taxable value resulting from new construction within the district.

4. The salaries and benefits, expenses, operating capital outlay, number of authorized positions, and other personal services for the following program areas of the district:

a. Water resource planning and monitoring;

b. Land acquisition, restoration, and public works;

c. Operation and maintenance of works and lands;

d. Regulation;

e. Outreach for which the information provided must contain a full description and accounting of expenditures for water resources education; public information and public relations, including public service announcements and advertising in any media; and lobbying activities related to local, regional, state and federal governmental affairs, whether incurred by district staff or through contractual services; and

f. Management and administration.

In addition to the program areas reported by all water management districts, the South Florida Water Management District shall include in its budget document separate sections on all costs associated with the Everglades Construction Project and the Comprehensive Everglades Restoration Plan.

5. The total estimated amount in the district budget for each area of responsibility listed in subparagraph 4. and for water resource*, water supply, and alternative water supply* development projects identified in the district's regional water supply plans.

6. A description of each new, expanded, reduced, or eliminated program.

7. The funding sources, including, but not limited to, ad valorem taxes, Surface Water Improvement and Management Program funds, other state funds, federal funds, and user fees and permit fees for each program area.

(f) By September 5 of the year in which the budget is submitted, the chairs of each legislative committee and subcommittee having substantive or fiscal jurisdiction may transmit to each district comments and objections to the proposed budgets. Each district governing board shall include a response to such comments and objections in the record of the governing board meeting where final adoption of the budget takes place, and the record of this meeting shall be transmitted to the Executive Office of the Governor, the department, and the chairs of the legislative appropriations committees.

(g)~~(e)~~ The Executive Office of the Governor shall annually, on or before December 15, file with the Legislature a report that summarizes its review of the water management districts' tentative budgets and displays the adopted budget allocations by program area. The report must identify the districts that are not in compliance with the reporting requirements of this section. State funds shall be withheld from a water management district that fails to comply with these reporting requirements.

(6) FINAL BUDGET; ANNUAL AUDIT; CAPITAL IMPROVEMENTS PLAN; WATER RESOURCE DEVELOPMENT WORK PROGRAM.—

(a) Each district must, by the date specified for each item, furnish copies of the following documents to the Governor, the President of the Senate, the Speaker of the House of Representatives, the chairs of all legislative committees and subcommittees having substantive or fiscal jurisdiction over the districts, as determined by the President of the Senate or the Speaker of the House of Representatives as applicable, the secretary of the department, and the governing board of each county in which the district has jurisdiction or derives any funds for the operations of the district:

1. The adopted budget, to be furnished within 10 days after its adoption.

2. A financial audit of its accounts and records, to be furnished within 10 days after its acceptance by the governing board. The audit must be conducted in accordance with ~~the provisions of~~ s. 11.45 and the rules adopted thereunder. In addition to the entities named above, the district must provide a copy of the audit to the Auditor General within 10 days after its acceptance by the governing board.

3. A 5-year capital improvements plan, to be included in the consolidated annual report required by s. 373.036(7). The plan must include expected sources of revenue for planned improvements and must be prepared in a manner comparable to the fixed capital outlay format set forth in s. 216.043.

4. A 5-year water resource development work program to be furnished within 30 days after the adoption of the final budget. The program must describe the district's implementation strategy *and funding plan* for the water resource*, water supply, and alternative water supply* development *components* ~~component~~ of each approved regional water supply plan developed or revised under s. 373.709. The work program must address all the elements of the water resource development component in the district's approved regional water supply plans and must identify which projects in the work program *which* will provide water;~~,~~ explain how each water resource*, water supply, and alternative water supply* development project will produce additional water available for consumptive uses;~~,~~ estimate the quantity of water to be produced by each project;~~,~~ and provide an assessment of the contribution of the district's regional water supply plans in providing sufficient water *needed* to *timely* meet the water supply needs of existing and future reasonable-beneficial uses for a 1-in-10-year drought event.

(b) Within 30 days after its submittal, the department shall review the proposed work program and submit its findings, questions, and comments to the district. The review must include a written evaluation of the program's consistency with the furtherance of the district's approved regional water supply plans, and the adequacy of proposed expenditures. As part of the review, the department shall give interested parties the opportunity to provide written comments on each district's proposed work program. Within 45 days after receipt of the department's evaluation, the governing board shall state in writing to the department which *of the* changes recommended in the evaluation it will incorporate into its work program submitted as part of the March 1 consolidated annual report required by s. 373.036(7) or specify the reasons for not incorporating the changes. The department shall include the district's responses in a final evaluation report and shall submit a copy of the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(c)~~(b)~~ If any entity listed in paragraph (a) provides written comments to the district regarding any document furnished under this subsection, the district must respond to the comments in writing and furnish copies of the comments and written responses to the other entities.

(d)~~(c)~~ The final adopted budget must be posted on the water management district's official website within 30 days after adoption.

Section 5. Section 373.605, Florida Statutes, is amended to read:

373.605 Group insurance for water management districts.—

~~(1)~~ The governing board of *a* ~~any~~ water management district *may* ~~is hereby authorized and empowered to~~ provide group insurance for its employees*, and the employees of another water management district,* in the same manner and with the same provisions and limitations authorized for other public employees *under* ~~by~~ ss. 112.08, 112.09, 112.10, 112.11, and 112.14.

~~(2) Any and all insurance agreements in effect as of October 1, 1974, which conform to the provisions of this section are hereby ratified.~~

Section 6. Section 373.618, Florida Statutes, is created to read:

373.618 Public service warnings, alerts, and announcements.—The Legislature believes it is in the public interest that all water management

districts created pursuant to s. 373.069 own, acquire, develop, construct, operate, and manage public information systems. Public information systems may be located on property owned by the water management district, upon terms and conditions approved by the water management district, and must display messages to the general public concerning water management services, activities, events, and sponsors, as well as other public service announcements, including watering restrictions, severe weather reports, amber alerts, and other essential information needed by the public. Local government review or approval is not required for a public information system owned or hereafter acquired, developed, or constructed by the water management district on its own property. A public information system is exempt from the requirements of chapter 479. Water management district funds may not be used to pay the cost to acquire, develop, construct, operate, or manage a public information system. Any necessary funds for a public information system shall be paid for and collected from private sponsors who may display commercial messages.

Section 7. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2012.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to water management districts; amending s. 121.021, F.S.; revising the definitions of the terms "regularly established position" and "temporary position" for purposes of district positions within the state retirement system; amending s. 373.503, F.S.; authorizing the Legislature to set the maximum millage rate for each district; removing a provision requiring that the maximum property tax revenue for water management districts revert to the amount authorized for the prior year if the Legislature does not set the amount; removing the maximum revenues for the 2011-2012 fiscal year; creating s. 373.535, F.S.; requiring each water management district to submit a preliminary budget for legislative review; requiring the preliminary budget to include certain information; providing for annual review of the preliminary budget for each district; authorizing the President of the Senate and the Speaker of the House of Representatives to submit comments regarding the preliminary budget to the district; requiring each district to respond to the comments; authorizing a water management district to proceed with budget development if the Legislature takes no action after the review; providing for the preliminary budget reviewed by the Legislature to be the basis for developing each district's tentative budget for the next fiscal year; amending s. 373.536, F.S.; requiring that budget amendments greater than a certain amount be reviewed and approved by the Executive Office of the Governor, which must notify the Legislative Budget Commission of such approval; requiring a district to provide a description of the budget control mechanisms to the Executive Office of the Governor for approval; providing that, upon review and approval by the Executive Office of the Governor and after providing notice of intention to amend to the Legislative Budget Commission, a water management district may amend unanticipated funds into its final budget; requiring the Executive Office of the Governor and the Legislative Budget Commission to be notified if a district governing board expends funds for a disaster or emergency; delaying the date that a district must begin providing, in the form and manner prescribed by the Department of Financial Services, a monthly financial statement to its governing board; providing criteria for the Legislative Budget Commission to use in approving the tentative budget of a district; authorizing the Legislative Budget Commission to reject certain district budget proposals; prohibiting a district from including a rejected proposition in its final budget or act through any other means without prior approval of the entity rejecting the provision; requiring that the district submit for review to a tentative budget and a description of any significant changes from the preliminary budget; revising components to be included in a district's tentative budget; requiring that a 5-year water resource development work program describe the district's implementation strategy and funding plan for water resource, water supply, and alternative water supply development components of each approved regional water supply plan; amending s. 373.605, F.S.; authorizing the governing board of a water management district to provide group insurance for its employees and the employees of another water management district; creating s. 373.618, F.S.; providing for each water management district to own, acquire, develop, construct, operate, and manage a public information system; exempting local government review or approval of such public information system; exempting the system from outdoor advertising regulations; prohibiting water management districts from using public funds; authorizing the collection of funds from private sponsors who display commercial messages; providing effective dates.

On motion by Senator Hays, **SB 1986** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—34

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Dean	Latvala	Smith
Detert	Lynn	Thrasher
Diaz de la Portilla	Margolis	Wise
Evers	Montford	
Fasano	Negron	

Nays—6

Bullard	Joyner	Sobel
Dockery	Rich	Storms

CONFERENCE COMMITTEE REPORT ON SB 1994

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 1994, 1st Eng., same being:

An act relating to postsecondary education.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House of Representatives recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
Eduardo "Eddy" Gonzalez
Acting Co-Chair
s/ Larry Ahern
Dwight M. Bullard
Chris Dorworth, At Large
James C. "Jim" Frishe, At Large
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Jeanette M. Nunez
s/ Kathleen C. Passidomo
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
Dwayne L. Taylor
s/ Will W. Weatherford, At Large

s/ H. Marlene O'Toole
Chair
s/ William L. "Bill" Proctor
Acting Co-Chair
s/ Gary Aubuchon, At Large
Charles S. "Chuck" Chestnut IV
At Large
Shawn Harrison
Dorothy L. Hukill, At Large
s/ John Legg, At Large
s/ Seth McKeel, At Large
s/ Jose R. Oliva
Betty Reed
Ron Saunders, At Large
s/ William D. Snyder, At Large
s/ Kelli Stargel
s/ Carlos Trujillo
Alan B. Williams

Managers on the part of the House

The Conference Committee Amendment for SB 1994, Postsecondary Education, provides for the following:

- Creates the Florida Polytechnic University. All laws governing a university will apply, including the establishment of a board of trustees and a president.

- Requires Florida Polytechnic University to meet the milestones in the Board of Governor's motion by December 31, 2016.

- Requires the University of South Florida (USF) to allow current USF Polytechnic students to complete their degree at USF.

- Transfers real and personal property, licenses and associated revenues, existing contracts, unexpended balances, appropriations, allocations, funds, and mutually agreed-upon obligations, responsibilities, and liabilities of USF Polytechnic to Florida Polytechnic University.

- Requires USF to retain the current faculty and staff, except for faculty and staff of the Florida Industrial and Phosphate Research Institute which are transferred to the new Florida Polytechnic University.

- Requires USF to transfer Polytechnic-related foundation funds to a new Florida Polytechnic University foundation after obtaining donor consent.

- Cancels all memorandums of understanding between USF and USF Polytechnic upon this act becoming law.

- Authorizes a university board of trustees to expend reserve or carry-forward balances from prior year operational and programmatic appropriations for legislatively approved fixed capital outlay projects authorized for the establishment of a new campus.

- Requires Florida Polytechnic University to allow the University of South Florida to use space at the Lakeland joint-use facility pursuant to a mutual agreement for the purpose of continuing the local education of existing USF Polytechnic students. Florida Polytechnic University shall transfer space at the Lakeland joint-use facility to Polk State College as new space becomes available on the new campus of Florida Polytechnic University.

- Authorizes the University of Florida to serve in an advisory/consulting capacity to the new university on certain issues.

- Provides civil immunity for USF and Florida Polytechnic University Board of Trustees, officers, and other employees for actions pertaining to this act.

- Appropriates $6 million in recurring funds for USF College of Pharmacy.

- Appropriates $10 million in recurring funds for USF for the purpose of allowing students enrolled in University of South Florida Polytechnic to complete their degrees at USF. This funding is contingent upon USF implementing the transfers required in the bill and upon USF maintaining full campus and program operations, including the retention of current faculty and staff of USF Polytechnic until June 30, 2012.

Conference Committee Amendment (923374)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 1004.345, Florida Statutes, is amended to read:

(Substantial rewording of section. See

s. 1004.345, F.S., for present text.)

1004.345 The Florida Polytechnic University.—

(1) By December 31, 2016, the Florida Polytechnic University shall meet the following criteria as established by the Board of Governors:

(a) Achieve accreditation from the Commission on Colleges of the Southern Association of Colleges and Schools;

(b) Initiate the development of the new programs in the fields of science, technology, engineering, and mathematics;

(c) Seek discipline-specific accreditation for programs;

(d) Attain a minimum FTE of 1,244, with a minimum 50 percent of that FTE in the fields of science, technology, engineering, and mathematics and 20 percent in programs related to those fields;

(e) Complete facilities and infrastructure, including the Science and Technology Building, Phase I of the Wellness Center, and a residence hall or halls containing no fewer than 190 beds; and

(f) Have the ability to provide, either directly or where feasible through a shared services model, administration of financial aid, admissions, student support, information technology, and finance and accounting with an internal audit function.

(2) Once the criteria in subsection (1) have been met, the Board of Trustees of the Florida Polytechnic University shall notify the Board of Governors, and the Board of Governors shall conduct a final review to confirm that the criteria have been met.

(3) Students enrolled at the University of South Florida Polytechnic shall be afforded the opportunity to complete their degrees at the University of South Florida, subject to university criteria.

Section 2. *The following transfers shall be made:*

(1) All real and personal property, licenses and associated revenues, existing contracts, unexpended balances, appropriations, allocations, funds, and mutually agreed-upon obligations, responsibilities, and liabilities of the University of South Florida which relate to the University of South Florida Polytechnic campus, as determined by the Board of Trustees of the University of South Florida and the Board of Trustees of the Florida Polytechnic University, shall be transferred to the Florida Polytechnic University.

(2) All Florida Industrial and Phosphate Research Institute programs, functions, offices, records, faculty positions, and staff positions of the University of South Florida Polytechnic shall be transferred to the Florida Polytechnic University.

(3) After the transfers required in subsections (1) and (2) are complete, all programs, functions, offices, records, faculty positions, and staff positions of the University of South Florida Polytechnic shall be transferred to the University of South Florida.

Section 3. *In accordance with s. 1004.28, Florida Statutes, and the regulations of the Board of Governors, the Board of Trustees of the Florida Polytechnic University may certify a direct-support organization to serve the Florida Polytechnic University. The Board of Trustees of the University of South Florida, in conjunction with the University of South Florida Foundation, shall develop and implement a plan to transfer, after obtaining consent from the appropriate donors, assets derived from donations intended for the enhancement of the University of South Florida*

Polytechnic campus to the new direct-support organization serving the Florida Polytechnic University.

Section 4. *All memoranda of understanding between the University of South Florida and the University of South Florida Polytechnic and its successors shall be invalid upon this act becoming a law.*

Section 5. *The University of South Florida shall take appropriate action, in collaboration with the Florida Polytechnic University, to obtain all consents required by the Federal Communications Commission and third parties before assigning the educational broadband service station license that has a Federal Communications Commission-issued reference point in Polk County, Florida, to the Florida Polytechnic University. Upon obtaining such consents, and upon the approval of the Federal Communications Commission, the University of South Florida shall assign the license, along with the excess capacity lease agreement for the license, to the Florida Polytechnic University, which shall assume the benefits, obligations, and liabilities as the successor in interest, including all regulatory and contractual responsibilities. This section is contingent upon the approval of the assignment of the lease by the Federal Communications Commission.*

Section 6. *The Florida Polytechnic University shall retain, not subject to lease or other expense, the space occupied by the University of South Florida Polytechnic campus in the Lakeland joint-use facility and the associated facility utilization rights and obligations and shall allow the University of South Florida to use space pursuant to a mutual agreement specifying the space to be used for the purpose of continuing the local education of students who are enrolled at, or already admitted to, the University of South Florida Polytechnic before the effective date of this act and who wish to remain students at the University of South Florida. Such students shall be afforded the opportunity to complete their degrees at the University of South Florida, subject to university criteria. The mutual facility utilization agreement shall be adjusted annually to reflect the space needs of the University of South Florida for the purpose of continuing the local education of eligible students. The Florida Polytechnic University shall transfer space at the Lakeland joint-use facility to Polk State College as new space becomes available on the new campus of the Florida Polytechnic University. Once the Florida Polytechnic University has no further need for the space at the Lakeland joint-use facility, the Florida Polytechnic University shall complete the transfer of all remaining property and buildings of the joint-use facility to Polk State College. This section does not prevent the University of South Florida, the Florida Polytechnic University, or Polk State College from entering into mutual agreements to share or use space in the Lakeland joint-use facility.*

Section 7. *The University of Florida, using its expertise in the disciplines of science, technology, engineering, and mathematics, shall be available in an advisory or consulting capacity to assist the president and the Board of Trustees of the Florida Polytechnic University in hiring, accreditation, administration, and other areas.*

Section 8. *The Board of Trustees of the University of South Florida and the Board of Trustees of the Florida Polytechnic University, and the their respective officers, trustees, employees, attorneys, and agents, are immune from any and all civil liability pertaining to or arising from compliance with this act, including the transfers required in this act.*

Section 9. Paragraph (l) is added to subsection (6) of section 1000.21, Florida Statutes, to read:

1000.21 Systemwide definitions.—As used in the Florida K-20 Education Code:

(6) "State university," except as otherwise specifically provided, includes the following institutions and any branch campuses, centers, or other affiliates of the institution:

(l) The Florida Polytechnic University.

Section 10. Subsection (1), paragraph (b) of subsection (2), and subsection (3) of section 1004.346, Florida Statutes, are amended to read:

1004.346 Florida Industrial and Phosphate Research Institute.—

(1) INSTITUTE CREATION.—The Florida Industrial and Phosphate Research Institute is established within the *Florida Polytechnic University* ~~University of South Florida Polytechnic~~.

(2) PHOSPHATE RESEARCH AND ACTIVITIES BOARD.—The Phosphate Research and Activities Board is created to monitor the expenditure of funds appropriated to the university from the Phosphate Research Trust Fund.

(b) The board shall consist of five members. The Governor shall appoint two persons representing the phosphate mining or processing industry and one member representing a major environmental conservation group in the state. The Secretary of Environmental Protection or his or her designee and the *president* ~~Campus Executive Officer~~ of the *Florida Polytechnic University* ~~University of South Florida Polytechnic~~ shall also serve as board members.

(3) INSTITUTE EXECUTIVE DIRECTOR.—An executive director shall be designated by and serve at the pleasure of the *president* ~~Campus Executive Officer~~ of the *Florida Polytechnic University* ~~University of South Florida Polytechnic~~ or his or her designee. The executive director shall be responsible for the daily administration of the institute, including the expenditure of funds from all sources. The executive director shall consult with the Phosphate Research and Activities Board on the projects that the institute expects to undertake using moneys appropriated from the Phosphate Research Trust Fund.

Section 11. Section 1004.387, Florida Statutes, is amended to read:

1004.387 Doctor of pharmacy degree program at the University of South Florida.—A doctor of pharmacy degree program is authorized at the University of South Florida. The program shall be physically located on the ~~new~~ campus of the University of South Florida ~~Polytechnic~~. ~~The university is authorized to develop and implement the program within existing facilities only until the construction of a pharmacy facility on the new campus of the University of South Florida Polytechnic is completed, which shall house the doctor of pharmacy degree program.~~

Section 12. Subsection (6) is added to section 1013.74, Florida Statutes, to read:

1013.74 University authorization for fixed capital outlay projects.—

(6) For the 2011-2012 through 2022-2023 fiscal years, a university board of trustees may expend reserve or carry forward balances from prior year operational and programmatic appropriations for legislatively approved fixed capital outlay projects authorized for the establishment of a new campus.

Section 13. *The sum of $6 million is appropriated to the Medical Center at the University of South Florida from recurring general revenue for the 2012-2013 fiscal year for the purpose of funding the University of South Florida's College of Pharmacy.*

Section 14. *The sum of $10 million is appropriated to the University of South Florida from recurring general revenue for the 2012-2013 fiscal year in Education and General Activities for the purpose of allowing students enrolled in the University of South Florida Polytechnic to complete their degrees at the University of South Florida. The appropriation of such funds is contingent upon the University of South Florida meeting the transfer requirements contained in this act and maintaining full campus and program operations, including the retention of current faculty and staff, except for employee terminations for cause, for the University of South Florida Polytechnic until June 30, 2012. The Executive Office of the Governor shall place such funds in reserve if it determines that the contingency has not been met.*

Section 15. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: An act relating to postsecondary education; amending s. 1004.345, F.S.; deleting provisions creating the University of South Florida Polytechnic; requiring that the Florida Polytechnic University meet certain criteria established by the Board of Governors by a specified date; requiring that the Board of Trustees of the Florida Polytechnic University notify the Board of Governors when such criteria are met; requiring that students enrolled at the University of South Florida Polytechnic be afforded the opportunity to complete their degrees at the University of South Florida; transferring all real and personal property, licenses and associated revenues, existing contracts, unexpended balances, appropriations, allocations, funds, and mutually agreed-upon obligations, responsibilities,

and liabilities from the University of South Florida which relate to the University of South Florida Polytechnic campus, as determined by the Board of Trustees of the University of South Florida and the Board of Trustees of the Florida Polytechnic University, to the Florida Polytechnic University; transferring all Florida Industrial and Phosphate Research Institute programs, functions, offices, records, faculty positions, and staff positions from the University of South Florida Polytechnic to the Florida Polytechnic University; transferring all programs, functions, offices, records, and faculty and staff positions from the University of South Florida Polytechnic to the University of South Florida when certain transfers are complete; authorizing the Board of Trustees of the Florida Polytechnic University to certify a direct-support organization to serve the Florida Polytechnic University; requiring that the Board of Trustees of the University of South Florida and the University of South Florida Foundation develop and implement a plan to transfer the assets derived from donations that were intended for the University of South Florida Polytechnic campus after obtaining consent from the appropriate donors; providing that memoranda of understanding between the University of South Florida and the University of South Florida Polytechnic are invalid upon the act becoming a law; requiring that the University of South Florida obtain consents required by the Federal Communications Commission and third parties, and approval by the Federal Communications Commission, before assigning the educational broadband service station license to the Florida Polytechnic University; requiring that the Florida Polytechnic University retain, not subject to lease or other expense, the space occupied by the University of South Florida Polytechnic campus in the Lakeland joint-use facility; authorizing the University of South Florida to use space pursuant to a mutual agreement under certain circumstances; requiring the transfer of space at the Lakeland joint-use facility to Polk State College when the Florida Polytechnic University no longer needs the space; requiring that the University of Florida be available in an advisory or consulting capacity to assist the Florida Polytechnic University; providing that the Board of Trustees of the University of South Florida and the Board of Trustees of the Florida Polytechnic University and their respective officers, trustees, employees, attorneys, and agents are immune from civil liability; amending s. 1001.21, F.S.; revising the definition of "state university" to include the Florida Polytechnic University; amending s. 1004.346, F.S.; revising provisions relating to the Florida Industrial and Phosphate Research Institute, to conform to changes made by the act; amending s. 1004.387, F.S.; providing for a doctor of pharmacy degree program at the University of South Florida; deleting provisions that authorize the development and implementation of the program on the campus of the University of South Florida Polytechnic; amending s. 1013.74, F.S.; authorizing a university board of trustees to expend certain reserve or carry forward balances from prior years for capital outlay projects for a new campus for specified fiscal years; providing appropriations; providing an effective date.

On motion by Senator Lynn, the Conference Committee Report was adopted and **SB 1994** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—36

Mr. President	Flores	Norman
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Latvala	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Evers	Negron	Wise

Nays—4

Dockery	Fasano	Joyner
Oelrich		

CONFERENCE COMMITTEE REPORT ON SB 1996

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 1996, 1st Eng., same being:

An act relating to the Department of Economic Opportunity.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House of Representatives recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz
Andy Gardiner
s/ Mike Haridopolos
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Alan Hays
s/ Arthenia L. Joyner
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
s/ Jeffrey "Jeff" Brandes
s/ Douglas Vaughn "Doug" Broxson
Chris Dorworth, At Large
s/ Brad Drake
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Peter Nehr
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
s/ Ritch Workman

s/ Mike Horner
Lead Manager
Mack Bernard
s/ Jason T. Brodeur
s/ Rachel V. Burgin
Charles S. "Chuck" Chestnut IV
At Large
s/ James C. "Jim" Frishe, At Large
Dorothy L. Hukill, At Large
s/ John Legg, At Large
s/ Seth McKeel, At Large
Hazelle P. "Hazel" Rogers
Ron Saunders, At Large
s/ William D. Snyder
s/ Will W. Weatherford, At Large

Managers on the part of the House

The Conference Committee Amendment for SB 1996,1st Eng., Department of Economic Opportunity, provides for the following:

Section 1 repeals s. 49 of chapter 2011-47, Laws of Florida, thereby abrogating the future expiration of an amendment to s. 163.3247(3), F.S., which amendment eliminated the travel and per diem reimbursement for members of the Century Commission.

Section 2 repeals s. 51 of chapter 2011-47, Laws of Florida, thereby abrogating the future expiration of an amendment to s. 201.15(1)(c)2.,

F.S., which amendment eliminated the distribution of documentary stamp tax revenues to the Century Commission.

Section 3 requires the Auditor General and the Office of Program Policy Analysis and Government Accountability (OPPAGA) to jointly conduct an audit and review of the programs and operations of the Florida Housing Finance Corporation. A work plan for such audit and review must be submitted to the President of the Senate and the Speaker of the House of Representatives no later than July 1, 2012. The audit and review shall encompass, at a minimum, a review of the corporation's assets, liabilities, income, and operating expenses, the internal management, financial and operational controls employed, the programmatic decision-making processes used, the governance, direction and oversight provided by the Florida Housing Finance Corporation Board of Directors, and the performance outcomes of the programs administered by the Florida Housing Finance Corporation. The audit and review shall also include formulation of recommendations to the Legislature for changes to the structure, governance and operational processes of the Florida Housing Finance Corporation. Unless otherwise directed in writing jointly by the President of the Senate and the Speaker of the House of Representatives, a written report on the audit and review shall be submitted to the President of the Senate and the Speaker of the House of Representatives no later than December 1, 2012. This section shall be effective upon this act becoming law.

Section 4 amends s. 420.507, F.S., to authorize the Florida Housing Finance Corporation to utilize up to 10 percent of its annual allocation of low-income housing tax credits, allocation of nontaxable revenue bonds, and State Apartment Incentive Loan Program funds appropriated by the Legislature and available to allocate by request for proposals or other competitive solicitation funding for high-priority affordable housing projects, such as housing to support economic development and job creation initiatives, housing for veterans and their families, and other special needs populations in communities throughout the state as determined by the corporation on an annual basis.

Section 5 amends s. 420.5087 to authorize the Florida Housing Finance Corporation's State Apartment Incentive Loan Program (SAIL) to accept payment of deferred program interest at an interest rate that is consistent with rates currently authorized in law, provided the deferred interest is paid in not more than five equal annual installments. This section also provides authority for additional SAIL funding to preserve existing projects having financing guaranteed under the Florida Affordable Housing Guarantee Program. Projects shall be given priority for funding which meet specified criteria. The maximum amount that may be funded is $ 2,500,000 per project, and authority for such funding expires on June 30, 2013.

Section 6 amends s. 445.009, F.S., to remove the expiration date from a subsection which provides that a participant in a Workforce Services One-stop delivery system work experience program shall be deemed an employee of the state for purposes of worker's compensation coverage.

Section 7 directs the DEO to prepare draft legislation to conform the Florida Statutes to the provisions of this act, and to submit such draft legislation to the Governor, the President of the Senate, and the Speaker of the House of Representatives on or before October 1, 2012.

Section 8 provides that if the governing body of an independent special district that provides water, wastewater, and sanitation services in a disproportionally affected county as defined in s. 288.106(8), determines that a new user or the expansion of an existing user of one or more of its utility systems will provide a significant benefit to the community in terms of increased job opportunities, economies of scale, or economic development in the area, the governing body may authorize a reduction of its rates, fees, or charges for that user for a specified period of time. A governing body that exercises this power must do so by resolution that states the anticipated economic benefit justifying the reduction as well as the period of time that the reduction remains in place.

Section 9 provides that, except as otherwise expressly provided in this act, this act shall take effect on July 1, 2012.

Conference Committee Amendment (171672)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *Section 49 of chapter 2011-47, Laws of Florida, is repealed.*

Section 2. *Section 51 of chapter 2011-47, Laws of Florida, is repealed.*

Section 3. *The Auditor General and the Office of Program Policy Analysis and Government Accountability shall conduct a joint audit and review of the programs and operations of the Florida Housing Finance Corporation, and shall jointly develop a work plan for such audit and review to be submitted to the President of the Senate and the Speaker of the House of Representatives no later than July 1, 2012. The audit and review shall encompass, at a minimum, a review of the corporation's assets, liabilities, income, and operating expenses; the internal management, financial and operational controls employed, and programmatic decisionmaking processes used; the governance, direction, and oversight provided by the Florida Housing Finance Corporation Board of Directors; and the performance outcomes of the programs administered by the Florida Housing Finance Corporation. The audit and review shall also include formulation of recommendations to the Legislature for changes to the structure, governance, and operational processes of the Florida Housing Finance Corporation. Unless otherwise directed in writing jointly by the President of the Senate and the Speaker of the House of Representatives, a written report on the audit and review shall be submitted to the President of the Senate and the Speaker of the House of Representatives no later than December 1, 2012. This section shall take effect upon this act becoming a law.*

Section 4. Subsection (48) is added to section 420.507, Florida Statutes, to read:

420.507 Powers of the corporation.—The corporation shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers which are in addition to all other powers granted by other provisions of this part:

(48) To use up to 10 percent of its annual allocation of low-income housing tax credits, nontaxable revenue bonds, and State Apartment Incentive Loan Program funds appropriated by the Legislature and available to allocate by request for proposals or other competitive solicitation funding for high-priority affordable housing projects, such as housing to support economic development and job-creation initiatives, housing for veterans and their families, and other special needs populations in communities throughout the state as determined by the corporation on an annual basis.

Section 5. Subsections (9) and (10) are added to section 420.5087, Florida Statutes, to read:

420.5087 State Apartment Incentive Loan Program.—There is hereby created the State Apartment Incentive Loan Program for the purpose of providing first, second, or other subordinated mortgage loans or loan guarantees to sponsors, including for-profit, nonprofit, and public entities, to provide housing affordable to very-low-income persons.

(9) The corporation is authorized to accept payment of deferred program interest at an interest rate that is consistent with rates currently authorized under this section, if the deferred interest is paid in not more than five equal annual installments, subject to the qualifications contained in this subsection.

(10) Funding under this subsection shall be to preserve existing projects having financing guaranteed under the Florida Affordable Housing Guarantee Program pursuant to s. 420.5092.

(a) A project shall be given priority for funding if:

1. It was approved by the corporation board in calendar year 2011 to provide additional units for extremely-low-income persons as defined in s. 420.0004;

2. The Guarantee Program mortgage note was executed and recorded not later than September 30, 2003;

3. It commits to provide additional units for extremely-low-income persons; and

4. The shareholders, members, or partners of the project owner have funded deficits in an amount that is not less than 20 percent of the State Apartment Incentive Loan not later than closing of any financing made under this subsection.

(b) The maximum amount that may be funded under this subsection is $2.5 million per project.

(c) This subsection expires June 30, 2013.

Section 6. Subsection (11) of section 445.009, Florida Statutes, is amended to read:

445.009 One-stop delivery system.—

(11) A participant in an adult or youth work experience activity administered under this chapter shall be deemed an employee of the state for purposes of workers' compensation coverage. In determining the average weekly wage, all remuneration received from the employer shall be considered a gratuity, and the participant *is* ~~shall~~ not ~~be~~ entitled to any benefits otherwise payable under s. 440.15, regardless of whether the participant may be receiving wages and remuneration from other employment with another employer and regardless of his or her future wage-earning capacity. ~~This subsection expires July 1, 2012.~~

Section 7. *The Legislature recognizes that there is a need to conform the Florida Statutes to the policy decisions reflected in this act. Therefore, the Department of Economic Opportunity is directed to prepare draft legislation to conform the Florida Statutes to the provisions of this act. The department shall submit the draft legislation to the Governor, the President of the Senate, and the Speaker of the House of Representatives on or before October 1, 2012.*

Section 8. *If the governing body of an independent special district that provides water, wastewater, and sanitation services in a disproportionally affected county, as defined in s. 288.106(8), Florida Statutes, determines that a new user or the expansion of an existing user of one or more of its utility systems will provide a significant benefit to the community in terms of increased job opportunities, economies of scale, or economic development in the area, the governing body may authorize a reduction of its rates, fees, or charges for that user for a specified period of time. A governing body that exercises this power must do so by resolution that states the anticipated economic benefit justifying the reduction as well as the period of time that the reduction will remain in place.*

Section 9. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2012.

And the title is amended as follows:

Delete everything before the enacting clause and insert:An act relating to the Department of Economic Opportunity; repealing s. 49 of chapter 2011-47, Laws of Florida; abrogating the future expiration of an amendment to s. 163.3247(3)(d), F.S., to nullify the reversion of the text of that paragraph to that in existence on June 30, 2010; repealing s. 51 of chapter 2011-47, Laws of Florida; abrogating the future expiration of an amendment to s. 201.15(1)(c)2., F.S., to nullify the reversion of the text of that subparagraph to that in existence on June 30, 2010; requiring the Auditor General and the Office of Program Policy Analysis and Government Accountability to conduct a joint audit and review of the Florida Housing Finance Corporation; amending s. 420.507, F.S.; revising powers of the Florida Housing Finance Corporation; amending s. 420.5087, F.S.; revising provisions relating to the State Apartment Incentive Loan Program; authorizing the corporation to accept payment of deferred program interest under certain circumstances; providing funding for projects that meet certain criteria; providing for future expiration; amending s. 445.009, F.S.; deleting the future expiration of provisions authorizing workers' compensation coverage for a participant in an adult or youth work experience activity; directing the Department of Economic Opportunity to prepare draft legislation to conform the Florida Statutes to the provisions of the act; requiring that the department submit the draft legislation to the Governor and Legislature by a specified date; authorizing a local governmental entity that is an independent special district providing certain utility services to reduce its rates by resolution for a specified time for a user that will provide a community benefit; providing effective dates.

On motion by Senator Benacquisto, the Conference Committee Report was adopted and **SB 1996** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bogdanoff	Gibson	Ring
Braynon	Hays	Sachs
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	

Nays—None

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **HB 865**, **CS for HB 891**, **HB 1153**, **CS for HB 1253**, **HB 1297**, **CS for CS for HB 1299**, and **HB 1381** were withdrawn from the Committee on Rules and by two-thirds vote placed on Local Bill Calendar.

LOCAL BILL CALENDAR

HB 865—A bill to be entitled An act relating to Pinellas Suncoast Transit Authority, Pinellas County; amending chapter 2000-424, Laws of Florida; providing for alternative income revenues through a specified discretionary sales surtax under certain conditions; prohibiting the authority from levying and collecting ad valorem tax revenue after it elects to accept the discretionary sales surtax proceeds; providing an effective date.

—was read the second time by title. On motion by Senator Latvala, by two-thirds vote **HB 865** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

CS for HB 891—A bill to be entitled An act relating to Hillsborough County; providing that the act supersedes inconsistent provisions of chapter 2001-299, Laws of Florida; providing that a holder of a certificate of public convenience and necessity for taxicabs or a taxicab permit issued by the Hillsborough County Public Transportation Commission, pursuant to chapter 2001-299, Laws of Florida, has property rights in the certificate or permit; providing for the transfer of such certificate or permit; providing for the creation of the Driver Ownership Program to assist taxicab drivers in acquiring certificates and permits; providing for the adoption of rules; providing definitions; providing an effective date.

—was read the second time by title. On motion by Senator Latvala, by two-thirds vote **CS for HB 891** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

HB 1153—A bill to be entitled An act relating to Broward County; amending chapter 75-350, Laws of Florida, as amended; revising provisions relating to the governing of municipal elections in the county; revising the dates on which municipal candidates must file qualification papers and pay certain fees with respect to certain elections; providing an effective date.

—was read the second time by title. On motion by Senator Sobel, by two-thirds vote **HB 1153** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

CS for HB 1253—A bill to be entitled An act relating to the City of Jacksonville, Duval County; amending chapter 92-341, Laws of Florida, as amended; providing that the Consolidated Government of the City of Jacksonville may amend or repeal any portion of Article 24 of the city's charter, which relates to the Jacksonville Economic Development Commission, by ordinance without approval of electors at a referendum or further action by the Legislature; providing an effective date.

—was read the second time by title. On motion by Senator Thrasher, by two-thirds vote **CS for HB 1253** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bogdanoff	Diaz de la Portilla
Alexander	Braynon	Dockery
Altman	Bullard	Evers
Benacquisto	Dean	Fasano
Bennett	Detert	Flores
Gaetz	Margolis	Simmons
Garcia	Montford	Siplin
Gardiner	Negron	Smith
Gibson	Norman	Sobel
Hays	Oelrich	Storms
Jones	Rich	Thrasher
Joyner	Richter	Wise
Latvala	Ring	
Lynn	Sachs	

Nays—None

HB 1297—A bill to be entitled An act relating to City of Dania Beach, Broward County; extending the corporate limits of the City of Dania Beach to include the area that extends 3 miles into the Atlantic Ocean from the city's existing shoreline; providing an effective date.

—was read the second time by title. On motion by Senator Sobel, by two-thirds vote **HB 1297** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

CS for CS for HB 1299—A bill to be entitled An act relating to the North Lake County Hospital District, Lake County; codifying special laws relating to the district; providing legislative intent; amending, codifying, reenacting, and repealing chapters 2002-348 and 2004-460, Laws of Florida, relating to the district; re-creating the district and re-creating and reenacting the charter; providing definitions; providing a public purpose; prohibiting a person from seeking election to the board of trustees if the person has previously served on the board of directors of certain entities within a specified time; requiring publication of the annual meeting notice on a publicly accessible website; providing general powers of the district, including the power to levy an ad valorem tax not to exceed a specified millage; establishing permitted uses of tax funds; providing restrictions on the district board's activities; prescribing requirements of the board for fiscal responsibility, transparency, and accountability; providing financial disclosure requirements and reporting, notice, and public meeting provisions for the board; providing for sovereign immunity; providing for expiration of the district at a specified time without further legislative action and permitting continuation of the district by referendum at the end of 10-year intervals; providing for a referendum; providing an effective date.

—was read the second time by title.

Senator Hays moved the following amendments which were adopted:

Amendment 1 (973138) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 4 of chapter 2002-348, Laws of Florida, as amended by chapter 2004-460, Laws of Florida, and section 5 of that chapter, are amended to read:

Section 4. POWERS, FUNCTIONS, AND DUTIES.—

A. Eminent domain.—The North Lake County Hospital District, through its board of trustees, has the power of eminent domain.

B. General Powers.—The Board of Trustees of the North Lake County Hospital District has all the powers of a body corporate, including the power to sue and be sued under the name of the North Lake County Hospital District; to contract and be contacted with; to adopt and use a common seal; and to acquire, purchase, hold, lease, and convey such real and personal property as the board of trustees deems proper or expedient to carry out the purposes of this act.

C. Ad valorem taxation.—The Board of Trustees of the North Lake County Hospital District may levy an ad valorem tax in the district of *up to* 1 mill on the dollar of the value of all nonexempt property within that area of Lake County which comprises the North Lake County Hospital District. Such tax shall be paid into the district fund.

D. Tax proceeds to charitable foundations; hospitals.—All future tax proceeds generated from within the Northeast Territory, less one-half of the amount reserved annually by the board to pay for maintenance and services for the board, shall be paid by the board of trustees to Florida Hospital Waterman, Inc., or other entity determined by Florida Hospital Waterman, Inc., if it so desires in order to maximize moneys received, upon written request by Florida Hospital Waterman, Inc., that the funds are needed for health care. All future proceeds generated from within the Northwest Territory, less one-half of the amount reserved annually by the board to pay for maintenance and services for the board, shall be paid by the board of trustees to Leesburg Regional Medical Center, Inc., or other entity determined by Leesburg Regional Medical Center, Inc., if it so desires in order to maximize moneys received, upon written request by Leesburg Regional Medical Center, Inc., that the funds are needed for health care. *Funds that are not used for maintenance and services of the board of the district may be used only to offset the cost of uncompensated care for services provided to residents of Lake County who are indigent or who are Medicaid patients. For purposes of this paragraph, the term "indigent person" includes a person who does not have health insurance and whose household income does not exceed 200 percent of the federal poverty level.*

E. LifeStream Behavioral Center.—Leesburg Regional Medical Center, Inc., and Florida Hospital Waterman, Inc., have brought to the attention of their respective boards that LifeStream Behavioral Center should be entitled to receive the following sums, after submission of a written request by LifeStream Behavioral Center certifying that the funds are needed for indigent health care. The request shall be made to Florida Hospital Waterman, Inc., and Leesburg Regional Medical Center, Inc. Florida Hospital Waterman, Inc., and Leesburg Regional Medical Center, Inc., shall pay the following sums to LifeStream Behavioral Center from their respective share of tax funds collected and received by Florida Hospital Waterman, Inc., and Leesburg Regional Medical Center, Inc.

1. For each *calendar* year ~~after calendar year 1993~~, LifeStream Behavioral Center shall be paid $100,000 or 1/20 of ~~1 mill of~~ the tax moneys due Florida Hospital Waterman, Inc., from the Northeast Territory, whichever is greater, plus $100,000 or 1/20 of ~~1 mill of~~ the tax moneys due Leesburg Regional Medical Center, Inc., from the Northwest Territory, whichever is greater. If Florida Hospital Waterman, Inc., or Leesburg Regional Medical Center, Inc., refuses to pay LifeStream Behavioral Center the funds due under this section in any given year, during the next fiscal year of the Board of Trustees of the North Lake County Hospital District, the Board of Trustees of the North Lake County Hospital District shall directly pay LifeStream Behavioral Center an amount equal to the funds withheld during the previous year by the subject provider payable from funds that would otherwise be payable to the subject provider.

2. Notwithstanding any of the provisions of this act, the obligation to pay tax revenues to LifeStream Behavioral Center under this act shall permanently terminate in the year:

a. When a countywide health taxing district is created and funded pursuant to chapter 154, Florida Statutes, the countywide health taxing district provides for reimbursement on an accountability basis to medical providers for medical, hospital, and emergency care, including psychiatric care provided to indigents residing within the county, and the countywide health taxing district actually reimburses LifeStream Behavioral Center for medical services in an amount greater than or equal to the tax revenues received under the provisions of this act in 1 calendar year; or

b. If LifeStream Behavioral Center, for any reason, loses, relinquishes, or forfeits its accreditation as a hospital.

Any reimbursement for medical services paid to LifeStream Behavioral Center by any future countywide health taxing district shall be deducted from the amount of tax revenues to be paid under this act. It is the intent of this act that the tax revenue payments provided for LifeStream Behavioral Center in this act be reduced by the same amount that is actually paid to the hospital by the countywide taxing district.

F. Annual financial report.—Leesburg Regional Medical Center Charitable Foundation, Inc., and its parent corporation; Florida Hospital Waterman Foundation, Inc., and its parent corporation; and LifeStream Behavioral Center shall each file annual *independently* audited financial statements with the North Lake County Hospital District.

G. Semiannual patient data reports.—Leesburg Regional Medical Center Charitable Foundation, Inc., and its parent corporation; Florida Hospital Waterman Foundation, Inc., and its parent corporation; and LifeStream Behavioral Center shall each file semiannual reports with the North Lake County Hospital District documenting:

1. The number of patients for which tax proceeds under this section are used;

2. The total cost of patient care to Lake County residents who are indigent or who are Medicaid patients;

3. The total cost of the uncompensated care provided to Lake County residents who are indigent or who are Medicaid patients;

4. The amount of ad valorem tax proceeds spent on providing care to Lake County residents who are indigent or who are Medicaid patients; and

5. Any other records or information reasonably required by the district relating to medical costs and expenditures of the proceeds of the ad valorem tax proceeds. Such records or information may not contain personal patient-identifying information and shall be redacted to protect patient confidentiality.

H.~~G.~~ Collection of taxes.—It is the duty of the Property Appraiser of Lake County to assess, and the Tax Collector of Lake County to collect, the ~~1 mill~~ tax levied by the Board of Trustees of the North Lake County Hospital District upon the taxable property in the district. The tax collector shall collect such tax as levied by the board of trustees in the same manner as other taxes are collected and shall pay the same over to the Board of Trustees of the North Lake County Hospital District within the time and in the manner prescribed by law for the payment of the Tax Collector of Lake County taxes to the county depository. It is the duty of the Department of Revenue to assess all such property in accordance with section 193.085, Florida Statutes. The amount of each county or state taxes and the taxes for the district shall be assessed by the officer respectively as are county taxes upon such property, and such tax shall be remitted by the collecting officer to the Board of Trustees of the North Lake County Hospital District. All such taxes shall be held by the Board of Trustees of the North Lake County Hospital District and paid out by them for purposes of this act.

I.~~H.~~ Expenses.—The Board of Trustees of the North Lake County Hospital District may pay from the funds of the district all expenses of the organization of such Board of Trustees and all expenses necessarily incurred with the development of the district as well as all other reasonable and necessary expenses, including the fees and expenses of a certified public accountant and an attorney as needed in the transaction of the business of the district in carrying out and accomplishing the purposes of this act. The board shall include in its annual budget a reserve in an amount deemed necessary by the board for its yearly expenses.

J.~~I.~~ Financial disclosure, notice, and reporting requirements.—At least once every year, the Board of Trustees of the North Lake County Hospital District shall make and file with the Clerk of the Circuit Court of Lake County a complete financial statement of all money received and distributed by the board since the development of the district as to the first statement so filed, and since the last statement so filed as to any

other year. Such statements shall also show the several sources from which the funds were received and shall show the balance on hand at the time of the making of such statement. It shall show a complete statement of the financial condition of the district. Notice of the statement shall be filed with the Clerk of the Circuit Court of Lake County and published in a newspaper regularly published in Lake County, and the statement shall be made available at all reasonable times to all residents of the district for their inspection. The Board of Trustees of the North Lake County Hospital District shall comply with all financial disclosure and reporting requirements provided in general law.

K.~~J.~~ Preparation of budget.—The Board of Trustees of the North Lake County Hospital District shall prepare an annual balanced budget in accordance with generally accepted accounting practices and in the manner prescribed by section 218.34, Florida Statutes.

L.~~K.~~ Liens and foreclosures.—Liens and foreclosure of liens resulting from failure to pay ad valorem taxation shall be treated as liens and foreclosures resulting from other ad valorem taxes.

Section 5. ESTABLISHMENT AND DISSOLUTION OF THE DISTRICT.—The North Lake County Hospital District established pursuant to section 189.4042, Florida Statutes, is reestablished by this act as a special district under chapter 189, Florida Statutes. ~~The district may be dissolved by action of the Legislature.~~

A. Duration and continuation.—The district expires and shall be dissolved at the end of its 2017 fiscal year without further action by the Legislature. However, the district may be continued for an additional 10 years if, in the 2016 general election, a majority of the electors of the district voting in a referendum called for that purpose approve its continuation. The district is subject to a continuation vote in like manner every 10 years thereafter. If the district is dissolved without further action by the Legislature, all property owned by the district is transferred to, and all indebtedness of the district shall be assumed by, Lake County upon such dissolution.

B. Referendum.—The Board of County Commissioners of Lake County shall call, and the Supervisor of Elections of Lake County shall conduct, in conjunction with the 2022 General Election, a referendum on the following question:

CONTINUATION OF THE NORTH LAKE COUNTY HOSPITAL DISTRICT

Shall the independent special district known as the North Lake County Hospital District having authority to levy each year an ad valorem tax not to exceed 1 mill to fund indigent care to qualified residents of the county be continued for another 10 years?

Yes___

No____

C. Nothing in this section precludes the dissolution of the district by action of the Legislature.

Section 2. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the North Lake County Hospital District; amending chapter 2002-348, Laws of Florida, as amended; authorizing the North Lake County Hospital District to reduce the rate of its ad valorem tax; providing for the payment of the proceeds of the tax to Florida Hospital Waterman, Inc., and Leesburg Regional Medical Center, Inc., and their parent corporations, and LifeStream Behavioral Center to offset the costs of uncompensated care for services provided to Lake County residents who are indigent or who are Medicaid patients; defining the term "indigent persons"; requiring Florida Hospital Waterman, Inc., Leesburg Regional Medical Center, Inc., and LifeStream Behavioral Center to provide biannual reports on the use of the tax proceeds to the Board of Trustees of the North Lake County Hospital District; providing for the dissolution of the district on a certain date unless the electors of the district voting in a referendum approve the continuation of the district; providing an effective date.

Amendment 2 (899868)—Delete lines 108 and 109 and insert: *Medical Center, Inc., and its parent corporation; Florida Hospital Waterman, Inc., and its*

Amendment 3 (785310)—Delete line 206 and insert: *County shall conduct, in conjunction with the 2016 General*

Amendment 4 (936270) (with title amendment)—Delete lines 41-44 and insert: *are codified, reenacted, and amended as provided in this act.*

Section 3. *The North Lake County Hospital District is re-created, the charter is re-created, amended, and reenacted, and chapters 2002-348 and 2004-460, Laws of Florida, are amended, to read:*

And the title is amended as follows:

Delete lines 7-8 and insert: relating to the district; amending, recreating, and reenacting the charter; providing

Amendment 5 (474162) (with title amendment)—Delete lines 485-495 and insert: *North Lake County Hospital District, and its authority to levy each year an ad valorem tax not to exceed 1 mill to fund indigent care to qualified residents of the district, be approved and continued for another 10 years?*

Yes___

No____

And the title is amended as follows:

Delete line 5 and insert: amending, codifying, and reenacting

On motion by Senator Dockery, by two-thirds vote **CS for CS for HB 1299** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

HB 1381—A bill to be entitled An act relating to the West Palm Beach Downtown Development Authority, Palm Beach County; amending chapter 2003-380, Laws of Florida; revising the development authority's boundaries; providing an effective date.

—was read the second time by title. On motion by Senator Bogdanoff, by two-thirds vote **HB 1381** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bullard	Flores
Alexander	Dean	Gaetz
Altman	Detert	Garcia
Benacquisto	Diaz de la Portilla	Gardiner
Bennett	Dockery	Gibson
Bogdanoff	Evers	Hays
Braynon	Fasano	Jones

Joyner
Latvala
Lynn
Margolis
Montford
Negron
Norman
Oelrich
Rich
Richter
Ring
Sachs
Simmons
Siplin
Smith
Sobel
Storms
Thrasher
Wise

Nays—None

SPECIAL ORDER CALENDAR

On motion by Senator Bogdanoff, by unanimous consent—

CS for CS for SB 448—A bill to be entitled An act relating to inmate reentry; defining the terms "department" and "nonviolent offender"; directing the Department of Corrections to develop and administer a reentry program for nonviolent offenders which is intended to divert nonviolent offenders from long periods of incarceration; requiring that the program include intensive substance abuse treatment and rehabilitative programming; providing for the minimum length of service in the program; providing that any portion of a sentence before placement in the program does not count as progress toward program completion; specifying eligibility criteria for a nonviolent offender to be placed into the reentry program; directing the court to screen and select eligible offenders for the program based on specified considerations; directing the department to notify the nonviolent offender's sentencing court in order to obtain approval before the nonviolent offender is placed into the reentry program; requiring the department to notify the state attorney; authorizing the state attorney to file objections to placing the offender into the reentry program within a specified period; requiring the sentencing court to notify the department of the court's decision to approve or disapprove the requested placement within a specified period; providing that failure of the court to timely notify the department of the court's decision constitutes disapproval of the requested placement; requiring the nonviolent offender to undergo an education assessment and a full substance abuse assessment if admitted into the reentry program; requiring the offender to be enrolled in an adult education program in specified circumstances; requiring that assessments of vocational skills and future career education be provided to the offender; requiring that certain reevaluation be made periodically; providing that the nonviolent offender is subject to the disciplinary rules of the department; specifying the reasons for which the offender may be terminated from the reentry program; requiring that the department submit a report to the sentencing court at least 30 days before the nonviolent offender is scheduled to complete the reentry program; setting forth the issues to be addressed in the report; requiring the sentencing court to hold a hearing to consider modifying the sentence imposed and authorizing the court to place the nonviolent offender on drug offender probation if the nonviolent offender's performance is satisfactory; authorizing the court to revoke probation and impose the original sentence in specified circumstances; authorizing the court to require the offender to complete a postadjudicatory drug court program in specified circumstances; directing the department to implement the reentry program using available resources; requiring the department to submit an annual report to the Governor and Legislature detailing the extent of implementation of the reentry program; specifying information to be provided and outlining future goals and recommendations; authorizing the department to enter into contracts with qualified individuals, agencies, or corporations for services for the reentry program; authorizing the department to impose administrative or protective confinement as necessary; authorizing the department to establish a system of incentives within the reentry program which the department may use to promote participation in rehabilitative programs and the orderly operation of institutions and facilities; providing that the act does not create a right to placement in the reentry program or any right to placement or early release under supervision of any type; providing that the act does not create a cause of action related to the program; directing the department to develop a system for tracking recidivism, including, but not limited to, rearrests and recommitment of nonviolent offenders who successfully complete the reentry program, and to report on recidivism in its annual report of the program; directing the department to adopt rules; providing an effective date.

—was taken up out of order and read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 448** to **CS for CS for CS for HB 177**.

Pending further consideration of **CS for CS for SB 448** as amended, on motion by Senator Bogdanoff, by two-thirds vote **CS for CS for CS for HB 177** was withdrawn from the Committees on Criminal Justice; Budget Subcommittee on Criminal and Civil Justice Appropriations; and Budget.

On motion by Senator Bogdanoff—

CS for CS for CS for HB 177—A bill to be entitled An act relating to inmate reentry; defining the terms "department" and "nonviolent offender"; directing the Department of Corrections to develop and administer a reentry program for nonviolent offenders which is intended to divert nonviolent offenders from long periods of incarceration; requiring that the program include intensive substance abuse treatment and rehabilitative programming; providing for the minimum length of service in the program; providing that any portion of a sentence before placement in the program does not count as progress toward program completion; specifying eligibility criteria for a nonviolent offender to be placed into the reentry program; directing the court to screen and select eligible offenders for the program based on specified considerations; directing the department to notify the nonviolent offender's sentencing court to obtain approval before the nonviolent offender is placed into the reentry program; requiring the department to notify the state attorney; authorizing the state attorney to file objections to placing the offender into the reentry program within a specified period; requiring the sentencing court to notify the department of the court's decision to approve or disapprove the requested placement within a specified period; requiring the nonviolent offender to undergo an education assessment and a full substance abuse assessment if admitted into the reentry program; requiring the offender to be enrolled in an adult education program in specified circumstances; requiring that assessments of vocational skills and future career education be provided to the offender; requiring that certain reevaluation be made periodically; providing that the nonviolent offender is subject to the disciplinary rules of the department; specifying the reasons for which the offender may be terminated from the reentry program; requiring that the department submit a report to the sentencing court at least 30 days before the nonviolent offender is scheduled to complete the reentry program; setting forth the issues to be addressed in the report; providing a court may schedule a hearing to consider any modifications to an imposed sentence; requiring the sentencing court to issue an order modifying the sentence imposed and placing the nonviolent offender on drug offender probation if the nonviolent offender's performance is satisfactory; authorizing the court to revoke probation and impose the original sentence in specified circumstances; authorizing the court to require the offender to complete a postadjudicatory drug court program in specified circumstances; directing the department to implement the reentry program using available resources; requiring the department to submit an annual report to the Governor and Legislature detailing the extent of implementation of the reentry program, specifying information to be provided and outlining future goals and recommendations; authorizing the department to enter into contracts with qualified individuals, agencies, or corporations for services for the reentry program; authorizing the department to impose administrative or protective confinement as necessary; authorizing the department to establish a system of incentives within the reentry program which the department may use to promote participation in rehabilitative programs and the orderly operation of institutions and facilities; providing that the section does not create a right to placement in the reentry program or any right to placement or early release under supervision of any type; providing that the section does not create a cause of action related to the program; providing that specified provisions are not severable; directing the department to develop a system for tracking recidivism, including, but not limited to, rearrests and recommitment of nonviolent offenders who successfully complete the reentry program, and to report on recidivism in its annual report of the program; directing the department to adopt rules; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 448** as amended and read the second time by title.

On motion by Senator Bogdanoff, by two-thirds vote **CS for CS for CS for HB 177** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

On motion by Senator Bogdanoff, by unanimous consent—

CS for CS for CS for SB 1060—A bill to be entitled An act relating to communications services tax; creating the Communications Services Tax Working Group; housing the working group in the Department of Revenue for administrative purposes; providing for membership; limiting the reimbursement of members for per diem and travel expenses; providing issues that the working group will study; requiring the working group to hold meetings; providing for a report to the Governor and Legislature by a certain date; providing an effective date.

—was taken up out of order and read the second time by title.

An amendment was considered and adopted to conform **CS for CS for CS for SB 1060** to **CS for HB 809**.

Pending further consideration of **CS for CS for CS for SB 1060** as amended, on motion by Senator Bogdanoff, by two-thirds vote **CS for HB 809** was withdrawn from the Committees on Communications, Energy, and Public Utilities; Community Affairs; Budget Subcommittee on Finance and Tax; and Budget.

On motion by Senator Bogdanoff, the rules were waived and—

CS for HB 809—A bill to be entitled An act relating to communications services taxes; amending s. 202.105, F.S.; revising legislative intent; amending s. 202.11, F.S.; modifying definitions; removing the definition of the term "cable service"; adding a definition for the term "Internet access service"; revising the definitions of the terms "communication services," "information service," "sales price," "service address," and "video service"; amending ss. 202.125, 202.16, and 202.24, F.S.; conforming provisions to changes in terminology; amending s. 202.18, F.S.; removing a cross-reference to conform; amending s. 202.22, F.S.; revising provisions relating to a communications services dealer's liability for tax underpayments that result from the incorrect assignment of service addresses to local taxing jurisdictions and providing requirements and conditions with respect thereto; prohibiting the Department of Revenue from denying a dealer of communications services a deduction of a specified amount as a collection allowance under certain circumstances; amending s. 202.231, F.S.; requiring the Department of Revenue to aggregate monthly and make available to the public on a jurisdiction-by-jurisdiction basis certain sales and net tax information; amending ss. 203.01 and 624.105, F.S.; conforming cross-references; providing for certain retroactive effect; creating the Communications Services Tax Working Group; housing the working group in the Department of Revenue for administrative purposes; providing for membership; limiting the reimbursement of members for per diem and travel expenses; providing issues that the working group will study; requiring the working group to hold meetings; providing for a report to the Governor and Legislature by a certain date; providing effective dates.

—a companion measure, was substituted for **CS for CS for CS for SB 1060** as amended and read the second time by title.

On motion by Senator Bogdanoff, by two-thirds vote **CS for HB 809** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Norman
Alexander	Flores	Oelrich
Altman	Gaetz	Rich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Gibson	Sachs
Braynon	Hays	Simmons
Bullard	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise

Nays—1

Jones

On motion by Senator Garcia, by unanimous consent—

CS for SB 2074—A bill to be entitled An act relating to assisted living facilities; amending s. 394.4574, F.S.; revising the duties of the case manager for, and the community living support plan of, a mental health resident of an assisted living facility; amending s. 400.0078, F.S.; requiring that residents of long-term care facilities be informed about the confidentiality of the subject matter and identity of the complainant of a complaint received by the State Long-Term Care Ombudsman Program; amending s. 415.1034, F.S.; adding certain employees or agents of a state or local agency to the list of persons who must report the known or suspected abuse of a vulnerable adult to the abuse hotline; amending s. 429.02, F.S.; providing definitions for "board" and "mental health professional"; amending s. 429.07, F.S.; conforming a cross-reference; increasing the biennial license fee required for a facility that has certain violations within the 2 years preceding license renewal; amending s. 429.075, F.S.; revising the criteria preventing a licensed facility from receiving a limited mental health license; providing training requirements for administrators and staff members of facilities that hold a limited mental health license; requiring that a mental health professional be part of the team inspecting a facility that holds a limited mental health license; requiring quarterly monitoring of the facility; providing for an exception from quarterly monitoring; amending s. 429.14, F.S.; requiring the revocation of a facility license for certain violations that result in the death of a resident; amending s. 429.176, F.S.; requiring the licensure of facility administrators; providing administrator education and examination requirements; providing training requirements for facility managers during the temporary absence of an administrator; amending s. 429.178, F.S.; revising training requirements for staff who provide care for persons with Alzheimer's disease and related disorders; amending s. 429.19, F.S.; conforming provisions to changes made by the act; authorizing the Agency for Health Care Administration to impose an increased fine for certain violations that result in the death of a resident; amending s. 429.23, F.S.; requiring a facility to establish a risk management and quality assurance program; amending s. 429.256, F.S.; conforming a cross-reference; amending s. 429.28, F.S.; requiring residents of facilities to be informed about the confidentiality of the subject matter and identity of the resident and complainant of a complaint made to the State Long-Term Care Ombudsman Program; requiring the agency to conduct followup inspections of facilities that have a history of certain violations; providing that a facility that terminates an individual's residency will be fined if good cause is not shown in court; amending s. 429.34, F.S.; providing that the agency is designated as the central agency for receiving and tracking facility complaints; requiring the agency to have lead surveyors who specialize in assessing facilities; amending s. 429.41, F.S.; requiring the agency to observe the elopement drills of a randomly selected group of facilities; authorizing the agency to require additional staffing for facilities that hold a specialty license; requiring the agency to conduct an abbreviated biennial licensure inspection; amending s. 429.49, F.S.; increasing the criminal penalty for altering facility records; creating s. 429.515, F.S.; requiring new facility employees to attend a preservice orientation; providing requirements for such orientation; amending s. 429.52, F.S.; revising training and continuing education requirements for facility staff other than administrators; providing for the use of interactive online

tutorials; creating s. 429.521, F.S.; providing specialty training requirements for certain staff of facilities that hold an extended congregate care, limited nursing, and limited mental health license; providing for examinations; authorizing the Board of Assisted Living Facility Administration to adopt rules; creating s. 429.522, F.S.; requiring training providers to be certified by the board and provide trainer oversight; providing trainer requirements; requiring the board to maintain an electronic database of certified providers and persons who complete training if funding is available; creating s. 429.523, F.S.; providing for board approval of training and testing centers; providing approval criteria; amending s. 429.54, F.S.; requiring specified state agencies to have an electronic system of communication pertaining to the regulation of facilities; requiring facilities to submit certain facility and resident information electronically to the agency twice yearly; providing for the maintenance and use of such information; providing for expiration of this requirement; creating s. 429.55, F.S.; directing the agency to establish an online, user-friendly facility rating system that may be accessed by the public; providing a directive to the Division of Statutory Revision; amending s. 468.1635, F.S.; revising the purpose of part II of ch. 468, F.S., to include assisted living administrators; amending s. 468.1645, F.S.; requiring assisted living facilities to be operated under the management of a licensed administrator; amending s. 468.1655, F.S.; revising and providing definitions; amending s. 468.1665, F.S.; renaming the Board of Nursing Home Administrators as the "Board of Nursing Home and Assisted Living Facility Administrators"; providing for membership; prohibiting certain conflicts of interest with respect to board members; amending s. 468.1685, F.S.; revising duties of the board to include approving third-party credentialing entities for the purpose of an assisted living facility administrator certification program; establishing requirements and standards for certification; providing for the development of assisted living facility administrator trainings and testing and staff trainings and interactive tutorials; authorizing additional training for certain facilities; providing for certifying trainers and testing and training centers; amending s. 468.1695, F.S.; providing for licensure of assisted living facility administrators through certification; establishing a maximum fee; amending s. 468.1705, F.S., relating to licensure by endorsement; conforming provisions to changes made by the act; amending s. 468.1725, F.S.; revising provisions relating to the inactive status of an administrator's license; amending s. 468.1735, F.S., relating to provisional licensing; conforming provisions to changes made by the act; amending s. 468.1745, F.S.; providing requirements for who must be licensed as an assisted living facility administrator; amending s. 468.1755, F.S.; conforming provisions to changes made by the act; providing grounds for disciplinary action for assisted living facility administrators; amending s. 468.1756, F.S.; conforming provisions to changes made by the act; requiring the agency to create a task force to determine whether state agencies have overlapping regulatory jurisdiction over facilities and to submit findings and recommendations to the Governor and Legislature by a certain date; providing for termination; requiring the Office of the State Long-Term Care Ombudsman to create a task force to review the agency's facility inspection forms and to submit its recommendations to the agency by a certain date; providing for termination; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 2074**, on motion by Senator Garcia, by two-thirds vote **CS for HB 7133** was withdrawn from the Committees on Health Regulation; and Budget.

On motion by Senator Garcia, the rules were waived and—

CS for HB 7133—A bill to be entitled An act relating to quality improvement initiatives for entities regulated by the Agency for Health Care Administration; amending s. 394.4574, F.S.; providing responsibilities of the Department of Children and Family Services and mental health service providers for mental health residents who reside in assisted living facilities; directing the agency to impose contract penalties on Medicaid prepaid health plans under specified circumstances; directing the department to impose contract penalties on mental health service providers under specified circumstances; directing the department and the agency to enter into an interagency agreement for the enforcement of their respective responsibilities and procedures related thereto; amending s. 395.002, F.S.; revising the definition of the term "accrediting organizations"; amending s. 395.1051, F.S.; requiring a hospital to provide notice to all obstetrical physicians with privileges at that hospital within a specified period of time before the hospital closes an obstetrics department or ceases to provide obstetrical services; amending s. 395.1055, F.S.; revising provisions relating to agency rules regarding standards for infection control, housekeeping, and sanitary conditions in a hospital; requiring housekeeping and sanitation staff to employ and document compliance with specified cleaning and disinfecting procedures; authorizing imposition of administrative fines for noncompliance; amending s. 400.0078, F.S.; requiring specified information regarding the confidentiality of complaints to the State Long-Term Care Ombudsman Program to be provided to residents of a long-term care facility upon admission to the facility; amending s. 408.05, F.S.; directing the agency to collect, compile, analyze, and distribute specified health care information for specified uses; providing for the agency to release data necessary for the administration of the Medicaid program to quality improvement collaboratives for specified purposes; amending s. 408.802, F.S.; providing that the provisions of part II of ch. 408, F.S., the Health Care Licensing Procedures Act, apply to assisted living facility administrators; amending s. 408.820, F.S.; exempting assisted living facility administrators from specified provisions of part II of ch. 408, F.S., the Health Care Licensing Procedures Act; amending s. 409.212, F.S.; increasing a limitation on additional supplementation a person who receives optional supplementation may receive; creating s. 409.986, F.S.; providing definitions; directing the agency to establish and implement methodologies to adjust Medicaid rates for hospitals, nursing homes, and managed care plans; providing criteria for and limits on the amount of Medicaid payment rate adjustments; directing the agency to seek federal approval to implement a performance payment system; providing for implementation of the system in fiscal year 2015-2016; authorizing the agency to appoint a technical advisory panel; providing applicability of the performance payment system to general hospitals, skilled nursing facilities, and managed care plans and providing criteria therefor; amending s. 415.1034, F.S.; providing that specified persons who have regulatory responsibilities over or provide services to persons residing in certain facilities must report suspected incidents of abuse to the central abuse hotline; amending s. 429.02, F.S.; revising definitions applicable to the Assisted Living Facilities Act; amending s. 429.07, F.S.; requiring that an assisted living facility be under the management of a licensed assisted living facility administrator; providing for a reduced number of monitoring visits for an assisted living facility that is licensed to provide extended congregate care services under specified circumstances; providing for a reduced number of monitoring visits for an assisted living facility that is licensed to provide limited nursing services under specified circumstances; amending s. 429.075, F.S.; providing additional requirements for a limited mental health license; removing specified assisted living facility requirements; authorizing a training provider to charge a fee for the training required of facility administrators and staff; revising provisions for application for a limited mental health license; creating s. 429.0751, F.S.; providing requirements for an assisted living facility that has mental health residents; requiring the assisted living facility to enter into a cooperative agreement with a mental health care service provider; providing for the development of a community living support plan; specifying who may have access to the plan; requiring documentation of mental health resident assessments; amending s. 429.178, F.S.; conforming cross-references; amending s. 429.19, F.S.; providing fines and penalties for specified violations by an assisted living facility; amending s. 429.195, F.S.; revising applicability of prohibitions on rebates provided by an assisted living facility for certain referrals; amending s. 817.505, F.S.; providing an exception from prohibitions relating to patient brokering; creating s. 429.231, F.S.; directing the Department of Elderly Affairs to create an advisory council to review the facts and circumstances of unexpected deaths in assisted living facilities and of elopements that result in harm to a resident; providing duties; providing for appointment and terms of members; providing for meetings; requiring a report; providing for per diem and travel expenses; amending s. 429.34, F.S.; providing a schedule for the inspection of assisted living facilities; providing exceptions; providing for fees for additional inspections after specified violations; creating s. 429.50, F.S.; prohibiting a person from performing the duties of an assisted living facility administrator without a license; providing qualifications for licensure; providing requirements for the issuance of assisted living facility administrator certifications; providing agency responsibilities; providing exceptions; providing license and license renewal fees; providing grounds for revocation or denial of licensure; providing rulemaking authority; authorizing the agency to issue a temporary license to an assisted living facility administrator under certain conditions and for a specified period of time; amending s. 429.52, F.S.; providing training, competency testing, and continuing education requirements for assisted living facility administrators and license applicants; specifying entities that may provide training; providing a definition; requiring assisted

living facility trainers to keep certain training records and submit those records to the agency; providing rulemaking authority; amending s. 429.54, F.S.; requiring the Agency for Health Care Administration, the Department of Elderly Affairs, the Department of Children and Family Services, and the Agency for Persons with Disabilities to develop or modify electronic information systems and other systems to ensure efficient communication regarding regulation of assisted living facilities, subject to the availability of funds; providing an appropriation and authorizing positions; providing effective dates.

—a companion measure, was substituted for **CS for SB 2074** and read the second time by title.

MOTION

On motion by Senator Storms, by the required two-thirds vote, consideration of the following amendment was allowed:

Senators Storms, Rich and Garcia offered the following amendment which was moved by Senator Storms and adopted:

Amendment 1 (128436) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 394.4574, Florida Statutes, is amended to read:

394.4574 Department responsibilities for a mental health resident who resides in an assisted living facility ~~that holds a limited mental health license~~.—

(1) The term "mental health resident," for purposes of this section, means an individual who receives social security disability income due to a mental disorder as determined by the Social Security Administration or receives supplemental security income due to a mental disorder as determined by the Social Security Administration and receives optional state supplementation.

(2) The department must ensure that:

(a) A mental health resident has been assessed by a psychiatrist, clinical psychologist, clinical social worker, or psychiatric nurse, or an individual who is supervised by one of these professionals, and determined to be appropriate to reside in an assisted living facility. The documentation must be provided to the administrator of the facility within 30 days after the mental health resident has been admitted to the facility. An evaluation completed upon discharge from a state mental hospital meets the requirements of this subsection related to appropriateness for placement as a mental health resident if it was completed within 90 days prior to admission to the facility.

(b) A cooperative agreement, as required in s. *429.0751* ~~429.075~~, is developed between the mental health care services provider that serves a mental health resident and ~~the administrator of~~ the assisted living facility ~~with a limited mental health license~~ in which the mental health resident is living. *The cooperative agreement must provide detailed information concerning case management services; access to consumer-operated drop-in centers; reliable access to services during evenings, weekends, and holidays which avoids the use of hospital emergency departments except in emergencies; supervision of clinical needs of the residents; and access to emergency psychiatric care.* ~~Any entity that provides Medicaid prepaid health plan services shall ensure the appropriate coordination of health care services with an assisted living facility in cases where a Medicaid recipient is both a member of the entity's prepaid health plan and a resident of the assisted living facility. If the entity is at risk for Medicaid targeted case management and behavioral health services, the entity shall inform the assisted living facility of the procedures to follow should an emergent condition arise.~~

(c) The community living support plan, as defined in s. 429.02, has been prepared by a mental health resident and a mental health case manager of that resident in consultation with the administrator of the facility or the administrator's designee. The plan must be provided to the administrator of the assisted living facility ~~with a limited mental health license~~ in which the mental health resident lives. The support plan and the agreement may be in one document.

(d) The assisted living facility ~~with a limited mental health license~~ is provided with documentation that the individual meets the definition of a mental health resident.

(e) The mental health services provider assigns a case manager to each mental health resident who lives in an assisted living facility ~~with a limited mental health license~~. The case manager is responsible for coordinating the development of and implementation of the community living support plan defined in s. 429.02. The plan must be updated *as needed, but* at least annually *to ensure that the ongoing needs of the resident are addressed. The community living support plan must include a detailed description of how the clinical needs of the resident will be supervised, how often the case manager will see the resident, and how the resident may access the case manager, and must identify conditions indicative of a change in the condition of the resident which might warrant changes in clinical supervision or which might prompt the assisted living facility to contact the case manager on behalf of the resident and the steps that will be taken to ensure that the resident receives appropriate emergency psychiatric care through the mental health provider. Each case manager shall keep a record of the date and time of any face-to-face interaction with the mental health resident and make the record available to the department for inspection. The record must be retained for 2 years after the date of the most recent interaction.*

The department shall adopt rules to implement the community living support plans and cooperative agreements established under this section.

(f) There is adequate and consistent monitoring and enforcement of community living support plans and cooperative agreements by the department.

(3) Medicaid prepaid health plans shall ensure the appropriate coordination of health care services with an assisted living facility when a Medicaid recipient is both a member of the entity's prepaid health plan and a resident of the assisted living facility. If the Medicaid prepaid plan is responsible for Medicaid targeted case management and behavioral health services, the plan shall inform the assisted living facility of the procedures to follow should an emergency condition arise.

(4) The department shall include in contracts with mental health service providers provisions that require the service provider to assign a case manager for a mental health resident, prepare a community living support plan, enter into a cooperative agreement with the assisted living facility, and otherwise comply with the provisions of this section. The department shall establish and impose contract penalties for mental health service providers under contract with the department which fail to comply with this section.

(5) The Agency for Health Care Administration shall include in contracts with Medicaid prepaid health plans provisions that require the mental health service provider to prepare a community living support plan, enter into a cooperative agreement with the assisted living facility, and otherwise comply with the provisions of this section. The agency shall also establish and impose contract penalties for Medicaid prepaid health plans that fail to comply with the provisions of this section.

(6) The department shall enter into an interagency agreement with the Agency for Health Care Administration which delineates their respective responsibilities and procedures for enforcing the requirements of this section with respect to assisted living facilities and mental health service providers.

(7)~~(3)~~ The Secretary of Children and Family Services, in consultation with the Agency for Health Care Administration, shall annually require each district administrator to develop, with community input, detailed plans that demonstrate how the district will ensure the provision of state-funded mental health and substance abuse treatment services to residents of assisted living facilities ~~that hold a limited mental health license~~. These plans must be consistent with the substance abuse and mental health district plan developed pursuant to s. 394.75 and must address case management services; access to consumer-operated drop-in centers; access to services during evenings, weekends, and holidays; supervision of the clinical needs of the residents; and access to emergency psychiatric care.

Section 2. Subsection (1) of section 395.002, Florida Statutes, is amended to read:

395.002 Definitions.—As used in this chapter:

(1) "Accrediting organizations" means *national accreditation organizations that are approved by the Centers for Medicare and Medicaid Services and whose standards incorporate comparable licensure regulations required by the state* ~~the Joint Commission on Accreditation of Healthcare Organizations, the American Osteopathic Association, the Commission on Accreditation of Rehabilitation Facilities, and the Accreditation Association for Ambulatory Health Care, Inc~~.

Section 3. Section 395.1051, Florida Statutes, is amended to read:

395.1051 Duty to notify ~~patients~~.—

(1) An appropriately trained person designated by each licensed facility shall inform each patient, or an individual identified pursuant to s. 765.401(1), in person about adverse incidents that result in serious harm to the patient. Notification of outcomes of care that result in harm to the patient under this section *does* ~~shall~~ not constitute an acknowledgment or admission of liability *and may not*~~, nor can it~~ be introduced as evidence.

(2) A hospital must provide notice to all obstetrical physicians with privileges at the hospital at least 120 days before the hospital closes an obstetrics department or ceases to provide obstetrical services.

Section 4. Subsection (2) of section 400.0078, Florida Statutes, is amended to read:

400.0078 Citizen access to State Long-Term Care Ombudsman Program services.—

(2) ~~Every resident or representative of a resident shall receive,~~ Upon admission to a long-term care facility, *each resident or representative of a resident must receive* information regarding*:*

(a)1. The purpose of the State Long-Term Care Ombudsman Program*;*~~;~~

2. The statewide toll-free telephone number for receiving complaints*;*~~;~~

3. The residents' rights under s. 429.28, including information that retaliatory action cannot be taken against a resident for presenting grievances or for exercising any of these rights; and

4. Other relevant information regarding how to contact the program.

(b) Residents or their representatives must be furnished additional copies of this information upon request.

Section 5. Subsection (3) of section 408.05, Florida Statutes, is amended to read:

408.05 Florida Center for Health Information and Policy Analysis.—

(3) COMPREHENSIVE HEALTH INFORMATION SYSTEM.—*The agency shall collect, compile, analyze, and distribute* ~~In order to produce comparable and uniform~~ health information and statistics*. Such information shall be used* for *developing* ~~the development of~~ policy recommendations, *evaluating program and provider performance, and facilitating the independent and collaborative quality improvement activities of providers, payors, and others involved in the delivery of health services.* The agency shall perform the following functions:

(a) Coordinate the activities of state agencies involved in the design and implementation of the comprehensive health information system.

(b) Undertake research, development, and evaluation respecting the comprehensive health information system.

(c) Review the statistical activities of state agencies to ensure that they are consistent with the comprehensive health information system.

(d) Develop written agreements with local, state, and federal agencies for the sharing of health-care-related data or using the facilities and services of such agencies. State agencies, local health councils, and other agencies under state contract shall assist the center in obtaining, compiling, and transferring health-care-related data maintained by state and local agencies. Written agreements must specify the types, methods, and periodicity of data exchanges and specify the types of data that will be transferred to the center.

(e) Establish by rule the types of data collected, compiled, processed, used, or shared. Decisions regarding center data sets should be made based on consultation with the State Consumer Health Information and Policy Advisory Council and other public and private users regarding the types of data which should be collected and their uses. The center shall establish standardized means for collecting health information and statistics under laws and rules administered by the agency.

(f) Establish minimum health-care-related data sets which are necessary on a continuing basis to fulfill the collection requirements of the center and which shall be used by state agencies in collecting and compiling health-care-related data. The agency shall periodically review ongoing health care data collections of the Department of Health and other state agencies to determine if the collections are being conducted in accordance with the established minimum sets of data.

(g) Establish advisory standards to ensure the quality of health statistical and epidemiological data collection, processing, and analysis by local, state, and private organizations.

(h) Prescribe standards for the publication of health-care-related data reported pursuant to this section which ensure the reporting of accurate, valid, reliable, complete, and comparable data. Such standards should include advisory warnings to users of the data regarding the status and quality of any data reported by or available from the center.

(i) Prescribe standards for the maintenance and preservation of the center's data. This should include methods for archiving data, retrieval of archived data, and data editing and verification.

(j) Ensure that strict quality control measures are maintained for the dissemination of data through publications, studies, or user requests.

(k) Develop, in conjunction with the State Consumer Health Information and Policy Advisory Council, and implement a long-range plan for making available health care quality measures and financial data that will allow consumers to compare health care services. The health care quality measures and financial data the agency must make available shall include, but is not limited to, pharmaceuticals, physicians, health care facilities, and health plans and managed care entities. The agency shall update the plan and report on the status of its implementation annually. The agency shall also make the plan and status report available to the public on its Internet website. As part of the plan, the agency shall identify the process and timeframes for implementation, any barriers to implementation, and recommendations of changes in the law that may be enacted by the Legislature to eliminate the barriers. As preliminary elements of the plan, the agency shall:

1. Make available patient-safety indicators, inpatient quality indicators, and performance outcome and patient charge data collected from health care facilities pursuant to s. 408.061(1)(a) and (2). The terms "patient-safety indicators" and "inpatient quality indicators" shall be as defined by the Centers for Medicare and Medicaid Services, the National Quality Forum, the Joint Commission ~~on Accreditation of Healthcare Organizations~~, the Agency for Healthcare Research and Quality, the Centers for Disease Control and Prevention, or a similar national entity that establishes standards to measure the performance of health care providers, or by other states. The agency shall determine which conditions, procedures, health care quality measures, and patient charge data to disclose based upon input from the council. When determining which conditions and procedures are to be disclosed, the council and the agency shall consider variation in costs, variation in outcomes, and magnitude of variations and other relevant information. When determining which health care quality measures to disclose, the agency:

a. Shall consider such factors as volume of cases; average patient charges; average length of stay; complication rates; mortality rates; and infection rates, among others, which shall be adjusted for case mix and severity, if applicable.

b. May consider such additional measures that are adopted by the Centers for Medicare and Medicaid Studies, National Quality Forum, the Joint Commission ~~on Accreditation of Healthcare Organizations~~, the Agency for Healthcare Research and Quality, Centers for Disease Con-

trol and Prevention, or a similar national entity that establishes standards to measure the performance of health care providers, or by other states.

When determining which patient charge data to disclose, the agency shall include such measures as the average of undiscounted charges on frequently performed procedures and preventive diagnostic procedures, the range of procedure charges from highest to lowest, average net revenue per adjusted patient day, average cost per adjusted patient day, and average cost per admission, among others.

2. Make available performance measures, benefit design, and premium cost data from health plans licensed pursuant to chapter 627 or chapter 641. The agency shall determine which health care quality measures and member and subscriber cost data to disclose, based upon input from the council. When determining which data to disclose, the agency shall consider information that may be required by either individual or group purchasers to assess the value of the product, which may include membership satisfaction, quality of care, current enrollment or membership, coverage areas, accreditation status, premium costs, plan costs, premium increases, range of benefits, copayments and deductibles, accuracy and speed of claims payment, credentials of physicians, number of providers, names of network providers, and hospitals in the network. Health plans shall make available to the agency any such data or information that is not currently reported to the agency or the office.

3. Determine the method and format for public disclosure of data reported pursuant to this paragraph. The agency shall make its determination based upon input from the State Consumer Health Information and Policy Advisory Council. At a minimum, the data shall be made available on the agency's Internet website in a manner that allows consumers to conduct an interactive search that allows them to view and compare the information for specific providers. The website must include such additional information as is determined necessary to ensure that the website enhances informed decisionmaking among consumers and health care purchasers, which shall include, at a minimum, appropriate guidance on how to use the data and an explanation of why the data may vary from provider to provider.

4. Publish on its website undiscounted charges for no fewer than 150 of the most commonly performed adult and pediatric procedures, including outpatient, inpatient, diagnostic, and preventative procedures.

(l) Assist quality improvement collaboratives by releasing information to the providers, payors, or entities representing and working on behalf of providers and payors. The agency shall release such data, which is deemed necessary for the administration of the Medicaid program, to quality improvement collaboratives for evaluation of the incidence of potentially preventable events.

Section 6. Paragraph (c) of subsection (4) of section 409.212, Florida Statutes, is amended to read:

409.212 Optional supplementation.—

(4) In addition to the amount of optional supplementation provided by the state, a person may receive additional supplementation from third parties to contribute to his or her cost of care. Additional supplementation may be provided under the following conditions:

(c) The additional supplementation shall not exceed *four* ~~two~~ times the provider rate recognized under the optional state supplementation program.

Section 7. Section 409.986, Florida Statutes, is created to read:

409.986 Quality adjustments to Medicaid rates.—

(1) As used in this section, the term:

(a) "Expected rate" means the risk-adjusted rate for each provider that accounts for the severity of illness, diagnosis related groups, and the age of a patient.

(b) "Hospital-acquired infections" means infections not present and without evidence of incubation at the time of admission to a hospital.

(c) "Observed rate" means the actual number for each provider of potentially preventable events divided by the number of cases in which potentially preventable events may have occurred.

(d) "Potentially preventable admission" means an admission of a person to a hospital that might have reasonably been prevented with adequate access to ambulatory care or health care coordination.

(e) "Potentially preventable ancillary service" means a health care service provided or ordered by a physician or other health care provider to supplement or support the evaluation or treatment of a patient, including a diagnostic test, laboratory test, therapy service, or radiology service, that may not be reasonably necessary for the provision of quality health care or treatment.

(f) "Potentially preventable complication" means a harmful event or negative outcome with respect to a person, including an infection or surgical complication, that:

1. Occurs after the person's admission to a hospital; and

2. May have resulted from the care, lack of care, or treatment provided during the hospital stay rather than from a natural progression of an underlying disease.

(g) "Potentially preventable emergency department visit" means treatment of a person in a hospital emergency room or freestanding emergency medical care facility for a condition that does not require or should not have required emergency medical attention because the condition can or could have been treated or prevented by a physician or other health care provider in a nonemergency setting.

(h) "Potentially preventable event" means a potentially preventable admission, a potentially preventable ancillary service, a potentially preventable complication, a potentially preventable emergency department visit, a potentially preventable readmission, or a combination of those events.

(i) "Potentially preventable readmission" means a return hospitalization of a person within 15 days that may have resulted from deficiencies in the care or treatment provided to the person during a previous hospital stay or from deficiencies in posthospital discharge followup. The term does not include a hospital readmission necessitated by the occurrence of unrelated events after the discharge. The term includes the readmission of a person to a hospital for:

1. The same condition or procedure for which the person was previously admitted;

2. An infection or other complication resulting from care previously provided; or

3. A condition or procedure that indicates that a surgical intervention performed during a previous admission was unsuccessful in achieving the anticipated outcome.

(j) "Quality improvement collaboration" means a structured process involving multiple providers and subject matter experts to focus on a specific aspect of quality care in order to analyze past performance and plan, implement, and evaluate specific improvement methods.

(2) The agency shall establish and implement methodologies to adjust Medicaid payment rates for hospitals, nursing homes, and managed care plans based on evidence of improved patient outcomes. Payment adjustments shall be dependent on consideration of specific outcome measures for each provider category, documented activities by providers to improve performance, and evidence of significant improvement over time. Measurement of outcomes shall include appropriate risk adjustments, exclude cases that cannot be determined to be preventable, and waive adjustments for providers with too few cases to calculate reliable rates.

(a) Performance-based payment adjustments may be made up to 1 percent of each qualified provider's rate for hospital inpatient services, hospital outpatient services, nursing home care, and the plan-specific capitation rate for prepaid health plans. Adjustments for activities to improve performance may be made up to 0.25 percent based on evidence of a provider's engagement in activities specified in this section.

(b) Outcome measures shall be established for a base year, which may be state fiscal year 2010-2011 or a more recent 12-month period.

(3) Methodologies established pursuant to this section shall use existing databases, including Medicaid claims, encounter data compiled pursuant to s. 409.9122(14), and hospital discharge data compiled pursuant to s. 408.061(1)(a). To the extent possible, the agency shall use methods for determining outcome measures in use by other payors.

(4) The agency shall seek any necessary federal approval for the performance payment system and implement the system in the 2015-2016 state fiscal year.

(5) The agency may appoint a technical advisory panel for each provider category in order to solicit advice and recommendations during the development and implementation of the performance payment system.

(6) The performance payment system for hospitals shall apply to general hospitals as defined in s. 395.002. The outcome measures used to allocate positive payment adjustments shall consist of one or more potentially preventable events such as potentially preventable readmissions and potentially preventable complications.

(a) For each 12-month period after the base year, the agency shall determine the expected rate and the observed rate for specific outcome indicators for each hospital. The difference between the expected and observed rates shall be used to establish a performance rate for each hospital. Hospitals shall be ranked based on performance rates.

(b) For at least the first three rate-setting periods after the performance payment system is implemented, a positive payment adjustment shall be made to hospitals in the top 10 percentiles, based on their performance rates, and the 10 hospitals with the best year-to-year improvement among those hospitals that did not rank in the top 10 percentiles. After the third period of performance payment, the agency may replace the criteria specified in this subsection with quantified benchmarks for determining which providers qualify for positive payment adjustments.

(c) Quality improvement activities that may earn positive payment adjustments include:

1. Complying with requirements that reduce hospital-acquired infections pursuant to s. 395.1055(1)(b); or

2. Actively engaging in a quality improvement collaboration that focuses on reducing potentially preventable admissions, potentially preventable readmissions, or hospital-acquired infections.

(7) The performance payment system for skilled nursing facilities shall apply to facilities licensed pursuant to part II of chapter 400 with current Medicaid provider service agreements. The agency, after consultation with the technical advisory panel established in subsection (5), shall select outcome measures to be used to allocate positive payment adjustments. The outcome measures shall be consistent with the federal Quality Assurance and Performance Improvement requirements and include one or more of the following clinical care areas: pressure sores, falls, or hospitalizations.

(a) For each 12-month period after the base year, the agency shall determine the expected rate and the observed rate for specific outcome indicators for each skilled nursing facility. The difference between the expected and observed rates shall be used to establish a performance rate for each skilled nursing facility. Facilities shall be ranked based on performance rates.

(b) For at least the first three rate-setting periods after the performance payment system is implemented, a positive payment adjustment shall be made to facilities in the top three percentiles, based on their performance rates, and the 10 facilities with the best year-to-year improvement among facilities that did not rank in the top three percentiles. After the third period of performance payment, the agency may replace the criteria specified in this subsection with quantified benchmarks for determining which facilities qualify for positive payment adjustments.

(c) Quality improvement activities that may earn positive payment adjustments include:

1. Actively engaging in a comprehensive fall-prevention program.

2. Actively engaging in a quality improvement collaboration that focuses on reducing potentially preventable hospital admissions or reducing the percentage of residents with pressure ulcers that are new or worsened.

(8) A performance payment system shall apply to all managed care plans. The outcome measures used to allocate positive payment adjustments shall consist of one or more potentially preventable events, such as potentially preventable initial hospital admissions, potentially preventable emergency department visits, or potentially preventable ancillary services.

(a) For each 12-month period after the base year, the agency shall determine the expected rate and the observed rate for specific outcome indicators for each managed care plan. The difference between the expected and observed rates shall be used to establish a performance rate for each plan. Managed care plans shall be ranked based on performance rates.

(b) For at least the first three rate-setting periods after the performance payment system is implemented, a positive payment adjustment shall be made to the top 10 managed care plans. After the third period during which the performance payment system is implemented, the agency may replace the criteria specified in this subsection with quantified benchmarks for determining which plans qualify for positive payment adjustments.

(9) Payment adjustments made pursuant to this section may not result in expenditures that exceed the amounts appropriated in the General Appropriations Act for hospitals, nursing homes, and managed care plans.

Section 8. Paragraph (a) of subsection (1) of section 415.1034, Florida Statutes, is amended to read:

415.1034 Mandatory reporting of abuse, neglect, or exploitation of vulnerable adults; mandatory reports of death.—

(1) MANDATORY REPORTING.—

(a) Any person, including, but not limited to~~, any~~:

1. *A* physician, osteopathic physician, medical examiner, chiropractic physician, nurse, paramedic, emergency medical technician, or hospital personnel engaged in the admission, examination, care, or treatment of vulnerable adults;

2. *A* health professional or mental health professional other than one listed in subparagraph 1.;

3. *A* practitioner who relies solely on spiritual means for healing;

4. Nursing home staff; assisted living facility staff; adult day care center staff; adult family-care home staff; social worker; or other professional adult care, residential, or institutional staff;

5. *A* state, county, or municipal criminal justice employee or law enforcement officer;

6. An employee of the Department of Business and Professional Regulation conducting inspections of public lodging establishments under s. 509.032;

7. *A* Florida advocacy council member or long-term care ombudsman council member; ~~or~~

8. *A* bank, savings and loan, or credit union officer, trustee, or employee*; or*~~,~~

9. An employee or agent of a state or local agency who has regulatory responsibilities over state-licensed facilities, or who provides services to persons residing in a state-licensed facility,

who knows, or has reasonable cause to suspect, that a vulnerable adult has been or is being abused, neglected, or exploited *must* ~~shall~~ immediately report such knowledge or suspicion to the central abuse hotline.

Section 9. Subsections (5), (7), (8), and (11) of section 429.02, Florida Statutes, are amended, present subsections (6) through (14) of that

section are redesignated as subsections (7) through (15), respectively, present subsections (15) through (26) of that section are redesignated as subsections (17) through (28), respectively, and new subsections (6) and (16) are added to that section, to read:

429.02 Definitions.—When used in this part, the term:

(5) "Assisted living facility" *or "facility"* means any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator.

(6) "Board" means the Board of Long Term Care Administrators established under s. 468.1665.

(8)~~(7)~~ "Community living support plan" means a written document prepared by a mental health resident and the resident's mental health case manager in consultation with the administrator of an assisted living facility ~~with a limited mental health license~~ or the administrator's designee. A copy must be provided to the administrator. The plan must include information about the supports, services, and special needs of the resident which enable the resident to live in the assisted living facility and a method by which facility staff can recognize and respond to the signs and symptoms particular to that resident which indicate the need for professional services.

(9)~~(8)~~ "Cooperative agreement" means a written statement of understanding between a mental health care provider and the administrator of the assisted living facility ~~with a limited mental health license~~ in which a mental health resident is living. The agreement must specify directions for accessing emergency and after-hours care for the mental health resident. A single cooperative agreement may service all mental health residents who are clients of the same mental health care provider.

(12)~~(11)~~ "Extended congregate care" means acts beyond those authorized in *subsection (18) which* ~~subsection (16) that~~ may be performed pursuant to part I of chapter 464 by persons licensed thereunder while carrying out their professional duties, and other supportive services which may be specified by rule. The purpose of such services is to enable residents to age in place in a residential environment despite mental or physical limitations that might otherwise disqualify them from residency in a facility licensed under this part.

(16) "Mental health surveyor" means a person:

(a) Licensed under chapter 458, chapter 459, chapter 464, chapter 490, or chapter 491 who provides mental health services as defined under s. 394.67 or has received training approved by the agency;

(b) Who has a baccalaureate degree with a concentration in mental health from an accredited college or university and at least 5 years of experience providing services that improve an individual's mental health or that treat mental illness; or

(c) Who is a surveyor employed by the agency and has received training approved by the agency that enables the individual to effectively perform surveys of facilities with a mental health resident to ensure the mental health residents are receiving services consistent with the community living support plan.

Section 10. Subsection (1) and paragraphs (b) and (c) of subsection (3) of section 429.07, Florida Statutes, are amended, to read:

429.07 License required; fee.—

(1) The requirements of part II of chapter 408 apply to the provision of services that require licensure pursuant to this part and part II of chapter 408 and to entities licensed by or applying for such licensure from the agency pursuant to this part. A license issued by the agency is required in order to operate an assisted living facility in this state. *Effective July 1, 2013, an assisted living facility may not operate in this state unless the facility is under the management of an assisted living facility administrator licensed pursuant to part II of chapter 468.*

(3) In addition to the requirements of s. 408.806, each license granted by the agency must state the type of care for which the license is granted. Licenses shall be issued for one or more of the following categories of care: standard, extended congregate care, limited nursing services, or limited mental health.

(b) An extended congregate care license shall be issued to facilities providing, directly or through contract, services beyond those authorized in paragraph (a), including services performed by persons licensed under part I of chapter 464 and supportive services, as defined by rule, to persons who would otherwise be disqualified from continued residence in a facility licensed under this part.

1. In order for extended congregate care services to be provided, the agency must first determine that all requirements established in law and rule are met and must specifically designate, on the facility's license, that such services may be provided and whether the designation applies to all or part of the facility. Such designation may be made at the time of initial licensure or relicensure, or upon request in writing by a licensee under this part and part II of chapter 408. The notification of approval or the denial of the request shall be made in accordance with part II of chapter 408. Existing facilities qualifying to provide extended congregate care services must have maintained a standard license and may not have been subject to administrative sanctions during the previous 2 years, or since initial licensure if the facility has been licensed for less than 2 years, for any of the following reasons:

a. A class I or class II violation;

b. Three or more repeat or recurring class III violations of identical or similar resident care standards from which a pattern of noncompliance is found by the agency;

c. Three or more class III violations that were not corrected in accordance with the corrective action plan approved by the agency;

d. Violation of resident care standards which results in requiring the facility to employ the services of a consultant pharmacist or consultant dietitian;

e. Denial, suspension, or revocation of a license for another facility licensed under this part in which the applicant for an extended congregate care license has at least 25 percent ownership interest; or

f. Imposition of a moratorium pursuant to this part or part II of chapter 408 or initiation of injunctive proceedings.

2. A facility that is licensed to provide extended congregate care services *must* ~~shall~~ maintain a written progress report on each person who receives services which describes the type, amount, duration, scope, and outcome of services that are rendered and the general status of the resident's health. A registered nurse, or appropriate designee, representing the agency shall visit the facility at least *once a year* ~~quarterly~~ to monitor residents who are receiving extended congregate care services and to determine if the facility is in compliance with this part, part II of chapter 408, and relevant rules. One of the visits may be in conjunction with the regular survey. The monitoring visits may be provided through contractual arrangements with appropriate community agencies. A registered nurse shall serve as part of the team that inspects the facility. The agency may waive *a monitoring visit during the licensure cycle* ~~one of the required yearly monitoring visits~~ for a facility that has been licensed for at least 24 months to provide extended congregate care services, if, during the inspection, the registered nurse determines that extended congregate care services are being provided appropriately, and if the facility has no*:*

a. Class I or class II violations and no uncorrected class III violations;~~.~~

b. Citations for licensure violation which resulted from referrals by the ombudsman to the agency; or

c. Citations for a licensure violation which resulted from complaints to the agency. ~~The agency must first consult with the long term care ombudsman council for the area in which the facility is located to determine if any complaints have been made and substantiated about the quality of services or care. The agency may not waive one of the required yearly monitoring visits if complaints have been made and substantiated.~~

3. A facility that is licensed to provide extended congregate care services must:

a. Demonstrate the capability to meet unanticipated resident service needs.

b. Offer a physical environment that promotes a homelike setting, provides for resident privacy, promotes resident independence, and allows sufficient congregate space as defined by rule.

c. Have sufficient staff available, taking into account the physical plant and firesafety features of the building, to assist with the evacuation of residents in an emergency.

d. Adopt and follow policies and procedures that maximize resident independence, dignity, choice, and decisionmaking to permit residents to age in place, so that moves due to changes in functional status are minimized or avoided.

e. Allow residents or, if applicable, a resident's representative, designee, surrogate, guardian, or attorney in fact to make a variety of personal choices, participate in developing service plans, and share responsibility in decisionmaking.

f. Implement the concept of managed risk.

g. Provide, directly or through contract, the services of a person licensed under part I of chapter 464.

h. In addition to the training mandated in s. 429.52, provide specialized training as defined by rule for facility staff.

4. A facility that is licensed to provide extended congregate care services is exempt from the criteria for continued residency set forth in rules adopted under s. 429.41. A licensed facility must adopt its own requirements within guidelines for continued residency set forth by rule. However, the facility may not serve residents who require 24-hour nursing supervision. A licensed facility that provides extended congregate care services must also provide each resident with a written copy of facility policies governing admission and retention.

5. The primary purpose of extended congregate care services is to allow residents, as they become more impaired, the option of remaining in a familiar setting from which they would otherwise be disqualified for continued residency. A facility licensed to provide extended congregate care services may also admit an individual who exceeds the admission criteria for a facility with a standard license, if the individual is determined appropriate for admission to the extended congregate care facility.

6. Before the admission of an individual to a facility licensed to provide extended congregate care services, the individual must undergo a medical examination as provided in s. 429.26(4) and the facility must develop a preliminary service plan for the individual.

7. *If* ~~When~~ a facility can no longer provide or arrange for services in accordance with the resident's service plan and needs and the facility's policy, the facility *must* ~~shall~~ make arrangements for relocating the person in accordance with s. 429.28(1)(k).

8. Failure to provide extended congregate care services may result in denial of extended congregate care license renewal.

(c) A limited nursing services license shall be issued to a facility that provides services beyond those authorized in paragraph (a) and as specified in this paragraph.

1. In order for limited nursing services to be provided in a facility licensed under this part, the agency must first determine that all requirements established in law and rule are met and must specifically designate, on the facility's license, that such services may be provided. Such designation may be made at the time of initial licensure or relicensure, or upon request in writing by a licensee under this part and part II of chapter 408. Notification of approval or denial of such request shall be made in accordance with part II of chapter 408. Existing facilities qualifying to provide limited nursing services shall have maintained a standard license and may not have been subject to administrative sanctions that affect the health, safety, and welfare of residents for the previous 2 years or since initial licensure if the facility has been licensed for less than 2 years.

2. Facilities that are licensed to provide limited nursing services shall maintain a written progress report on each person who receives such nursing services, which report describes the type, amount, duration, scope, and outcome of services that are rendered and the general status of the resident's health. A registered nurse representing the agency shall visit such facilities at least *once* ~~twice~~ a year to monitor residents who are receiving limited nursing services and to determine if the facility is in compliance with applicable provisions of this part, part II of chapter 408, and related rules. The monitoring visits may be provided through contractual arrangements with appropriate community agencies. A registered nurse shall also serve as part of the team that inspects such facility. *The agency may waive a monitoring visit during the licensure cycle for a facility that has been licensed for at least 24 months to provide limited nursing services if the facility has no:*

a. Class I or class II violations and no uncorrected class III violations;

b. Citations for licensure violation which resulted from referrals by the ombudsman to the agency; or

c. Citations for a licensure violation which resulted from complaints to the agency.

3. A person who receives limited nursing services under this part must meet the admission criteria established by the agency for assisted living facilities. When a resident no longer meets the admission criteria for a facility licensed under this part, arrangements for relocating the person shall be made in accordance with s. 429.28(1)(k), unless the facility is licensed to provide extended congregate care services.

Section 11. Section 429.075, Florida Statutes, is amended to read:

429.075 Limited mental health license.—*In order to provide services to three or more mental health residents,* an assisted living facility ~~that serves three or more mental health residents~~ must obtain a limited mental health license.

(1) To obtain a limited mental health license, a facility*:*

(a) Must hold *and maintain* a standard license as an assisted living facility*; and*~~,~~

(b) Must not have *been subject to administrative sanctions during the previous 2 years, or since initial licensure if the facility has been licensed for less than 2 years, for any of the following reasons:*

1. One or more class I violations imposed by final agency action;

2. Two or more class II violations imposed by final agency action;

3. Three or more class III violations that were not corrected in accordance with s. 408.811(4);

4. Three or more class III violations that were not corrected in accordance within the time specified by the agency for correction;

5. Denial, suspension, or revocation of a license for another facility licensed under this part in which the applicant had at least a 25 percent ownership interest; or

6. Imposition of a moratorium pursuant to this part or part II of chapter 408 or initiation of injunctive proceedings. ~~any current uncorrected deficiencies or violations, and must ensure that,~~

(2) Within *3* ~~6~~ months after receiving a limited mental health license, the facility administrator and the staff of the facility who are in direct contact with mental health residents must complete training of no less than 6 hours related to their duties. *This training shall be created in accordance with s. 429.52 or approved by the Department of Children and Family Services. A training provider may charge a reasonable fee for the training.* ~~Such designation~~

(3) Application for a limited mental health license may be made at the time of initial licensure or relicensure or upon request in writing by a licensee under this part and part II of chapter 408. Notification of *agency* approval or denial of such *license must* ~~request shall~~ be made in ac-

cordance with this part, part II of chapter 408, and applicable rules. ~~This training will be provided by or approved by the Department of Children and Family Services.~~

(4)~~(2)~~ Facilities licensed to provide services to mental health residents shall provide appropriate supervision and staffing to provide for the health, safety, and welfare of such residents.

~~(3) A facility that has a limited mental health license must:~~

~~(a) Have a copy of each mental health resident's community living support plan and the cooperative agreement with the mental health care services provider. The support plan and the agreement may be combined.~~

~~(b) Have documentation that is provided by the Department of Children and Family Services that each mental health resident has been assessed and determined to be able to live in the community in an assisted living facility with a limited mental health license.~~

~~(c) Make the community living support plan available for inspection by the resident, the resident's legal guardian, the resident's health care surrogate, and other individuals who have a lawful basis for reviewing this document.~~

~~(d) Assist the mental health resident in carrying out the activities identified in the individual's community living support plan.~~

~~(4) A facility with a limited mental health license may enter into a cooperative agreement with a private mental health provider. For purposes of the limited mental health license, the private mental health provider may act as the case manager.~~

(5) Effective January 1, 2013, a mental health surveyor shall serve as part of the team that inspects a facility with mental health residents, and may conduct the inspection without other agency representatives. The role of the mental health surveyor is to determine the facility's compliance in meeting obligations specified in the cooperative agreement pursuant to s. 394.4574. The agency shall enter into an interagency agreement with the Department of Children and Family Services to receive from the contracted community agencies reports concerning compliance with the requirements of cooperative agreements and community support plans under s. 394.4574 applicable to a licensed facility, and whether the mental health residents are receiving the services required under those documents while residing in the licensed facility. Monitoring visits shall occur at least twice a year. The agency may waive a monitoring visit for a facility that has been licensed for at least 24 months to provide limited mental health services if the mental health surveyor determines the cooperative agreements and community support plans are in compliance with applicable requirements and the mental health residents are receiving the appropriate services under those documents while residing in the licensed facility and the facility has no:

(a) Class I or class II violations and no uncorrected class III violations;

(b) Citations for a licensure violation which resulted from referrals by the ombudsman to the agency; or

(c) Citations for a licensure violation which resulted from complaints to the agency.

Section 12. Section 429.0751, Florida Statutes, is created to read:

429.0751 Mental health residents.—An assisted living facility that has one or more mental health residents must:

(1) Enter into a cooperative agreement with the mental health care service provider responsible for providing services to the mental health resident, including a mental health care service provider responsible for providing private pay services to the mental health resident, to ensure coordination of care.

(2) Consult with the mental health case manager and the mental health resident in developing a community living support plan and maintaining a copy of each mental health resident's community living support plan.

(3) Make the community living support plan available for inspection by the resident, the resident's legal guardian, the resident's health care surrogate, and other individuals who have a lawful basis for reviewing this document.

(4) Assist the mental health resident in carrying out the activities identified in the individual's community living support plan.

(5) Have documentation that is provided by the Department of Children and Family Services which indicates that each mental health resident has been assessed and determined to be able to live in the community in an assisted living facility.

Section 13. Subsection (4) of section 429.14, Florida Statutes, is amended to read:

429.14 Administrative penalties.—

(4) The agency shall deny or revoke the license of an assisted living facility that*:*

(a) Has two or more class I violations *and had a class I or class II violation from separate monitoring visits, surveys, or investigations* ~~that are similar or identical to violations identified by the agency during a survey, inspection, monitoring visit, or complaint investigation~~ occurring within the previous 2 years*; or*~~.~~

(b) Commits a class I violation that causes the death of a resident or an intentional or negligent act that, based on a court's findings, caused the death of a resident.

Section 14. Section 429.176, Florida Statutes, is amended to read:

429.176 ~~Notice of change of~~ Administrator*; managers*.—

(1) An administrator may be responsible for up to three assisted living facilities if all three assisted living facilities have identical controlling interests as defined in s. 408.803 and are located within 50 miles of each other. If an administrator is responsible for more than one assisted living facility, a manager must be appointed for each facility to assume responsibility for the facility during the administrator's absence. The manager must be reported to the agency within 10 days after appointment.

(2) If~~, during the period for which a license is issued, the owner changes administrators,~~ the *administrator changes, the licensee* ~~owner~~ must notify the agency of the change *and the name and license number of the new administrator* within 10 days *after the change* ~~and provide documentation within 90 days that the new administrator has completed the applicable core educational requirements under s. 429.52~~.

(3) If an administrator leaves the employment of an assisted living facility, and a licensed administrator is not named as required in subsection (2), the assisted living facility must notify the agency within 2 days after the administrator's departure and may operate for up to 3 months with a manager who will assume responsibility for the operation of the facility during that period. The manager must have completed the 40-hour administrator core training and successfully passed the examination described in s. 429.52(6) with a score of 80 percent.

(4) A manager of a facility who assumes responsibility for the operation of the facility during the absence of an administrator in accordance with subsection (1) must have completed the 40-hour administrator core training and successfully passed the examination described in s. 429.52(6) with a score of 80 percent within 30 days after being employed as, or becoming, a facility manager.

Section 15. Paragraphs (a) and (b) of subsection (2) of section 429.178, Florida Statutes, are amended to read:

429.178 Special care for persons with Alzheimer's disease or other related disorders.—

(2)(a) *Staff, including an administrator,* ~~An individual~~ who is employed by a facility that provides special care for residents *who have* ~~with~~ Alzheimer's disease or other related disorders, and who has regular contact with such residents, must complete up to 4 hours of initial dementia-specific training developed or approved by the department. The training *must* ~~shall~~ be completed within 3 months after beginning em-

ployment ~~and shall satisfy the core training requirements of s. 429.52(2)(g)~~.

(b) A direct caregiver who is employed by a facility that provides special care for residents *who have* ~~with~~ Alzheimer's disease or other related disorders, and who provides direct care to such residents, must complete the ~~required initial~~ training *required in paragraph (a)* and 4 additional hours of training developed or approved by the department. The training *must* ~~shall~~ be completed within *6* ~~9~~ months after beginning employment ~~and shall satisfy the core training requirements of s. 429.52(2)(g)~~.

Section 16. Subsection (2) of section 429.19, Florida Statutes, is amended to read:

429.19 Violations; imposition of administrative fines; grounds.—

(2) Each violation of this part and adopted rules shall be classified according to the nature of the violation and the gravity of its probable effect on facility residents *as provided in s. 408.813*.

(a) The agency shall indicate the classification on the written notice of the violation as follows:

1.~~(a)~~ Class "I" violations are defined in s. 408.813. the agency shall *issue a citation regardless of correction and* impose an administrative fine for a cited class I violation in an amount not less than $5,000 and not exceeding $10,000 for each violation.

2.~~(b)~~ Class "II" violations are defined in s. 408.813. the agency shall *issue a citation regardless of correction and* impose an administrative fine for a cited class II violation in an amount not less than $1,000 and not exceeding $5,000 for each violation.

3.~~(c)~~ Class "III" violations are defined in s. 408.813. the agency shall impose an administrative fine for a cited class III violation in an amount not less than $500 and not exceeding $1,000 for each violation.

4.~~(d)~~ Class "IV" violations are defined in s. 408.813. the agency shall impose an administrative fine for a cited class IV violation in an amount not less than $100 and not exceeding $200 for each violation.

(b) In lieu of the penalties provided in paragraph (a), the agency shall impose a $10,000 penalty for a violation that results in the death of a resident. This administrative fine is in addition to the penalty provided in paragraph (4) of s. 429.14.

(c) Notwithstanding paragraph (a), if the assisted living facility is cited for a class I or class II violation and within 24 months the facility is cited for another class I or class II violation, the agency shall double the fine for the subsequent violation if the violation is in the same class as the previous violation.

Section 17. Section 429.195, Florida Statutes, is amended to read:

429.195 Rebates prohibited; penalties.—

(1) It is unlawful for any assisted living facility licensed under this part to contract or promise to pay or receive any commission, bonus, kickback, or rebate or engage in any split-fee arrangement in any form whatsoever with any *person, health care provider, or health care facility as provided in s. 817.505* ~~physician, surgeon, organization, agency, or person, either directly or indirectly, for residents referred to an assisted living facility licensed under this part. A facility may employ or contract with persons to market the facility, provided the employee or contract provider clearly indicates that he or she represents the facility. A person or agency independent of the facility may provide placement or referral services for a fee to individuals seeking assistance in finding a suitable facility; however, any fee paid for placement or referral services must be paid by the individual looking for a facility, not by the facility~~.

(2) This section does not apply to:

(a) Any individual employed by the assisted living facility or with whom the facility contracts to market the facility if the individual clearly indicates that he or she works with or for the facility.

(b) Payments by an assisted living facility to a referral service that provides information, consultation, or referrals to consumers to assist them in finding appropriate care or housing options for seniors or disabled adults, if such referred consumers are not Medicaid recipients.

(c) A resident of an assisted living facility who refers to the assisted living facility a friend, family member, or other individual with whom the resident has a personal relationship, in which case the assisted living facility may provide a monetary reward to the resident for making such referral.

(3)~~(2)~~ A violation of this section shall be considered patient brokering and is punishable as provided in s. 817.505.

Section 18. Paragraph (j) is added to subsection (3) of section 817.505, Florida Statutes, to read:

817.505 Patient brokering prohibited; exceptions; penalties.—

(3) This section shall not apply to:

(j) Any payment permitted under s. 429.195(2).

Section 19. Section 429.231, Florida Statutes, is created to read:

429.231 Advisory council, membership, duties.—

(1) The department shall establish an advisory council to review the facts and circumstances of unexpected deaths in assisted living facilities and of elopements that result in harm to a resident. The purpose of this review is to:

(a) Achieve a greater understanding of the causes and contributing factors of the unexpected deaths and elopements.

(b) Identify any gaps, deficiencies, or problems in the delivery of services to the residents.

(2) Based on the review, the advisory council shall make recommendations for:

(a) Industry best practices that could be used to prevent unexpected deaths and elopements.

(b) Training and educational requirements for employees and administrators of assisted living facilities.

(c) Changes in the law, rules, or other policies to prevent unexpected deaths and elopements.

(3) The advisory council shall prepare an annual statistical report on the incidence and causes of unexpected deaths in assisted living facilities and of elopements that result in harm to residents during the prior calendar year. The advisory council shall submit a copy of the report by December 31 of each year to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report may make recommendations for state action, including specific policy, procedural, regulatory, or statutory changes, and any other recommended preventive action.

(4) The advisory council shall consist of the following members:

(a) The Secretary of Elderly Affairs, or a designee, who shall be the chair.

(b) The Secretary of Health Care Administration, or a designee.

(c) The Secretary of Children and Family Services, or a designee.

(d) The State Long-Term Care Ombudsman, or a designee.

(e) The following persons who are selected by the Governor:

1. An owner or administrator of an assisted living facility with fewer than 17 beds.

2. An owner or administrator of an assisted living facility with 17 or more beds.

3. An owner or administrator or an assisted living facility with a limited mental health license.

4. A representative from each of three statewide associations that represent assisted living facilities.

5. A resident of an assisted living facility.

(5) The advisory council shall meet at least twice each calendar year or at the call of the chair. The chair may appoint ad hoc committees as necessary to carry out the duties of the council.

(6) The members of the advisory council selected by the Governor shall be appointed to staggered terms of office which may not exceed 2 years. Members are eligible for reappointment.

(7) Members of the advisory council shall serve without compensation but are entitled to reimbursement for per diem and travel expenses incurred in the performance of their duties as provided in s. 112.061 and to the extent that funds are available.

Section 20. Effective October 1, 2012, subsections (1) and (2) of section 429.28, Florida Statutes, are amended to read:

429.28 Resident bill of rights.—

(1) *A* ~~No~~ resident of a facility *may not* ~~shall~~ be deprived of any civil or legal rights, benefits, or privileges guaranteed by law, the Constitution of the State of Florida, or the Constitution of the United States as a resident of a facility. Every resident of a facility shall have the right to:

(a) Live in a safe and decent living environment, free from abuse and neglect.

(b) Be treated with consideration and respect and with due recognition of personal dignity, individuality, and the need for privacy.

(c) Retain and use his or her own clothes and other personal property in his or her immediate living quarters, so as to maintain individuality and personal dignity, except when the facility can demonstrate that such would be unsafe, impractical, or an infringement upon the rights of other residents.

(d) Unrestricted private communication, including receiving and sending unopened correspondence, access to a telephone, and visiting with any person of his or her choice, at any time between the hours of 9 a.m. and 9 p.m. at a minimum. Upon request, the facility shall make provisions to extend visiting hours for caregivers and out-of-town guests, and in other similar situations.

(e) Freedom to participate in and benefit from community services and activities and to achieve the highest possible level of independence, autonomy, and interaction within the community.

(f) Manage his or her financial affairs unless the resident or, if applicable, the resident's representative, designee, surrogate, guardian, or attorney in fact authorizes the administrator of the facility to provide safekeeping for funds as provided in s. 429.27.

(g) Share a room with his or her spouse if both are residents of the facility.

(h) Reasonable opportunity for regular exercise several times a week and to be outdoors at regular and frequent intervals except when prevented by inclement weather.

(i) Exercise civil and religious liberties, including the right to independent personal decisions. No religious beliefs or practices, nor any attendance at religious services, shall be imposed upon any resident.

(j) Access to adequate and appropriate health care consistent with established and recognized standards within the community.

(k) At least *30* ~~45~~ days' notice of relocation or termination of residency from the facility unless, for medical reasons, the resident is certified by a physician to require an emergency relocation to a facility providing a more skilled level of care or the resident engages in a pattern of conduct that is harmful or offensive to other residents. In the case of a resident who has been adjudicated mentally incapacitated, the guardian shall be given at least *30* ~~45~~ days' notice of a nonemergency relocation or residency termination. Reasons for relocation shall be set forth in writing. *A resident or the resident's legal guardian or representative may file a grievance with the facility pursuant to s. 429.281 in response to receiving a notice of relocation or termination of residency from the facility. If a grievance is filed, the effective date of the relocation or termination or residency is extended at least 15 days.* ~~In order for a facility to terminate the residency of an individual without notice as provided herein, the facility shall show good cause in a court of competent jurisdiction.~~

(l) Present grievances and recommend changes in policies, procedures, and services to the staff of the facility, governing officials, or any other person without restraint, interference, coercion, discrimination, or reprisal. Each facility shall establish a grievance procedure to facilitate the residents' exercise of this right. This right includes access to ombudsman volunteers and advocates and the right to be a member of, to be active in, and to associate with advocacy or special interest groups.

(2) The administrator of a facility shall ensure that a written notice of the rights, obligations, and prohibitions set forth in this part is posted in a prominent place in each facility and read or explained to residents who cannot read. *The* ~~This~~ notice *must* ~~shall~~ include the name, address, and telephone numbers of the local ombudsman council and central abuse hotline and, *if* ~~when~~ applicable, *Disability Rights Florida* ~~the Advocacy Center for Persons with Disabilities, Inc.~~, and the Florida local advocacy council, where complaints may be lodged. *The notice must state that the names or identities of the complainants or residents involved in a complaint made to the Office of State Long-Term Care Ombudsman or a local long-term care ombudsman council are confidential unless the resident authorizes disclosure in order for the ombudsman to attempt to resolve the complaint.* The facility must ensure a resident's access to a telephone to call the local ombudsman council, central abuse hotline, *Disability Rights Florida* ~~Advocacy Center for Persons with Disabilities, Inc.~~, and the Florida local advocacy council.

Section 21. Effective October 1, 2012, section 429.281, Florida Statutes, is created to read:

429.281 Grievances for resident relocation or termination of residency.—

(1) As used in this section, the term:

(a) "Relocation" means to move a resident from one facility to another facility that is responsible for the resident's care.

(b) "Termination of residency" means the release of a resident from a facility that ceases to be responsible for the resident's care.

(2) Each facility licensed under this part must comply with s. 429.28(1)(k) when a decision is made to relocate or terminate the residency of a resident.

(3) Except as provided in s. 429.28(1)(k), at least 30 days before a proposed relocation or termination of residency, the facility must provide advance notice of the proposed relocation or termination of residency to the resident and to a family member, if known, or the resident's legal guardian or representative.

(4) The notice must be in writing and contain at a minimum, the following:

(a) The date on which the notice is provided to the resident or resident's legal guardian or representative;

(b) The effective date of the relocation or termination of residency if the resident:

1. Does not file a grievance; and

2. Files a grievance, which may not be less than 15 days after the effective date if a grievance is not filed;

(c) Information about the facility's procedures for filing a grievance which is presented in a concise, straightforward manner and is written at an eighth-grade reading level;

(d) Information about how to seek assistance from the local long-term care ombudsman council for a grievance;

(e) The location to which the resident is being relocated, if known; and

(f) The reason that the resident is being relocated or the residency is being terminated, along with a supporting explanation.

(5) A resident may be relocated or have his or her residency terminated by the facility only if:

(a) The resident's needs cannot be met in the facility;

(b) The resident no longer needs the services provided by the facility;

(c) The health or safety of individuals in the facility is endangered by the resident;

(d) The resident, resident's family, or resident's visitors cause disruption in the facility's normal environment;

(e) The contract for residency between the resident and the facility has expired; or

(f) The resident has failed, after reasonable and appropriate notice, to pay.

(6) A resident is entitled to challenge a facility's proposed relocation or termination of residency through the facility's grievance procedure. The grievance must be filed within 15 days after receipt of the notice of relocation or termination of residency. If the resident files a grievance, the resident may not be required to leave the facility until at least 45 days after the notice of proposed relocation or termination of residency is received by the resident or the resident's legal guardian or representative.

(7) A resident may request that the local long-term care ombudsman council review any notice of relocation or termination of residency given to the resident. If requested, the local long-term care ombudsman council shall assist the resident, or the resident's legal guardian or representative, with filing a grievance and completing the grievance process.

(8) Unless an emergency relocation is necessary as provided in this section, the facility may not impede the resident's right to remain in the facility, and the resident may remain in the facility until the outcome of the grievance, which must be completed within 45 days after receipt of the notice of relocation or termination of residency, unless both the facility and the resident, or the resident's legal guardian or representative, agree to extend the deadline for the conclusion of the grievance process. The facility must ensure that responsible representatives of the facility are reasonably available to participate in the grievance process.

(9) This section applies to relocations or terminations of residency which are initiated by the assisted living facility, and does not apply to those initiated by the resident or by the resident's physician, legal guardian, or representative.

(10) This section does not affect the rights the resident has to seek civil remedies.

Section 22. Section 429.34, Florida Statutes, is amended to read:

429.34 Right of entry and inspection.—

(1) In addition to the requirements of s. 408.811, *a* ~~any duly~~ designated officer or employee of the department, the Department of Children and Family Services, the Medicaid Fraud Control Unit of the Office of the Attorney General, the state or local fire marshal, or a member of the state or local long-term care ombudsman council *may* ~~shall have the right to~~ enter unannounced upon and into the premises of any facility licensed pursuant to this part in order to determine the state of compliance with ~~the provisions of~~ this part, part II of chapter 408, and applicable rules. Data collected by the state or local long-term care ombudsman councils or the state or local advocacy councils may be used by the agency in investigations involving violations of regulatory standards.

(2) In accordance with s. 408.811, every 24 months the agency shall conduct at least one unannounced inspection to determine compliance with this part, part II of chapter 408, and applicable rules. If the assisted living facility is accredited by the Joint Commission, the Council on Accreditation, or the Commission on Accreditation of Rehabilitation Facilities, the agency may conduct unannounced inspections less frequently, but in no event less than once every 5 years.

(a) Two additional inspections shall be conducted every 6 months for the next year if the assisted living facility has been cited for a class I violation or two or more class II violations arising from separate inspections within a 6-month period. In addition to any fines imposed on an assisted living facility under s. 429.19, the agency shall assess a fee of $69 per bed for each of the additional two inspections, not to exceed $12,000 per inspection.

(b) The agency shall verify through subsequent inspections that any violation identified during an inspection is corrected. However, the agency may verify the correction of a class III or class IV violation unrelated to resident rights or resident care without reinspection if the facility submits adequate written documentation that the violation has been corrected.

(3) The agency is designated the central agency for tracking complaints that involve potential licensure violations to ensure a timely response to allegations regarding facilities and the initiation of licensure enforcement action, if warranted. Any other state agency regulating, or providing services to residents of, assisted living facilities, including the department, the Agency for Persons with Disabilities, the Department of Health, the Long-Term Care Ombudsman Council, and the Department of Children and Family Services, must report any allegations or complaints that have been substantiated or are likely to have occurred to the agency within 2 business days if the report reflects serious and immediate risk to residents. All other referrals must be made within 10 business days.

(4) The agency shall have lead surveyors in each field office who specialize in assessing assisted living facilities. The lead surveyors shall provide initial and ongoing training to surveyors who will be inspecting and monitoring facilities. The lead surveyors shall ensure that consistent inspection and monitoring assessments are conducted.

(5) The agency shall have one statewide lead surveyor who specializes in assisted living facility inspections. The lead surveyor shall coordinate communication between lead surveyors of assisted living facilities throughout the state and ensure statewide consistency in applying facility inspection laws and rules.

Section 23. Paragraph (l) of subsection (1) and subsections (2) and (5) of section 429.41, Florida Statutes, are amended to read:

429.41 Rules establishing standards.—

(1) It is the intent of the Legislature that rules published and enforced pursuant to this section shall include criteria by which a reasonable and consistent quality of resident care and quality of life may be ensured and the results of such resident care may be demonstrated. Such rules shall also ensure a safe and sanitary environment that is residential and noninstitutional in design or nature. It is further intended that reasonable efforts be made to accommodate the needs and preferences of residents to enhance the quality of life in a facility. The agency, in consultation with the department, may adopt rules to administer the requirements of part II of chapter 408. In order to provide safe and sanitary facilities and the highest quality of resident care accommodating the needs and preferences of residents, the department, in consultation with the agency, the Department of Children and Family Services, and the Department of Health, shall adopt rules, policies, and procedures to administer this part, which must include reasonable and fair minimum standards in relation to:

(l) The establishment of specific policies and procedures on resident elopement. Facilities shall conduct a minimum of two resident elopement drills each year. All administrators and direct care staff shall participate in the drills. Facilities shall document the drills. *Each calendar year, the agency shall observe the elopement drills of 10 percent of the licensed facilities in the state. The facilities must be randomly selected by the agency and the elopement drills must coincide with an inspection or survey conducted by the agency. If an agency employee observes an elopement drill that does not meet licensure standards, the agency shall cite violations in accordance with s. 429.19(2).*

(2) In adopting any rules pursuant to this part, the department, in conjunction with the agency, shall make distinct standards for facilities based upon facility size; the types of care provided; the physical and mental capabilities and needs of residents; the type, frequency, and amount of services and care offered; and the staffing characteristics of the facility. Rules developed pursuant to this section *may* ~~shall~~ not re-

strict the use of shared staffing and shared programming in facilities that are part of retirement communities that provide multiple levels of care and otherwise meet the requirements of law and rule. Except for uniform firesafety standards, the department shall adopt by rule separate and distinct standards for facilities with 16 or fewer beds and for facilities with 17 or more beds. The standards for facilities with 16 or fewer beds *must* ~~shall~~ be appropriate for a noninstitutional residential environment *if*~~,~~ ~~provided that~~ the structure is no more than two stories in height and all persons who cannot exit the facility unassisted in an emergency reside on the first floor. The department, in conjunction with the agency, may make other distinctions among types of facilities as necessary to enforce the provisions of this part. *If* ~~Where~~ appropriate, the agency shall offer alternate solutions for complying with established standards, based on distinctions made by the department and the agency relative to the physical characteristics of facilities and the types of care offered ~~therein~~.

(5) *In order to allocate resources efficiently,* the agency *shall conduct* ~~may use~~ an abbreviated biennial standard licensure inspection that consists of a review of key quality-of-care standards in lieu of a full inspection in a facility that has a good record of past performance. However, a full inspection must be conducted in a facility that has a history of class I or class II violations, uncorrected class III violations, confirmed ombudsman council complaints *that resulted in a citation for licensure*, or confirmed licensure complaints *which resulted in a citation for a licensure violation*, within the previous licensure period immediately preceding the inspection or if a potentially serious problem is identified during the abbreviated inspection. The agency, in consultation with the department, shall develop the key quality-of-care standards with input from the State Long-Term Care Ombudsman Council and representatives of provider groups for incorporation into its rules.

Section 24. Subsection (1) of section 429.49, Florida Statutes, is amended to read:

429.49 Resident records; penalties for alteration.—

(1) Any person who fraudulently alters, defaces, or falsifies any medical or other record of an assisted living facility, or causes or procures any such offense to be committed, commits a misdemeanor of the *first* ~~second~~ degree, punishable as provided in s. 775.082 or s. 775.083.

Section 25. Section 429.515, Florida Statutes, is created to read:

429.515 Preservice orientation.—

(1) Each employee, including an administrator, of an assisted living facility who is newly hired on or after July 1, 2012, must attend a preservice orientation provided by the facility which covers topics that will enable the employee to relate and respond to the residents of the facility. The orientation must be at least 2 hours in duration, be available in English and, if the employee is not fluent in English but is fluent in Spanish, Spanish, and, at a minimum, cover the following topics:

(a) Care of persons who have Alzheimer's disease or other related disorders.

(b) Deescalation techniques.

(c) Aggression control.

(d) Elopement prevention.

(e) Behavior management.

(2) Upon completion of the preservice orientation, the administrator or owner of the facility must sign an affidavit, under penalty of perjury, stating that the employee completed the preservice orientation. The administrator of the facility must maintain the signed affidavit in the employee's work file.

Section 26. Section 429.52, Florida Statutes, is amended to read:

(Substantial rewording of section. See

s. 429.52, F.S., for present text.)

429.52 Training; examination; tutorial; continuing education.—

(1) Staff, other than administrators, hired on or after January 1, 2013, who provide regular or direct care to residents must complete a 20-hour staff training curriculum, and an interactive online tutorial that demonstrates an understanding of the training. The training and tutorial must be completed within 90 days after employment and is in addition to the preservice orientation required under s. 429.515. The department may grant an exemption from the applicable hours to nurses, certified nursing assistants, or home health aides who can demonstrate completion of training that is substantially similar to all or portions of the staff training curriculum.

(2) Staff, other than administrators, providing regular or direct care to residents must participate in a minimum of 4 hours of continuing education every 2 years. The continuing education may be offered through online courses. Continuing education hours completed for specialty licenses and facilities that serve mental health residents pursuant to subsection (8) may count toward completion of the continuing education hours required under this subsection.

(3) A certificate must be provided to each person upon completion of the training required in this section. A copy of the certificate must be maintained in the employee's work file.

(4) A person who can document that he or she has completed the training and continuing education required by this section is not required to retake the training or continuing education for the applicable 2-year cycle upon employment with a different facility if the break in employment does not exceed 6 months.

(5) The department, in consultation with stakeholders, the agency, the Department of Children and Family Services, the Department of Health, and their agents, shall develop the following:

(a) Assisted living facility administrator core training that includes at least 40 hours of training. The curriculum, at a minimum, must cover the following topics:

1. State law and rules relating to assisted living facilities.

2. Resident rights and the identification and reporting of abuse, neglect, and exploitation.

3. The special needs of elderly persons, persons who have mental illness, and persons who have developmental disabilities and how to meet those needs.

4. Nutrition and food service, including acceptable sanitation practices for preparing, storing, and serving food.

5. Medication management, recordkeeping, and proper techniques for assisting residents who self-administer medication.

6. Firesafety requirements, including procedures for fire evacuation drills and other emergency procedures.

7. The care of persons who have Alzheimer's disease and related disorders.

8. Elopement prevention.

9. Aggression and behavior management, deescalation techniques, and proper protocols and procedures relating to the Baker Act as provided in part I of chapter 394.

10. Do-not-resuscitate orders.

11. Infection control.

12. Admission and continued residency.

13. Phases of care and interacting with residents.

14. Best practices in the industry.

15. Business operations, including, but not limited to, human resources, financial management, and supervision of staff.

(b) A continuing education curriculum of 16 hours for licensed assisted living facility administrators and managers when the administrator is responsible for more than one facility. Continuing education

must include topics similar to those of the core training in paragraph (a), and may include additional subject matter that enhances the knowledge, skills, and abilities of assisted living facility administrators, as adopted by rule.

(c) Specialty training, continuing education, examinations, and tutorials for the requirements in subsection (8).

(6) The department, in consultation with the agency, the Department of Children and Family Services, the Department of Health, and their agents, shall develop an assisted living facility administrator examination that tests the applicant's knowledge and training of the core training topics listed in subsection (5) and an examination covering the continuing education topics developed under that subsection.

(7) The department, in consultation with stakeholders, the agency, and the Department of Children and Family Services shall develop the standardized staff training curriculum and continuing education required under subsections (1) and (2). The curriculum must include at least 20 hours of inservice training, with at least 1 hour of training per topic, covering at least the following topics:

(a) Reporting major incidents.

(b) Reporting adverse incidents.

(c) Facility emergency procedures, including chain-of-command and staff member roles relating to emergency evacuation.

(d) Resident rights in an assisted living facility.

(e) Recognizing and reporting resident abuse, neglect, and exploitation.

(f) Resident behavior and needs.

(g) Providing assistance with the activities of daily living.

(h) Infection control.

(i) Aggression and behavior management and deescalation techniques.

(8) Additional specialty training and continuing education for assisted living facility staff and administrators is required as follows:

(a) If a facility holds an extended congregate care license:

1. The administrator and manager, if the administrator is responsible for more than one facility, must complete a minimum of 4 hours of courses that train and educate administrators and managers on the special needs and care of residents requiring extended congregate care within 90 days after employment or after the facility receives an extended congregate care license. Administrators and managers are required to complete 4 hours of continuing education on relevant topics every 2 years.

2. Staff who provides regular and direct care to residents receiving extended congregate care services must complete a minimum of 2 hours of courses that train and educate staff on the special needs and care of those requiring limited nursing services. The training must be completed within 90 days after employment or after the facility receives a limited nursing services license. Staff is also required to complete 2 hours of continuing education on relevant topics every 2 years.

(b) If a facility holds a limited nursing services license:

1. The administrator and manager, if the administrator is responsible for more than one facility, must complete a minimum of 4 hours of courses that train and educate administrators on the special needs and care of those residents requiring limited nursing services within 90 days after employment or after the facility receives a limited nursing services license.

2. Staff providing regular and direct care to residents receiving limited nursing services must complete a minimum of 2 hours of courses that train and educate staff on the special needs and care of those requiring limited nursing services. The training must be completed within 90 days after employment or after the facility receives a limited nursing services license.

(c)1. The administrator, and manager if the administrator is responsible for more than one facility, must complete a minimum of 8 hours of courses that train and educate administrators and managers on the special needs and care of mental health residents within 90 days after employment, the facility receives a mental health license, or begins caring for a mental health resident. Administrators and managers are required to complete 4 hours of continuing education on relevant topics every 2 years. An administrator and manager, if the administrator is responsible for more than one facility, must pass an examination related to the administrator's training with a minimum score of 80 percent. An administrator and manager must complete an online interactive tutorial related to the continuing education in order to demonstrate an understanding of the material and receive a certificate of completion.

2. Staff who provide regular or direct care to mental health residents must complete a minimum of 6 hours of department-approved mental health training within 90 days after beginning employment, after the facility begins serving a mental health resident, or after the facility receives a limited mental health license. Staff must also complete 4 hours of continuing education every 2 years that enhances the ability to care for mental health residents. A staff member must complete an online interactive tutorial related to the training and continuing education in order to demonstrate an understanding of the material and receive a certificate of completion. A staff member who does not complete the initial training tutorial within the 90 days may not provide regular or direct care to mental health residents until he or she successfully completes the tutorial.

(d) Staff, including administrators, who prepare or serve food must receive a minimum of 1 hour of inservice training in safe food handling practices within 30 days after beginning employment.

(e) Staff, including administrators, must receive at least 1 hour of inservice training on the facility's resident elopement response policies and procedures within 30 days after beginning employment.

1. A copy of the facility's resident elopement response policies and procedures must be provided to staff and the administrator.

2. Staff members and the administrator must demonstrate understanding and competency in the implementation of the elopement response policies and procedures.

(f) Staff, including the administrator, involved with the management of medications and the assistance with self-administration of medications under s. 429.256 must complete a minimum of 4 additional hours of training provided by a registered nurse, licensed pharmacist, or department staff member. The department shall establish by rule the minimum requirements of this training, including continuing education requirements.

(9) Other facility staff members shall participate in training relevant to their job duties and as specified by rule.

(10) The department, in consultation with a panel of at least three mental health professionals, the agency, and the Department of Children and Family Services, and their agents shall develop a limited mental health curriculum, examination, and on-line interactive tutorial.

(11) The agency or department may require or cause to be provided the training or education of staff of an assisted living facility beyond that which is required under this part if the agency or department determines that there are problems in a facility which could be reduced through specific staff training or education.

(12) Existing curricula, examinations, and tutorials may be used, modified, or enhanced as appropriate. To the extent funding is available, the department may contract for assistance with the development, review, updating of the training, examinations, and on-line tutorials required under this section.

All training, examinations, and tutorials must be developed and offered in English and Spanish, and must be reviewed at least annually and updated as needed to reflect changes in the law, rules, and best practices. The participant or the participant's employer shall pay any fee associated with the training, continuing education, tutorial, or examination.

Section 27. Section 429.522, Florida Statutes, is created to read:

429.522 Assisted living training providers; certification.—

(1) Effective January 1, 2013, an individual seeking to provide assisted living training in this state must be certified by the department. The applicant must provide the department with proof of completion of the minimum core training requirements, successful passage of the assisted living facility administrator examination, and proof of compliance with continuing education requirements for assisted living facility administrators since completion of core training.

(2) A person seeking to be certified as a trainer must also:

(a) Provide proof of completion of a 4-year baccalaureate degree from an accredited college or university and must have worked in a management position in an assisted living facility for 3 years after obtaining certification in core training courses;

(b) Have worked in a management position in an assisted living facility for 5 years after being core certified and have 1 year of teaching experience as an educator or staff trainer for persons who work in assisted living facilities or other long-term care settings;

(c) Have been previously employed as a trainer of core training courses for the department;

(d) Have at least 5 years of employment with the agency as a surveyor of assisted living facilities;

(e) Have at least 5 years of employment as an educator or staff trainer for persons working in an assisted living facility or another long-term care setting;

(f) Have a 4-year baccalaureate degree from an accredited college or university and at least 4 years of experience as an educator or staff trainer for persons working in an assisted living facility or another long-term care setting after receiving certification in core courses; or

(g) Meet other qualification criteria as defined by rule of the department.

(3) Training may also be provided by:

(a) A Florida College System institution;

(b) Any nonpublic postsecondary education institution licensed or exempted from licensure pursuant to chapter 1005; or

(c) A statewide entity which represents and provides technical assistance to assisted living facilities that contracts with the department to provide training. The department may specify minimum trainer qualifications in the contract.

(4) The department shall provide oversight of the assisted living training providers. The department shall adopt rules to establish requirements for trainer certification and recertification requirements, including continuing education requirements, disciplinary action that may be taken against a trainer, a trainer decertification process, and required electronic reporting of persons who have successfully completed training courses.

(5) If funding is available, by January 1, 2013, the department shall develop and maintain an electronic database, accessible to the public, which lists all persons holding certification as an assisted living trainer, including any history of violations. Assisted living trainers shall keep a record of individuals who complete training and shall submit the record to the department electronically within 24 hours after the completion of a course in order for the department to include the information in the database.

Section 28. Section 429.54, Florida Statutes, is amended to read:

429.54 Collection of information; local subsidy*; interagency communication; facility reporting*.—

(1) To enable the department to collect the information requested by the Legislature regarding the actual cost of providing room, board, and personal care in *assisted living* facilities, the department *may* ~~is authorized to~~ conduct field visits and audits of facilities as ~~may be~~ necessary. The owners of randomly sampled facilities shall submit such reports, audits, and accountings of cost as the department may require by rule; *however,* ~~provided that~~ such reports, audits, and accountings *may not be more than* ~~shall be~~ the minimum necessary to implement the provisions of this *subsection* ~~section~~. Any facility selected to participate in the study shall cooperate with the department by providing cost of operation information to interviewers.

(2) Local governments or organizations may contribute to the cost of care of local facility residents by further subsidizing the rate of state-authorized payment to such facilities. Implementation of local subsidy shall require departmental approval and *may* ~~shall~~ not result in reductions in the state supplement.

(3) Subject to the availability of funds, the agency, the department, the Department of Children and Family Services, the Department of Health, and the Agency for Persons with Disabilities shall develop or modify electronic systems of communication among state-supported automated systems to ensure that relevant information pertaining to the regulation of assisted living facilities and facility staff is timely and effectively communicated among agencies in order to facilitate the protection of residents.

(4) All assisted living facilities shall submit electronic reports to the agency twice a year.

(a) The reports must represent facility data on March 30 and September 30 of each year and be submitted within 15 calendar days. The following information and must be submitted:

1. The number of beds in the facility;

2. The number of occupied beds;

3. The number of residents, by age group, younger than 65 years of age, from 65 to 74 years of age, from 75 to 84 years of age, and 85 years of age or older;

4. The number of residents who are mental health residents, who are receiving extended congregate care, who are receiving limited nursing services, and who are receiving hospice care;

5. If there is a facility waiting list, the number of individuals on the waiting list and the type of services or care they require, if known;

6. The number of residents receiving optional state supplementation; and

7. The number of residents who are Medicaid recipients and the type of waiver used to fund their assisted living facility certification care.

(b) The agency must maintain electronically the electronic information submitted and, at a minimum, use the information to track trends in resident populations and needs.

(c) Reporting under this subsection begins March 1, 2013, and expires July 1, 2017.

Section 29. *The Division of Statutory Revision is requested to rename part II of chapter 468, Florida Statutes, consisting of ss. 468.1635-468.1756, Florida Statutes, as "Nursing Home and Assisted Living Facility Administration."*

Section 30. Section 468.1635, Florida Statutes, is amended to read:

468.1635 Purpose.—The sole legislative purpose for enacting this *part* ~~chapter~~ is to ensure that every nursing home administrator *and assisted living facility administrator* practicing in this state meets minimum requirements for safe practice. It is ~~the~~ legislative intent that nursing home administrators *and assisted living facility administrators* who fall below minimum competency or who otherwise present a danger to the public ~~shall~~ be prohibited from practicing in this state.

Section 31. Section 468.1645, Florida Statutes, is amended to read:

468.1645 Administrator license required.—

(1) *A* ~~No~~ nursing home ~~in the state~~ may *not* operate *in this state* unless it is under the management of a nursing home administrator*, and effective July 1, 2013, an assisted living facility may not operate in this state unless it is under the management of an assisted living facility*

administrator who holds a currently valid license, provisional license, or temporary license.

(2) ~~Nothing in~~ This part*, and* ~~or in~~ the rules adopted *pursuant to this part, do not* ~~hereunder shall~~ require an administrator of *a* ~~any~~ facility or institution operated by and for persons who rely exclusively upon treatment by spiritual means through prayer, in accordance with the creed or tenets of any organized church or religious denomination, to be licensed as a nursing home administrator *or assisted living facility administrator* if the administrator is employed only to administer in such facilities or institutions for the care and treatment of the sick.

Section 32. Section 468.1655, Florida Statutes, is amended to read:

468.1655 Definitions.—As used in this part:

(1) "Assisted living facility" means a facility licensed under part I of chapter 429.

(2) "Assisted living facility administrator" means a person who is licensed to engage in the practice of assisted living facility administration in this state under the authority of this part.

(3) "Assisted living facility administrator certification" means a professional credential awarded by a contracted third-party credentialing entity to individuals who demonstrate core competency in the practice of assisted living facility administration and who meet the education, background screening, and other criteria specified by the board for licensure as an assisted living facility administrator.

(4)~~(1)~~ "Board" means the Board of *Long-Term Care* ~~Nursing Home~~ Administrators.

(5)~~(2)~~ "Department" means the Department of Health.

(6) "Long-term care" means any service provided in facilities licensed under part II of chapter 400 or part I of chapter 429.

(7)~~(3)~~ "Nursing home administrator" means a person who is licensed to engage in the practice of nursing home administration in this state under the authority of this part.

(8) "Practice of assisted living facility administration" means any service requiring education, training, or experience in assisted living facility administration and its application to the planning, organizing, staffing, directing, and controlling of the total management of an assisted living facility. A person is practicing or offering to practice assisted living facility administration if such person:

(a) Practices any of the above services.

(b) Holds himself or herself out as able to perform, or does perform, any form of assisted living facility administration by written or verbal claim, sign, advertisement, letterhead, or card; or in any other way represents himself or herself to be, or implies that he or she is, an assisted living facility administrator.

(9)~~(4)~~ "Practice of nursing home administration" means any service requiring *education, training, or experience in* nursing home administration ~~education, training, or experience~~ and the application of such to the planning, organizing, staffing, directing, and controlling of the total management of a nursing home. A person *is practicing or offering* ~~shall be construed to practice or to offer~~ to practice nursing home administration *if the person* ~~who~~:

(a) Practices any of the above services.

(b) Holds himself or herself out as able to perform, or does perform, any form of nursing home administration by written or verbal claim, sign, advertisement, letterhead, or card; or in any other way represents himself or herself to be, or implies that he or she is, a nursing home administrator.

(10)~~(5)~~ "Nursing home" means an institution or facility licensed as such under part II of chapter 400.

Section 33. Section 468.1665, Florida Statutes, is amended to read:

468.1665 Board of *Long-Term Care* ~~Nursing Home~~ Administrators; membership; appointment; terms.—

(1) The Board of *Long-Term Care* ~~Nursing Home~~ Administrators is created within the department and shall consist of *eleven* ~~seven~~ members, to be appointed by the Governor and confirmed by the Senate to a term of 4 years or for a term to complete an unexpired vacancy.

(2) Three members of the board must be licensed nursing home administrators. *Three members of the board must be licensed assisted living facility administrators.* Two members of the board must be health care practitioners. *Three* ~~The remaining two~~ members of the board must be laypersons who are not, and have never been, nursing home *or assisted living facility* administrators or members of any health care profession or occupation*, and at least one of these laypersons must be a resident of an assisted living facility*. At least one member of the board must be 60 years of age or older.

(3) Only board members who are nursing home administrators may have a direct financial interest in any nursing home. *Only board members who are assisted living facility administrators may have a direct financial interest in any assisted living facility.*

(4) All provisions of chapter 456 relating to activities of regulatory boards shall apply.

Section 34. Section 468.1685, Florida Statutes, is amended to read:

468.1685 Powers and duties of board and department.—It is the function and duty of the board, together with the department, to:

(1) Adopt rules ~~pursuant to ss. 120.536(1) and 120.54~~ to implement the provisions of this part conferring duties upon the board.

(2) Develop, impose, and enforce specific standards within the scope of the general qualifications established by this part which must be met by individuals in order to receive licenses as nursing home *or assisted living facility* administrators. These standards shall be designed to ensure that nursing home *and assisted living facility* administrators are individuals of good character and otherwise suitable and, by training or experience in the field of *health care facility* ~~institutional~~ administration, qualified to serve as nursing home *or assisted living facility* administrators.

(3) Develop by appropriate techniques, including examinations and investigations, a method for determining whether an individual meets such standards. *The board shall contract with one or more third-party credentialing entities for the purpose of certifying assisted living facility administrators. A third-party credentialing entity must be a nonprofit organization that has met nationally recognized standards for developing and administering professional certification programs. The contract must require that a third-party credentialing entity:*

(a) Verify that the applicant for licensure as an assisted living facility administrator meets the requirements for licensure under part I of chapter 429 and this part;

(b) Develop or assist the Department of Elderly Affairs with developing the training and testing materials under s. 429.52 using nationally recognized certification and psychometric standards;

(c) Maintain an Internet-based database, accessible to the public, of all persons holding an assisted living facility administrator certification; and

(d) Require and verify continuing education consistent with s. 429.52 and, at least, biennial certification renewal for persons holding an assisted living facility administrator certification.

(4) Issue licenses to qualified individuals meeting the standards of the board and revoke or suspend licenses previously issued by the board *if* ~~when~~ the individual holding such license is determined to have failed to ~~conform~~ substantially *conform* to the requirements of such standards.

(5) Establish *by rule* and carry out procedures~~, by rule,~~ designed to ensure that licensed nursing home *or assisted living facility* administrators ~~will~~ comply with *the* standards adopted by the board.

(6) Receive, investigate, and take appropriate action with respect to any charge or complaint filed with the department ~~to the effect~~ that a licensed nursing home *or assisted living facility* administrator has failed to comply with the requirements or standards adopted by the board.

(7) Conduct a continuing study and investigation of nursing homes *and assisted living facilities* and *the* administrators of nursing homes *and assisted living facilities* in order to improve the standards imposed for the licensing of such administrators and the procedures and methods for enforcing such standards with respect to *licensed* administrators ~~of nursing homes who have been licensed as such~~.

(8) Set up procedures by rule for advising and acting together with the department ~~of Health~~ and other boards of other health professions in matters affecting procedures and methods for effectively enforcing the purpose of this part and the administration of chapters 400 and 429.

Section 35. Section 468.1695, Florida Statutes, is amended to read:

468.1695 Licensure by examination*; licensure by certification*.—

(1) Any person desiring to be licensed as a nursing home administrator shall apply to the department to take the licensure examination. The examination shall be given at least two times a year and shall include, but not be limited to, questions on the subjects of nursing home administration such as:

(a) Applicable standards of nursing home health and safety;

(b) Federal, state, and local health and safety laws and rules;

(c) General administration;

(d) Psychology of patient care;

(e) Principles of medical care;

(f) Personal and social care;

(g) Therapeutic and supportive care and services in long-term care;

(h) Departmental organization and management;

(i) Community interrelationships; and

(j) Terminology.

The board may, by rule, adopt use of a national examination in lieu of part or all of the examination required by this part.

(2) The department shall examine each applicant *for a nursing home administrator license* who the board certifies has completed the application form and remitted an examination fee set by the board not to exceed $250 and who:

(a)1. Holds a baccalaureate degree from an accredited college or university and majored in health care administration or has credit for at least 60 semester hours in subjects, as prescribed by rule of the board, which prepare the applicant for total management of a nursing home; and

2. Has fulfilled the requirements of a college-affiliated or university-affiliated internship in nursing home administration or of a 1,000-hour nursing home administrator-in-training program prescribed by the board; or

(b)1. Holds a baccalaureate degree from an accredited college or university; and

2.a. Has fulfilled the requirements of a 2,000-hour nursing home administrator-in-training program prescribed by the board; or

b. Has 1 year of management experience allowing for the application of executive duties and skills, including the staffing, budgeting, and directing of resident care, dietary, and bookkeeping departments within a skilled nursing facility, hospital, hospice, assisted living facility with a minimum of 60 licensed beds, or geriatric residential treatment program and, if such experience is not in a skilled nursing facility, has fulfilled the requirements of a 1,000-hour nursing home administrator-in-training program prescribed by the board.

(3) The department shall issue a license to practice nursing home administration to any applicant who successfully completes the examination in accordance with this section and otherwise meets the requirements of this part. The department shall not issue a license to any applicant who is under investigation in this state or another jurisdiction for an offense which would constitute a violation of s. 468.1745 or s. 468.1755. Upon completion of the investigation, the provisions of s. 468.1755 shall apply.

(4) The board may by rule establish a preceptor certification and recertification fee not to exceed $100 which shall be remitted by those individuals seeking board approval to act as preceptors in administrator-in-training programs as prescribed by the board. *This* ~~Said~~ fee may be charged at the time of application for initial certification and at the time of application for recertification. The board may by rule establish a trainee application fee not to exceed $500 to defray the costs of the board's supervision of the administrator-in-training program, to be remitted by those individuals seeking to undergo a board prescribed administrator-in-training program.

(5) Any person desiring to be licensed as an assisted living facility administrator must apply to the department, remit a nonrefundable fee set by the board not to exceed $150, and provide proof of a current and valid assisted living facility administrator certification. If the board is unable to contract with a third-party credentialing entity, the department shall verify an applicant's compliance with all requirements for certification and licensure and the submission of a valid assisted living facility administrator certification as a prerequisite for licensure is waived.

(6) An assisted living facility administrator certification must be issued by a third-party credentialing entity that certifies that the individual:

(a) Is at least 21 years old;

(b) Holds a 4-year baccalaureate degree from an accredited college or university, including completion of coursework in health care, gerontology, or geriatrics; holds a 4-year baccalaureate degree from an accredited college or university and has at least 2 years of experience in direct care in or management of an assisted living facility or nursing home; or holds a 2-year associate degree and has at least 4 years of experience in direct care in an assisted living facility or nursing home;

(c) Has completed a least 40 hours of core training;

(d) Has passed an examination that documents core competencies in the training required for assisted living facility administrators prior to licensure with a minimum score of 80 percent;

(e) Has completed background screening pursuant to ss. 429.174 and 456.0365; and

(f) Otherwise meets the requirements of this part and part I of chapter 429.

(7) A person who is continuously employed as an assisted living facility administrator, or a nursing home administrator who is employed as a nursing home administrator, between July 1, 2012 and January 1, 2013, is eligible for certification as an assisted living facility administrator without meeting the requirements in subsection (6) if:

(a) The applicant completed the core training, examination, and continuing education requirements under chapter 429 which were in effect on June 30, 2012; and

(b) The applicant was not the administrator of an assisted living facility or nursing home that was cited by final agency action for a class I or class II violation within the 2 years before January 1, 2013.

(8) A person who is at least 21 years old; completes the core training and successfully passes the core training examination between January 1, 2011, and January 1, 2013; has completed background screening for licensure, has been continuously employed by an assisted living facility between January 1, 2011, and January 1, 2013; and has never been employed as an administrator of an assisted living facility is eligible for certification as an assisted living facility administrator without meeting the requirements in subsection (6) if the person submits an application before July 1, 2013.

(9) A licensed assisted living facility administrator applying for licensure renewal must submit an application, remit a renewal fee of $150, and demonstrate that he or she has obtained and maintained his or her assisted living facility administrator certification that substantiates that he or she has completed at least 16 hours of general continuing education, any specialty training and continuing education required based on licensure of the facility or the resident's served for which the applicant is an administrator, has successfully passed all required examinations, and satisfies all other requirements for licensure renewal under this part and part I of chapter 429.

(10) The board and the department may adopt rules for licensure forms, staggered license expirations dates, prorated licensure fees, and certification to implement the licensure and relicensure of assisted living facility administrators.

Section 36. Subsection (1) of section 468.1705, Florida Statutes, is amended to read:

468.1705 Licensure by endorsement; temporary license.—

(1) The department shall issue a *nursing home administrator* license by endorsement to *an* ~~any~~ applicant who, upon applying to the department and remitting a fee set by the board not to exceed $500, demonstrates to the board that he or she:

(a) Meets one of the following requirements:

1. Holds a valid active license to practice nursing home administration in another state of the United States *if*~~, provided that~~ the current requirements for licensure in that state are substantially equivalent to, or more stringent than, current requirements in this state; or

2. Meets the qualifications for licensure in s. 468.1695; and

(b)1. Has successfully completed a national examination which is substantially equivalent to, or more stringent than, the examination given by the department;

2. Has passed an examination on the laws and rules of this state governing the administration of nursing homes; and

3. Has worked as a fully licensed nursing home administrator for 2 years within the 5-year period immediately preceding the application by endorsement.

Section 37. Section 468.1745, Florida Statutes, is amended to read:

468.1745 Prohibitions; penalties.—

(1) *A* ~~No~~ person *may not* ~~shall~~:

(a) Practice nursing home administration unless the person holds an active license to practice nursing home administration.

(b) Use the name or title "nursing home administrator" *if* ~~when~~ the person has not been licensed pursuant to this *part* ~~act~~.

(c) Present as his or her own the license of another.

(d) Give false or forged evidence to the board or a member thereof for the purpose of obtaining a license.

(e) Use or attempt to use a nursing home administrator's license *or an assisted living facility administrator's license that* ~~which~~ has been suspended or revoked.

(f) Knowingly employ unlicensed persons in the practice of nursing home administration *or assisted living facility administration*.

(g) Knowingly conceal information relative to violations of this part.

(h) Practice assisted living facility administration unless the person holds an active license to practice assisted living facility administration.

(i) Use the name or title "assisted living facility administrator" if the person has not been licensed pursuant to this part.

(2) Any person who violates the provisions of this section is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 38. Section 468.1755, Florida Statutes, is amended to read:

468.1755 Disciplinary proceedings.—

(1) The following acts constitute grounds for denial of a *nursing home administrator* license*, assisted living facility administrator license,* or disciplinary action, as specified in s. 456.072(2):

(a) Violation of any provision of s. 456.072(1) or s. 468.1745(1).

(b) Attempting to procure a license to practice nursing home administration *or assisted living facility administration* by bribery, by fraudulent misrepresentation, or through an error of the department or the board.

(c) Having a license to practice nursing home administration *or assisted living facility administration* revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country.

(d) Being convicted or found guilty, regardless of adjudication, of a crime in any jurisdiction which relates to the practice of nursing home administration*, assisted living facility administration,* or the ability to practice nursing home administration *or assisted living facility administration*. Any plea of nolo contendere shall be considered a conviction for purposes of this part.

(e) Making or filing a report or record which the licensee knows to be false, intentionally failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing, or inducing another person to impede or obstruct such filing. Such reports or records shall include only those which are signed in the capacity of a licensed nursing home administrator *or licensed assisted living facility administrator*.

(f) Authorizing the discharge or transfer of a resident *by a nursing home administrator* for a reason other than those provided in ss. 400.022 and 400.0255.

(g) Advertising goods or services in a manner which is fraudulent, false, deceptive, or misleading in form or content.

(h) Fraud or deceit, negligence, incompetence, or misconduct in the practice of nursing home administration *or assisted living facility administration*.

(i) Violation of a lawful order of the board or department previously entered in a disciplinary hearing or failing to comply with a lawfully issued subpoena of the board or department.

(j) Practicing with a revoked, suspended, inactive, or delinquent license.

(k) Repeatedly acting in a manner inconsistent with the health, safety, or welfare of the patients of the facility in which he or she is the administrator.

(l) Being unable to practice nursing home administration *or assisted living facility administration* with reasonable skill and safety to patients by reason of illness, drunkenness, use of drugs, narcotics, chemicals, or any other material or substance or as a result of any mental or physical condition. In enforcing this paragraph, upon a finding of the State Surgeon General or his or her designee that probable cause exists to believe that the licensee is unable to serve as a nursing home administrator *or assisted living facility administrator* due to the reasons stated in this paragraph, the department shall have the authority to issue an order to compel the licensee to submit to a mental or physical examination by a physician designated by the department. If the licensee refuses to comply with such order, the department's order directing such examination may be enforced by filing a petition for enforcement in the circuit court where the licensee resides or serves as a nursing home administrator *or assisted living facility administrator*. The licensee against whom the petition is filed shall not be named or identified by initials in any public court records or documents, and the proceedings shall be closed to the public. The department shall be entitled to the summary procedure

provided in s. 51.011. A licensee affected under this paragraph shall have the opportunity, at reasonable intervals, to demonstrate that he or she can resume the competent practice of nursing home administration *or assisted living facility administration* with reasonable skill and safety to patients.

(m) Willfully or repeatedly violating any of the provisions of the law, code, or rules of the licensing or supervising authority or agency of the state or political subdivision thereof having jurisdiction of the operation and licensing of nursing homes *or assisted living facilities*.

(n) Paying, giving, causing to be paid or given, or offering to pay or to give to any person a commission or other valuable consideration for the solicitation or procurement, either directly or indirectly, of nursing home usage *or assisted living facility usage, except as specifically authorized by law*.

(o) Willfully permitting unauthorized disclosure of information relating to a patient or his or her records.

(p) Discriminating with respect to patients, *residents,* employees, or staff on account of race, religion, color, sex, or national origin.

(q) Failing to implement an ongoing quality assurance program *by a nursing home administrator which is* directed by an interdisciplinary team that meets at least every other month.

(r) Violating any provision of this chapter or chapter 456, or any rules adopted pursuant thereto.

(2) The board may enter an order denying *nursing home administrator* licensure*, assisted living facility administrator licensure,* or imposing any of the penalties in s. 456.072(2) against any applicant for licensure or licensee who*:*

(a) Is found guilty of violating any provision of subsection (1) of this section or who is found guilty of violating any provision of s. 456.072(1).

(b) Has a controlling interest in or knowingly participates in one or more violations at an assisted living facility or nursing home which results in denial or revocation of an assisted living facility license or nursing home license.

(c) Has a controlling interest in or knowingly operates an unlicensed assisted living facility.

(3) The board may deny or revoke the application for licensure or the license of an assisted living facility administrator if the licensee or applicant knowingly participated in intentional misconduct, engaged in conduct that constitutes gross negligence, or was the administrator of record when the facility was cited for violations within the previous 3 years that resulted in a resident's death or which contributed to the death of a resident.

(4)~~(3)~~ The department shall reissue the license of a disciplined licensee upon certification by the board that the disciplined licensee has complied with all of the terms and conditions set forth in the final order.

Section 39. Section 468.1756, Florida Statutes, is amended to read:

468.1756 Statute of limitations.—An administrative complaint may only be filed pursuant to s. 456.073 for an act listed in *s. 468.1755* ~~s. 468.1755(1)(c)-(q)~~ within 4 years *after* ~~from~~ the time of the incident giving rise to the complaint, or within 4 years *after* ~~from~~ the time the incident is discovered or should have been discovered.

Section 40. *Assisted living facility streamlining task force.—*

(1) The Agency for Health Care Administration shall create a task force consisting of at least one representative of the agency, the Department of Elderly Affairs, the Department of Children and Family Services, the Department of Health, and the Office of State Long-Term Care Ombudsman.

(2) The purpose of the task force is to determine whether agencies currently have overlapping regulatory responsibilities over assisted living facilities and whether increased efficiency and effectiveness may be realized by transferring, consolidating, eliminating, or modifying such oversight between agencies.

(3) The task force shall meet at least three times and submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2013, which includes the task force's findings and recommendations pertaining to streamlining agency oversight and improving the effectiveness of regulatory functions.

(4) The task force is terminated effective March 1, 2013.

Section 41. *For fiscal year 2012-2013:*

(1) Six full-time equivalent positions, with associated salary rate of 243,720, are authorized and the sum of $375,000 in recurring funds from the Health Care Trust Fund of the Agency for Health Care Administration are appropriated to the Agency for Health Care Administration;

(2) One full-time equivalent position, with associated salary rate of 40,620 is authorized and the sum of $62,500 in recurring funds from the Medical Quality Assistance Trust Fund of the Department of Health; and

(3) One full-time equivalent position, with associated salary rate of 40,620 is authorized and the sum of $62,500 in recurring funds from the Operations and Maintenance Trust Fund of the Department of Elderly Affairs are appropriated to the Department of Elderly Affairs

for the purpose of carrying out the regulatory activities provided in this act.

Section 42. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2012.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to quality improvement initiates for entities regulated by the Agency for Health Care Administration; amending s. 394.4574, F.S.; revising the duties of the case manager for, and requirements relating to the cooperative agreement and the community living support plan of, a mental health resident of an assisted living facility; amending s. 395.002, F.S.; revising the definition of the term "accrediting organization" as it relates to hospital licensing and regulation; amending s. 395.1051, F.S.; requiring that hospital provide notice to obstetrical physicians before the hospital closes on an obstetrics department or ceases to provide obstetrical services; amending s. 400.0078, F.S.; requiring that residents of long-term care facilities be informed about the confidentiality of the identity of the complainant of a complaint received by the State Long-Term Care Ombudsman Program; amending s. 408.05, F.S.; requiring that the Agency for Health Care Administration collect, compile, and analyze health information and statistics; providing uses for the information; conforming provisions to changes made by the act; revising functions of the agency; amending s. 409.212, F.S.; increasing a limitation on additional supplementation a person may receive from third parties that contribute to his or her cost of care; creating s. 409.986, F.S.; providing definitions; directing the agency to establish and implement methodologies to adjust Medicaid rates for hospitals, nursing homes, and managed care plans; providing criteria for and limits on the amount of Medicaid payment rate adjustments; directing the agency to seek federal approval to implement a performance payment system; providing for implementation of the system in the 2015-2016 fiscal year; authorizing the agency to appoint a technical advisory panel; providing applicability of the performance payment system to general hospitals, skilled nursing facilities, and managed care plans and providing criteria therefor; amending s. 415.1034, F.S.; adding certain employees or agents of a state or local agency to the list of persons who must report the known or suspected abuse of a vulnerable adult to the abuse hotline; amending s. 429.02, F.S.; providing definitions for "board" and "mental health surveyor"; amending s. 429.07, F.S.; prohibiting an assisted living facility from operating unless the facility is under the management of an assisted living facility administrator; authorizing the waiver of certain monitoring requirements under certain conditions; amending s. 429.075, F.S.; revising the criteria preventing a licensed facility from receiving a limited mental health license; requiring that a mental health surveyor be part of the team inspecting a facility that has mental health residents; providing the role of the mental health surveyor; requiring that the Agency for Health Care Administration enter into an interagency agreement with the Department of Children and Family Services to receive certain reports; providing for monitoring visits; creating s. 429.0751, F.S.; specifying responsibilities of assisted living facilities that have one or more mental health residents; amending

s. 429.14, F.S.; revising the conditions for mandatory license denial or revocation; requiring the revocation of a facility license for certain violations that result in the death of a resident; amending s. 429.176, F.S.; authorizing one administrator for multiple facilities under certain conditions; authorizing qualified facility managers during the temporary absence of an administrator; amending s. 429.178, F.S.; revising training requirements for staff who provide care for persons who have Alzheimer's disease and related disorders; amending s. 429.19, F.S.; authorizing the Agency for Health Care Administration to impose certain citations and fines regardless of correction of a violation, an increased fine for certain violations that result in the death of a resident, and doubled fines; amending s. 429.195, F.S.; prohibiting an assisted living facility from contracting or promising to pay or receive certain monies with a person, health care provider, or health care facility; providing for nonapplication; amending s. 817.505, F.S.; providing that it is not patient brokering for an assisted living facility to offer payment under certain circumstances; creating s. 429.231, F.S.; creating an advisory council to review unexpected deaths and elopements; providing for membership and duties; amending s. 429.28, F.S.; authorizing a resident to file a grievance with a facility when a notice of relocation or termination of residency has been received; requiring residents of facilities to be informed about the confidentiality of the identity of the resident and complainant of a complaint made to the State Long-Term Care Ombudsman Program unless the resident authorizes disclosure; creating s. 429.281, F.S.; establishing procedures for a resident grievance process upon notification of resident relocation or termination of residency; amending s. 429.34, F.S.; requiring that the agency conduct unannounced inspections of assisted living facilities; authorizing the agency to assess a fee for additional inspections; requiring that the agency verify corrected violations through subsequent inspections; authorizing the agency to verify the correction of certain violations unrelated to resident rights or resident care without inspection under certain circumstances; providing that the agency is designated as the central agency for tracking facility complaints; specifying timeframes for other state agencies to submit reports to the agency; requiring the agency to have lead surveyors who specialize in assessing facilities; amending s. 429.41, F.S.; requiring the agency to observe the elopement drills of a randomly selected group of facilities; requiring the agency to conduct an abbreviated biennial licensure inspection; amending s. 429.49, F.S.; increasing the criminal penalty for altering facility records; creating s. 429.515, F.S.; requiring new facility employees to attend a preservice orientation; providing requirements for such orientation; amending s. 429.52, F.S.; revising training, examination, and continuing education requirements for facility staff, including administrators; providing for the use of interactive online tutorials; requiring the Department of Elderly Affairs to develop training, examinations, and tutorials; creating s. 429.522, F.S.; requiring training providers to be certified by the Department of Elderly Affairs and provide trainer oversight; providing trainer requirements; requiring the department to maintain an electronic database of certified providers and persons who complete training if funding is available; amending s. 429.54, F.S.; requiring specified state agencies to have an electronic system of communication pertaining to the regulation of facilities; requiring facilities to submit certain facility and resident information electronically to the agency twice yearly; providing for the maintenance and use of such information; providing for expiration of this requirement; providing a directive to the Division of Statutory Revision; amending s. 468.1635, F.S.; revising the purpose of part II of ch. 468, F.S., to include assisted living administrators; amending s. 468.1645, F.S.; requiring assisted living facilities to be operated under the management of a licensed administrator; amending s. 468.1655, F.S.; revising and providing definitions; amending s. 468.1665, F.S.; renaming the Board of Nursing Home Administrators as the "Board of Long-Term Care Administrators"; providing for membership; prohibiting certain conflicts of interest with respect to board members; amending s. 468.1685, F.S.; revising duties of the board to include contracting with third-party credentialing entities for the purpose of certifying an assisted living facility administrator; amending s. 468.1695, F.S.; providing for licensure of assisted living facility administrators through certification; providing licensure requirements; establishing a maximum fee; amending s. 468.1705, F.S., relating to licensure by endorsement; conforming provisions to changes made by the act; amending s. 468.1745, F.S.; providing requirements for who must be licensed as an assisted living facility administrator; amending s. 468.1755, F.S.; conforming provisions to changes made by the act; providing grounds for disciplinary action for assisted living facility administrators; amending s. 468.1756, F.S.; conforming provisions to changes made by the act; providing effective dates.

SENATOR THRASHER PRESIDING

On motion by Senator Garcia, by two-thirds vote **CS for HB 7133** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Alexander	Flores	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Rich
Bennett	Gardiner	Richter
Bogdanoff	Gibson	Ring
Braynon	Hays	Sachs
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SPECIAL GUESTS

Senator Flores introduced her infant son, Lucas Ignacio Anderson, who was present in the chamber.

The Senate resumed consideration of—

CS for CS for SB 292—A bill to be entitled An act relating to legal notices; creating s. 50.0211, F.S.; requiring that, after a specified date, if a legal notice is published in a newspaper, the newspaper publishing the notice shall also place the notice on a website maintained by the newspaper, at no additional charge; providing requirements for size and placement of such website publication; requiring free access to such online publications; requiring that legal notices published in newspapers also be published on another specified website; requiring that, after a specified date, newspapers that publish legal notice must provide e-mail notification of new legal notices; providing requirements for such notice; providing that an error on a newspaper or statewide website shall be considered a harmless error and legal notice requirements shall be considered met if the notice published in the newspaper is correct; amending s. 50.041, F.S.; revising physical requirements for proof of publication affidavits; authorizing electronic affidavits that meet specified requirements; amending s. 50.061, F.S.; limiting the rate that may be charged for government notices required to be published more than once in certain circumstances; deleting provisions specifying rates for legal notices based on county population; specifying that if a public notice is published in a newspaper, publication of a notice on a website pursuant to specified provisions must be done at no charge; amending ss. 125.66, 166.041, 190.005, and 200.065, F.S.; requiring that website publication of certain legal notices include maps that appear in the newspaper advertisements; amending s. 17.325, F.S.; making it optional for the Chief Financial Officer to advertise the availability of the governmental efficiency hotline; amending s. 215.68, F.S.; deleting specific criteria for publishing certain bond notices; amending ss. 120.60 215.555, 253.52, 255.518, and 380.0668, F.S.; deleting requirements that certain legal notices be published in Leon County; amending s. 455.275, F.S.; deleting a requirement that certain notices concerning professional licensees who cannot be personally served be published in Leon County; requiring that plain notice to the licensee to be posted on the front page of the Department of Business and Professional Regulation's website and provided to certain news outlets; amending s. 473.3141, F.S.; deleting a requirement that notices concerning discipline of certain certified public accountants be published in Leon County; amending s. 527.23, F.S.; deleting requirements relating to the newspaper publication of certain notices relating to marketing orders for propane gas; providing for Internet publication of such orders and for providing information to certain news outlets; amending ss. 573.109 and 573.111, F.S.; deleting requirements relating to the newspaper publication of certain notices relating to agricultural marketing orders; providing for Internet publication of such orders and for providing information to

certain news outlets; amending s. 631.59, F.S.; deleting requirements for the newspaper publication of certain notices concerning insolvent insurers; providing for notice by e-mail or telephone; providing for applicability; providing effective dates.

—which was previously considered March 8 with pending **Amendment 1 (920062)** by Senator Bennett. **Amendment 1 (920062)** was withdrawn.

Pending further consideration of **CS for CS for SB 292**, on motion by Senator Bennett, by two-thirds vote **CS for CS for HB 937** was withdrawn from the Committees on Community Affairs; Judiciary; Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations; and Budget.

On motion by Senator Bennett—

CS for CS for HB 937—A bill to be entitled An act relating to legal notices; creating s. 50.0211, F.S.; requiring that, after a specified date, if a legal notice is published in a newspaper, the newspaper publishing the notice shall also place the notice on a website maintained by the newspaper, at no additional charge; providing requirements for size and placement of such website publication; requiring free access to such online publications; requiring that legal notices published in newspapers also be published on another specified website; requiring that, after a specified date, newspapers that publish legal notice must provide e-mail notification of new legal notices; providing requirements for such notice; providing that an error on a newspaper or statewide website shall be considered a harmless error and legal notice requirements shall be considered met if the notice published in the newspaper is correct; amending s. 50.041, F.S.; revising physical requirements for proof of publication affidavits; authorizing electronic affidavits that meet specified requirements; amending s. 50.061, F.S.; limiting the rate that may be charged for government notices required to be published more than once in certain circumstances; deleting provisions specifying rates for legal notices based on county population; specifying that if a public notice is published in a newspaper, publication of a notice on a website pursuant to specified provisions must be done at no charge; amending ss. 125.66, 166.041, 190.005, and 200.065, F.S.; requiring that website publication of certain legal notices include maps that appear in the newspaper advertisements; amending s. 17.325, F.S.; making it optional for the Chief Financial Officer to advertise the availability of the governmental efficiency hotline; amending s. 215.68, F.S.; deleting specific criteria for publishing certain bond notices; amending ss. 120.60 215.555, 253.52, 255.518, and 380.0668, F.S.; deleting requirements that certain legal notices be published in Leon County; amending s. 455.275, F.S.; deleting a requirement that certain notices concerning professional licensees who cannot be personally served be published in Leon County; requiring that plain notice to the licensee to be posted on the front page of the Department of Business and Professional Regulation's website and provided to certain news outlets; amending s. 473.3141, F.S.; deleting a requirement that notices concerning discipline of certain certified public accountants be published in Leon County; amending s. 527.23, F.S.; deleting requirements relating to the newspaper publication of certain notices relating to marketing orders for propane gas; providing for Internet publication of such orders and for providing information to certain news outlets; amending ss. 573.109 and 573.111, F.S.; deleting requirements relating to the newspaper publication of certain notices relating to agricultural marketing orders; providing for Internet publication of such orders and for providing information to certain news outlets; amending s. 631.59, F.S.; deleting requirements for the newspaper publication of certain notices concerning insolvent insurers; providing for notice by e-mail or telephone; providing applicability; providing effective date.

—a companion measure, was substituted for **CS for CS for SB 292** and read the second time by title.

On motion by Senator Bennett, by two-thirds vote **CS for CS for HB 937** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—23

Alexander	Bogdanoff	Diaz de la Portilla
Altman	Bullard	Gardiner
Benacquisto	Dean	Gibson
Bennett	Detert	Hays
Jones	Oelrich	Storms
Latvala	Richter	Thrasher
Lynn	Simmons	Wise
Norman	Smith	

Nays—13

Dockery	Joyner	Ring
Evers	Margolis	Sachs
Fasano	Montford	Sobel
Gaetz	Negron	
Garcia	Rich	

On motion by Senator Bennett, by unanimous consent—

CS for CS for SB 1382—A bill to be entitled An act relating to service animals; providing a short title; amending s. 413.08, F.S.; removing provisions related to service animals; creating s. 413.083, F.S.; providing definitions; specifying rights of an individual accompanied by a service animal; providing that documentation that a service animal is trained is not a precondition for providing certain services to an individual accompanied by a service animal; authorizing a public accommodation to make certain inquiries regarding the animal; providing restrictions for a public accommodation imposing a deposit or surcharge; providing for liability of an individual accompanied by or the trainer of a service animal under certain circumstances; providing responsibility for care and supervision of a service animal; providing conditions for exclusion or removal of a service animal from a public accommodation; providing penalties for denying or interfering with admittance to or enjoyment of a public accommodation; specifying rights to housing accommodations for an individual accompanied by a service animal; providing limitations; providing rights of housing to the owner or trainer of a service animal; providing a penalty for misrepresentation as an owner or trainer; amending s. 252.355, F.S.; conforming a cross-reference; providing an effective date.

—was taken up out of order and read the second time by title.

MOTION

On motion by Senator Bennett, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Bennett moved the following amendment which was adopted:

Amendment 1 (105162)—Delete line 270 and insert:

(5) A person who trains a service animal, or who is a puppy raiser providing training for specific disability-related tasks and is issued identification certifying that the puppy in his or her care is being trained as a service animal, while engaged in

On motion by Senator Bennett, by two-thirds vote **CS for CS for SB 1382** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Alexander	Flores	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Rich
Bennett	Gardiner	Richter
Bogdanoff	Gibson	Ring
Braynon	Hays	Sachs
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

THE PRESIDENT PRESIDING

On motion by Senator Norman, by unanimous consent—

CS for SB 1324—A bill to be entitled An act relating to metal theft; amending s. 538.23, F.S.; increasing the criminal penalties for specified violations relating to secondary metals recycling; providing increased criminal penalties for third and subsequent criminal violations; amending s. 812.145, F.S.; defining the term "electrical substation"; prohibiting removing or assisting with the removal of copper or other nonferrous metals from an electrical substation site without authorization of the utility; providing criminal penalties; providing an effective date.

—was taken up out of order and read the second time by title.

Amendments were considered and adopted to conform **CS for SB 1324** to **CS for HB 1323**.

Pending further consideration of **CS for SB 1324** as amended, on motion by Senator Norman, by two-thirds vote **CS for HB 1323** was withdrawn from the Committees on Commerce and Tourism; Criminal Justice; Budget Subcommittee on Criminal and Civil Justice Appropriations; and Budget.

On motion by Senator Norman—

CS for HB 1323—A bill to be entitled An act relating to metal theft; amending s. 538.23, F.S.; increasing the criminal penalties for specified violations relating to secondary metals recycling; providing increased criminal penalties for third and subsequent criminal violations; amending s. 812.145, F.S.; providing a definition; prohibiting removing copper or other nonferrous metals from an electrical substation site without authorization of the utility; providing criminal penalties; providing an effective date.

—a companion measure, was substituted for **CS for SB 1324** as amended and read the second time by title.

On motion by Senator Norman, by two-thirds vote **CS for HB 1323** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

On motion by Senator Smith, by unanimous consent—

CS for CS for CS for SB 540—A bill to be entitled An act relating to secondhand dealers and secondary metals recyclers; amending s. 538.03, F.S.; requiring that a secondary metals recycler conform to the requirements for a secondhand dealer; defining the term "appropriate law enforcement official"; deleting exemptions from regulation as a secondhand dealer which relate to flea market transactions; conforming terminology; amending s. 538.04, F.S., relating to recordkeeping requirements; conforming terminology and clarifying provisions; amending s. 538.18, F.S.; revising and providing definitions; amending s. 319.30, F.S.; conforming a cross-reference; amending s. 538.19, F.S.; revising requirements for the types of information that secondary metals recyclers must obtain and maintain regarding purchase transactions, including requirements for the maintenance and transmission of electronic records of such transactions; revising the period required for secondary metals recyclers to maintain certain information regarding purchase transactions involving regulated metals property; limiting the liability of secondary metals recyclers for the conversion of motor vehicles to scrap metal under certain circumstances; amending s. 538.235, F.S.; revising requirements for payments made by secondary metals recyclers to sellers of regulated metals property to prohibit certain cash transactions; providing penalties; providing methods of payment for restricted regulated metals property; requiring that purchases of certain property be made by check or by electronic payment; providing procedures; amending s. 538.25, F.S.; requiring the Department of Revenue to accept applications from a fixed business address; prohibiting the department from accepting an application that provides an address from a hotel or motel room, a vehicle, or a post office box; amending s. 538.26, F.S.; prohibiting secondary metals recyclers from purchasing regulated metals property, restricted regulated metals property, or ferrous metals during specified times or from certain locations; prohibiting the purchase of regulated metal property from a seller who uses a name other than his or her own name or the registered name of the business, is younger than 18 years of age, or is under the influence of drugs or alcohol, if such a condition is visible or apparent; prohibiting the purchase of specified restricted regulated metals property without obtaining certain proof of the seller's ownership and authorization to sell the property; providing penalties; creating s. 538.28, F.S.; preempting to the state the regulation of secondary metals recyclers and purchase transactions involving regulated metals property; exempting county and municipal ordinances and regulations enacted before March 1, 2012, from preemption; prohibiting requirements for verification of compliance with certain federal regulations; reenacting and amending s. 538.23(1)(a), F.S., relating to violations and penalties, to incorporate the amendments made by this act to ss. 538.19 and 538.235, F.S., in references thereto; correcting a cross-reference; amending s. 812.145, F.S.; redefining the term "utility"; providing that a person who assists in the taking of certain metals commits a felony of the first degree; providing that a person who illegally takes copper or other nonferrous metals from a utility or communications services provider is liable to the utility or communications provider for damages equal to three times the amount of any claim against the utility or communication services provider resulting from the illegal taking of copper or other nonferrous metals; limiting the liability of a public or private owner of metal property for injuries occurring during the theft or attempted theft of metal property and for injuries occurring as the result of the theft or attempted theft; providing that no additional duty of care is imposed on the owner of metal property; providing an effective date.

—was taken up out of order and read the second time by title.

An amendment was considered and adopted to conform **CS for CS for CS for SB 540** to **CS for CS for HB 885**.

Pending further consideration of **CS for CS for CS for SB 540** as amended, on motion by Senator Smith, by two-thirds vote **CS for CS for HB 885** was withdrawn from the Committees on Commerce and Tourism; Community Affairs; Criminal Justice; Budget Subcommittee on General Government Appropriations; and Budget.

On motion by Senator Smith—

CS for CS for HB 885—A bill to be entitled An act relating to transactions by secondhand dealers and secondary metals recyclers; amending s. 538.03, F.S.; defining the term "appropriate law enforcement official"; deleting exemptions from regulation as a secondhand dealer which relate to flea market transactions and auction businesses; conforming terminology; amending s. 538.04, F.S., relating to recordkeeping requirements; conforming terminology and clarifying provisions; amending s. 538.18, F.S.; revising and providing definitions; amending s. 319.30, F.S.; conforming a cross-reference; providing requirements for salvaged motor vehicles and mobile homes; amending s. 538.19, F.S.; revising requirements for the types of information that secondary metals recyclers must obtain and maintain regarding purchase transactions, including requirements for the maintenance and transmission of electronic records of such transactions; revising the period required for secondary metals recyclers to maintain certain information regarding purchase transactions involving regulated metals property; limiting the liability of secondary metals recyclers for the conversion of motor vehicles to scrap metal under certain circumstances; amending s. 538.235, F.S.; revising requirements for payments made by

secondary metals recyclers to sellers of regulated metals property, to prohibit certain cash transactions; providing penalties; providing methods of payment for restricted regulated metals property; requiring that purchases of certain property be made by check or by electronic payment; providing procedures; amending s. 538.25, F.S.; requiring an application for registration as a secondary metals recycler to contain the address of a fixed business location; amending s. 538.26, F.S.; prohibiting secondary metals recyclers from purchasing regulated metals property, restricted regulated metals property, or ferrous metals during specified times, from certain locations, or from certain sellers; prohibiting the purchase of specified restricted regulated metals property without obtaining certain proof of the seller's ownership and authorization to sell the property; providing penalties; creating s. 538.28, F.S.; preempting to the state the regulation of secondary metals recyclers and purchase transactions involving regulated metals property; providing exceptions; providing for applicability; amending s. 538.23, F.S.; increasing the criminal penalties for specified violations relating to secondary metals recycling; providing increased criminal penalties for third and subsequent criminal violations; amending s. 812.145, F.S., relating to theft of copper or other nonferrous metals from a utility or communications services provider; revising and providing definitions; providing civil liability and penalties; prohibiting removing copper or other nonferrous metals from an electrical substation site without authorization of the utility; providing criminal penalties; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 540** as amended and read the second time by title.

MOTION

On motion by Senator Smith, by the required two-thirds vote, consideration of the following amendments were allowed:

Senator Smith moved the following amendments which were adopted:

Amendment 1 (163942) (with directory and title amendments)—Delete lines 337-394.

And the directory clause is amended as follows:

Delete lines 329 and 330 and insert:

Section 4. Paragraph (u) of subsection (1) of section 319.30, Florida Statutes, is

And the title is amended as follows:

Delete lines 12-14 and insert: 319.30, F.S.; conforming a cross-reference; amending s. 538.19, F.S.; revising requirements

Amendment 2 (290144)—Delete line 726 and insert: *second* ~~third~~ degree, punishable as provided in s. 775.082, s.

On motion by Senator Smith, by two-thirds vote **CS for CS for HB 885** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

On motion by Senator Latvala, by unanimous consent—

CS for SB 1276—A bill to be entitled An act relating to hiring, leasing, or obtaining personal property or equipment with the intent to defraud; amending s. 812.155, F.S.; providing that in a prosecution, failing to redeliver property or equipment within a specified time after receiving the demand for return from a courier service with tracking capability or by certified mail, return receipt requested, or within a specified time after delivery by the courier service or return receipt from the certified mailing of the demand for return, is prima facie evidence of abandonment or refusal to redeliver the property or equipment; providing that notice mailed by delivery by courier with tracking capability to the address given by the renter at the time of the rental is sufficient and equivalent to notice having been received by the renter, if the notice is returned undelivered; providing that in a prosecution for failing to pay any amount due which is incurred as the result of the failure to redeliver property or equipment after the rental period expires, and after the demand for return is made, is prima facie evidence of abandonment or refusal to redeliver the property or equipment; providing that a demand for return of overdue property or equipment and for payment of amounts due may be made by courier service with tracking capability; providing that possession of personal property or equipment by a third party does not alleviate the lessee of his or her obligation to return the personal property or equipment according to the terms stated in the contract; providing an exception when the personal property or equipment was obtained without the lessee's consent; providing that a lessor of a vehicle that is not returned at the conclusion of a lease is entitled to report the vehicle as stolen to a law enforcement agency and have the vehicle listed as stolen on any local or national registry of such vehicles; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 1276**, on motion by Senator Latvala, by two-thirds vote **CS for CS for HB 729** was withdrawn from the Committees on Criminal Justice; Judiciary; and Banking and Insurance.

On motion by Senator Latvala—

CS for CS for HB 729—A bill to be entitled An act relating to hiring, leasing, or obtaining personal property or equipment with the intent to defraud; amending s. 812.155, F.S.; providing that in a prosecution, the failure to redeliver property or equipment within a specified time after receiving a demand for return delivered by a courier service with tracking capability or by certified mail, return receipt requested, or within a specified time after delivery by the courier service or return receipt from the certified mailing of the demand for return, is prima facie evidence of abandonment or refusal to redeliver the property or equipment; providing that notice sent by delivery by courier with tracking capability to the address given by the renter at the time of the rental is sufficient and equivalent to notice having been received by the renter, if the notice is returned undelivered; providing that in a prosecution for failing to pay any amount due which is incurred as the result of the failure to redeliver property or equipment after the rental period expires, and after the demand for return is made, is prima facie evidence of abandonment or refusal to redeliver the property or equipment; providing that a demand for return of overdue property or equipment and for payment of amounts due may be made by courier service with tracking capability; providing that possession of personal property or equipment by a third party does not alleviate the lessee of his or her obligation to return the personal property or equipment according to the terms stated in the contract; providing an exception when the personal property or equipment was obtained without the lessee's consent; providing that a lessor of a vehicle that is not returned at the conclusion of a lease is entitled to report the vehicle as stolen to a law enforcement agency and have the vehicle listed as stolen on any local or national registry of such vehicles; providing an effective date.

—a companion measure, was substituted for **CS for SB 1276** and read the second time by title.

On motion by Senator Latvala, by two-thirds vote **CS for CS for HB 729** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

On motion by Senator Montford, by unanimous consent—

CS for SB 1228—A bill to be entitled An act relating to physical therapy; creating ss. 486.0715 and 486.1065, F.S.; authorizing issuance of a temporary permit to practice as a physical therapist or physical therapist assistant; providing requirements for issuing a temporary permit; providing for voiding of a temporary permit; providing requirements for the supervision of temporary permittees; amending s. 486.151, F.S.; prohibiting certain acts concerning temporary permits; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 1228**, on motion by Senator Montford, by two-thirds vote **CS for CS for CS for HB 799** was withdrawn from the Committees on Health Regulation; Budget Subcommittee on Health and Human Services Appropriations; and Budget.

On motion by Senator Montford, the rules were waived and—

CS for CS for CS for HB 799—A bill to be entitled An act relating to physical therapy; creating ss. 486.0715 and 486.1065, F.S.; authorizing issuance of a temporary permit to practice as a physical therapist or physical therapist assistant; providing requirements for issuing a temporary permit; providing for voiding of a temporary permit; providing requirements for the supervision of temporary permittees; providing an effective date.

—a companion measure, was substituted for **CS for SB 1228** and read the second time by title.

Senator Montford moved the following amendment:

Amendment 1 (317724) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 486.0715, Florida Statutes, is created to read:

486.0715 Physical therapist; issuance of temporary permit.—

(1) The board shall issue a temporary physical therapist permit to an applicant who meets the following requirements:

(a) Completes an application for a temporary permit on a form approved by the department.

(b) Meets all the eligibility requirements for licensure under chapter 456, s. 486.031, and related rules, except passage of a national examination approved by the board is not required.

(c) Submits an application for licensure under s. 486.041.

(d) Demonstrates proof of possessing malpractice insurance.

(e) Submits documentation, under rules adopted by the board, verifying that the applicant will practice under the direct supervision of a licensed physical therapist as provided in subsection (3).

(2) A temporary permit is not renewable and is valid until a license is granted by the board. A temporary permit is void if the permittee does not pass or sit for a national examination approved by the board within 6 months after the date of graduation from a physical therapy training program.

(3) An applicant for a temporary permit may not work as a physical therapist until a temporary permit is issued by the board. A physical therapist who is practicing under a temporary permit must do so under the direct supervision of a licensed physical therapist. A supervising physical therapist shall supervise only one permittee at any given time. The supervising physical therapist must be licensed for a minimum of 6 months before the supervision period begins and must cosign all patient records produced by the physical therapist who is practicing under a temporary permit.

Section 2. Section 486.1065, Florida Statutes, is created to read:

486.1065 Physical therapist assistant; issuance of temporary permit.—

(1) The board shall issue a temporary physical therapist assistant permit to an applicant who meets the following requirements:

(a) Completes an application for a temporary permit on a form approved by the department.

(b) Is a graduate of an approved United States physical therapy educational program and meets all the eligibility requirements for licensure under ch. 456, s. 486.031(1)-(3)(a), and related rules, except passage of a national examination approved by the board is not required.

(c) Submits an application for licensure under s. 486.103.

(d) Demonstrates proof of possessing malpractice insurance.

(e) Submits documentation, under rules adopted by the board, verifying that the applicant will practice under the direct supervision of a licensed physical therapist as provided in subsection (3).

(2) A temporary permit is not renewable and is valid until a license is granted by the board. A temporary permit is void if the permittee does not pass or sit for a national examination approved by the board within 6 months after the date of graduation from a physical therapy assistant training program.

(3) An applicant for a temporary permit may not work as a physical therapist assistant until a temporary permit is issued by the board. A physical therapist assistant who is practicing under a temporary permit must do so under the direct supervision of a licensed physical therapist. A supervising physical therapist shall supervise only one permittee at any given time. The supervising physical therapist must be licensed for a minimum of 6 months before the supervision period begins and must cosign all patient records produced by the physical therapist assistant who is practicing under a temporary permit.

Section 3. Subsection (1) of section 486.151, Florida Statutes, is amended to read:

486.151 Prohibited acts; penalty.—

(1) It is unlawful for any person to:

(a) Practice physical therapy or attempt to practice physical therapy without an active license *or temporary permit*.

(b) Use or attempt to use a license *or temporary permit* to practice physical therapy which is suspended*,* ~~or~~ revoked*, or void*.

(c) Obtain or attempt to obtain a license *or temporary permit* to practice physical therapy by fraudulent misrepresentation.

(d) Use the name or title "Physical Therapist" or "Physical Therapist Assistant" or any other name or title which would lead the public to believe that the person using the name or title is licensed to practice physical therapy, unless such person holds a valid license.

(e) Make any willfully false oath or affirmation whenever an oath or affirmation is required by this chapter.

(f) Knowingly conceal information relating to violations of this chapter.

Section 4. This act shall take effect June 1, 2012.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to physical therapy; creating ss. 486.0715 and 486.1065, F.S.; authorizing issuance of a temporary permit to practice as a physical therapist or physical therapist assistant; providing requirements for issuing a temporary permit; providing for voiding of a temporary permit; providing requirements for the supervision of temporary permittees; amending s. 486.151, F.S.; prohibiting certain acts concerning temporary permits; providing an effective date.

Senator Montford moved the following substitute amendment which was adopted:

Amendment 2 (416304) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 486.0715, Florida Statutes, is created to read:

486.0715 Physical therapist; issuance of temporary permit.—

(1) The board shall issue a temporary physical therapist permit to an applicant who meets the following requirements:

(a) Completes an application for a temporary permit on a form approved by the department.

(b) Is a graduate of an approved United States physical therapy educational program and meets all the eligibility requirements for licensure under ch. 456, s. 486.031(1)-(3)(a), and related rules, except passage of a national examination approved by the board is not required.

(c) Submits an application for licensure under s. 486.041.

(d) Demonstrates proof of possessing malpractice insurance.

(e) Submits documentation, under rules adopted by the board, verifying that the applicant will practice under the direct supervision of a licensed physical therapist as provided in subsection (3).

(2) A temporary permit is not renewable and is valid until a license is granted by the board. A temporary permit is void if the permittee does not pass or sit for a national examination approved by the board within 6 months after the date of graduation from a physical therapy training program.

(3) An applicant for a temporary permit may not work as a physical therapist until a temporary permit is issued by the board. A physical therapist who is practicing under a temporary permit must do so under the direct supervision of a licensed physical therapist. A supervising physical therapist shall supervise only one permittee at any given time. The supervising physical therapist must be licensed for a minimum of 6 months before the supervision period begins and must cosign all patient records produced by the physical therapist who is practicing under a temporary permit.

Section 2. Section 486.1065, Florida Statutes, is created to read:

486.1065 Physical therapist assistant; issuance of temporary permit.—

(1) The board shall issue a temporary physical therapist assistant permit to an applicant who meets the following requirements:

(a) Completes an application for a temporary permit on a form approved by the department.

(b) Is a graduate of an approved United States physical therapy assistant educational program and meets all the eligibility requirements for licensure under ch. 456, s. 486.102(1)-(3)(a), and related rules, except passage of a national examination approved by the board is not required.

(c) Submits an application for licensure under s. 486.103.

(d) Demonstrates proof of possessing malpractice insurance.

(e) Submits documentation, under rules adopted by the board, verifying that the applicant will practice under the direct supervision of a licensed physical therapist as provided in subsection (3).

(2) A temporary permit is not renewable and is valid until a license is granted by the board. A temporary permit is void if the permittee does not pass or sit for a national examination approved by the board within 6 months after the date of graduation from a physical therapy assistant training program.

(3) An applicant for a temporary permit may not work as a physical therapist assistant until a temporary permit is issued by the board. A physical therapist assistant who is practicing under a temporary permit must do so under the direct supervision of a licensed physical therapist. A supervising physical therapist shall supervise only one permittee at any given time. The supervising physical therapist must be licensed for a minimum of 6 months before the supervision period begins and must cosign all patient records produced by the physical therapist assistant who is practicing under a temporary permit.

Section 3. Subsection (1) of section 486.151, Florida Statutes, is amended to read:

486.151 Prohibited acts; penalty.—

(1) It is unlawful for any person to:

(a) Practice physical therapy or attempt to practice physical therapy without an active license *or temporary permit*.

(b) Use or attempt to use a license *or temporary permit* to practice physical therapy which is suspended*,* ~~or~~ revoked*, or void*.

(c) Obtain or attempt to obtain a license *or temporary permit* to practice physical therapy by fraudulent misrepresentation.

(d) Use the name or title "Physical Therapist" or "Physical Therapist Assistant" or any other name or title which would lead the public to believe that the person using the name or title is licensed to practice physical therapy, unless such person holds a valid license.

(e) Make any willfully false oath or affirmation whenever an oath or affirmation is required by this chapter.

(f) Knowingly conceal information relating to violations of this chapter.

Section 4. This act shall take effect June 1, 2012.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to physical therapy; creating ss. 486.0715 and 486.1065, F.S.; authorizing issuance of a temporary permit to practice as a physical therapist or physical therapist assistant; providing requirements for issuing a temporary permit; providing for voiding of a temporary permit; providing requirements for the supervision of temporary permittees; amending s. 486.151, F.S.; prohibiting certain acts concerning temporary permits; providing an effective date.

On motion by Senator Montford, by two-thirds vote **CS for CS for CS for HB 799** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Evers	Margolis
Alexander	Fasano	Montford
Altman	Flores	Negron
Benacquisto	Gaetz	Norman
Bennett	Garcia	Oelrich
Bogdanoff	Gardiner	Rich
Braynon	Gibson	Richter
Bullard	Hays	Ring
Dean	Jones	Sachs
Detert	Joyner	Simmons
Diaz de la Portilla	Latvala	Siplin
Dockery	Lynn	Smith

Sobel Thrasher
Storms Wise

Nays—None

MOTIONS

On motion by Senator Thrasher, by two-thirds vote **CS for SB 1648** and **CS for SB 1650** were placed on the Special Order Calendar.

SPECIAL ORDER CALENDAR

On motion by Senator Garcia, by unanimous consent—

CS for SB 1738—A bill to be entitled An act relating to homestead exemptions for seniors; amending s. 196.075, F.S.; authorizing the board of county commissioners of any county or the governing authority of any municipality to adopt an ordinance granting an additional homestead tax exemption up to the assessed value of the property to an owner who has maintained permanent residency on the property for a specified duration, who has attained age 65, and whose household income does not exceed a specified amount; providing definitions applicable to such additional exemption; providing applicability of requirements relating to the adoption of a local ordinance granting such exemption; providing for annual cost-of-living adjustments of the household-income limitation relating to such additional homestead exemption; amending s. 196.031, F.S.; conforming provisions to changes made by the act; reenacting s. 197.252(2)(a), F.S., relating to homestead tax deferral, to incorporate the amendments made to s. 196.075, F.S., in reference thereto; providing a contingent effective date.

—was taken up out of order and read the second time by title.

MOTION

On motion by Senator Garcia, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Garcia moved the following amendment which was adopted:

Amendment 1 (938060) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 196.075, Florida Statutes, is amended to read:

196.075 Additional homestead exemption for persons 65 and older.—

(1) As used in this section, the term:

(a) "Household" means a person or group of persons living together in a room or group of rooms as a housing unit, but the term does not include persons boarding in or renting a portion of the dwelling.

(b) "Household income" means the adjusted gross income, as defined in s. 62 of the United States Internal Revenue Code, of all members of a household.

(2) In accordance with s. 6(d), Art. VII of the State Constitution, the board of county commissioners of any county or the governing authority of any municipality may adopt an ordinance to allow *either or both of the following* ~~an~~ additional homestead *exemptions:* ~~exemption of up to~~

(a) Fifty-thousand dollars ~~$50,000~~ for any person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, who has attained age 65, and whose household income does not exceed $20,000*; or*~~.~~

(b) The amount of the assessed value of the property for any person who has the legal or equitable title to real estate with a just value less than $250,000 and has maintained thereon the permanent residence of the owner for at least 25 years, who has attained age 65, and whose household income does not exceed the income limitation prescribed in paragraph (a), as calculated in subsection (3).

(3) Beginning January 1, 2001, the $20,000 income limitation shall be adjusted annually, on January 1, by the percentage change in the average cost-of-living index in the period January 1 through December 31 of the immediate prior year compared with the same period for the year prior to that. The index is the average of the monthly consumer-price-index figures for the stated 12-month period, relative to the United States as a whole, issued by the United States Department of Labor.

(4) An ordinance granting *an* additional homestead exemption as authorized by this section must meet the following requirements:

(a) It must be adopted under the procedures for adoption of a nonemergency ordinance specified in chapter 125 by a board of county commissioners~~,~~ or chapter 166 by a municipal governing authority*, except that the exemption authorized by paragraph (2)(b) must be authorized by a super majority (a majority plus one) vote of the members of the governing body of the county or municipality granting such exemption*.

(b) It must specify that the exemption applies only to taxes levied by the unit of government granting the exemption. Unless otherwise specified by the county or municipality, this exemption will apply to all tax levies of the county or municipality granting the exemption, including dependent special districts and municipal service taxing units.

(c) It must specify the amount of the exemption, which may not exceed *the applicable amount specified in subsection (2)* ~~$50,000~~. If the county or municipality specifies a different exemption amount for dependent special districts or municipal service taxing units, the exemption amount must be uniform in all dependent special districts or municipal service taxing units within the county or municipality.

(d) It must require that a taxpayer claiming the exemption annually submit to the property appraiser, not later than March 1, a sworn statement of household income on a form prescribed by the Department of Revenue.

(5) The department must require by rule that the filing of the statement be supported by copies of any federal income tax returns for the prior year, any wage and earnings statements (W-2 forms), any request for an extension of time to file returns, and any other documents it finds necessary, for each member of the household, to be submitted for inspection by the property appraiser. The taxpayer's sworn statement shall attest to the accuracy of the documents and grant permission to allow review of the documents if requested by the property appraiser. Submission of supporting documentation is not required for the renewal of an exemption under this section unless the property appraiser requests such documentation. Once the documents have been inspected by the property appraiser, they shall be returned to the taxpayer or otherwise destroyed. The property appraiser is authorized to generate random audits of the taxpayers' sworn statements to ensure the accuracy of the household income reported. If so selected for audit, a taxpayer shall execute Internal Revenue Service Form 8821 or 4506, which authorizes the Internal Revenue Service to release tax information to the property appraiser's office. All reviews conducted in accordance with this section shall be completed on or before June 1. The property appraiser may not grant or renew the exemption if the required documentation requested is not provided.

(6) The board of county commissioners or municipal governing authority must deliver a copy of any ordinance adopted under this section to the property appraiser no later than December 1 of the year prior to the year the exemption will take effect. If the ordinance is repealed, the board of county commissioners or municipal governing authority shall notify the property appraiser no later than December 1 of the year prior to the year the exemption expires.

(7) Those persons entitled to the homestead exemption in s. 196.031 may apply for and receive an additional homestead exemption as provided in this section. Receipt of the additional homestead exemption provided for in this section shall be subject to the provisions of ss. 196.131 and 196.161, if applicable.

(8) If title is held jointly with right of survivorship, the person residing on the property and otherwise qualifying may receive the entire amount of the additional homestead exemption.

(9) If the property appraiser determines that for any year within the immediately previous 10 years a person who was not entitled to the additional homestead exemption under this section was granted such an exemption, the property appraiser shall serve upon the owner a notice of intent to record in the public records of the county a notice of tax lien

against any property owned by that person in the county, and that property must be identified in the notice of tax lien. Any property that is owned by the taxpayer and is situated in this state is subject to the taxes exempted by the improper homestead exemption, plus a penalty of 50 percent of the unpaid taxes for each year and interest at a rate of 15 percent per annum. However, if such an exemption is improperly granted as a result of a clerical mistake or omission by the property appraiser, the person who improperly received the exemption may not be assessed a penalty and interest. Before any such lien may be filed, the owner must be given 30 days within which to pay the taxes, penalties, and interest. Such a lien is subject to the procedures and provisions set forth in s. 196.161(3).

Section 2. Paragraph (d) of subsection (7) of section 196.031, Florida Statutes, is amended to read:

196.031 Exemption of homesteads.—

(7) The exemptions provided in paragraphs (1)(a) and (b) and other homestead exemptions shall be applied as follows:

(d) Other exemptions include and shall be applied in the following order: widows, widowers, blind persons, and disabled persons, as provided in s. 196.202; disabled ex-servicemembers and surviving spouses, as provided in s. 196.24, applicable to all levies; the local option low-income senior exemption ~~up to $50,000~~, applicable to county levies or municipal levies, as provided in s. 196.075; and the veterans percentage discount, as provided in s. 196.082.

Section 3. For the purpose of incorporating the amendment made by this act to section 196.075, Florida Statutes, in a reference thereto, paragraph (a) of subsection (2) of section 197.252, Florida Statutes, is reenacted to read:

197.252 Homestead tax deferral.—

(2)(a) Approval of an application for homestead tax deferral shall defer the combined total of ad valorem taxes and non-ad valorem assessments:

1. Which exceeds 5 percent of the applicant's household income for the prior calendar year if the applicant is younger than 65 years old;

2. Which exceeds 3 percent of the applicant's household income for the prior calendar year if the applicant is 65 years old or older; or

3. In its entirety if the applicant's household income:

a. For the previous calendar year is less than $10,000; or

b. Is less than the designated amount for the additional homestead exemption under s. 196.075 and the applicant is 65 years old or older.

Section 4. *Effective July 1, 2012, the sum of $93,403 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of State for purposes of publishing, as required under s. 5(d), Article XI of the State Constitution, the proposed constitutional amendment contained in House Joint Resolution 169, or a similar joint resolution having substantially the same specific intent and purpose.*

Section 5. Except as otherwise expressly provided in this act, this act shall take effect upon the approval of House Joint Resolution 169, or a similar joint resolution having substantially the same specific intent and purpose, at the general election to be held in November 2012 or at an earlier special election specifically authorized by law for that purpose, and shall first apply to the 2013 tax roll.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to homestead exemptions for seniors; amending s. 196.075, F.S.; authorizing the board of county commissioners of any county or the governing authority of any municipality to adopt an ordinance granting an additional homestead tax exemption equal to a specified amount, or an additional homestead tax exemption equal to the assessed value of property with a just value lower than a specified amount, or both such exemptions, to an owner who has maintained permanent residency on the property or permanent residency on the property for a specified duration, who has attained age 65, and whose household income does not exceed a specified amount; providing definitions applicable to such additional exemption; providing applicability of requirements relating to the adoption of a local ordinance granting such exemption; amending s. 196.031, F.S.; conforming provisions to changes made by the act; reenacting s. 197.252(2)(a), F.S., relating to homestead tax deferral, to incorporate the amendments made to s. 196.075, F.S., in reference thereto; providing an appropriation; providing application; providing effective dates.

On motion by Senator Garcia by two-thirds vote, **CS for SB 1738** as amended was read the third time by title. Further consideration of **CS for SB 1738** as amended was deferred.

On motion by Senator Garcia, by unanimous consent—

SJR 1740—A joint resolution proposing an amendment to Section 6 of Article VII of the State Constitution to authorize the Legislature, by general law, to allow counties and municipalities to grant an additional homestead tax exemption not exceeding the assessed value of the property to an owner who has maintained permanent residency on the property for a specified duration, who has attained age 65, and whose household income does not exceed a specified amount.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 6 of Article VII of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

SECTION 6. Homestead exemptions.—

(a) Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation thereon, except assessments for special benefits, up to the assessed valuation of twenty-five thousand dollars and, for all levies other than school district levies, on the assessed valuation greater than fifty thousand dollars and up to seventy-five thousand dollars, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entireties, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or member's proprietary interest in a corporation owning a fee or a leasehold initially in excess of ninety-eight years. The exemption shall not apply with respect to any assessment roll until such roll is first determined to be in compliance with the provisions of section 4 by a state agency designated by general law. This exemption is repealed on the effective date of any amendment to this Article which provides for the assessment of homestead property at less than just value.

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which the interest in the corporation bears to the assessed value of the property.

(c) By general law and subject to conditions specified therein, the Legislature may provide to renters, who are permanent residents, ad valorem tax relief on all ad valorem tax levies. Such ad valorem tax relief shall be in the form and amount established by general law.

(d) The legislature may, by general law, allow counties or municipalities, for the purpose of their respective tax levies and subject to the provisions of general law, to grant an additional homestead tax exemption not exceeding*:*

(1) Fifty thousand dollars to any person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner and who has attained age sixty-five and whose household income, as defined by general law, does not exceed twenty thousand dollars*; or*~~.~~

(2) The value assessable to any person who has the legal or equitable title to real estate and who has maintained thereon the permanent residence of the owner for not less than twenty years and who has attained age sixty-five and whose household income, as defined by general law, does not exceed fifteen thousand dollars.

The general law must allow counties and municipalities to grant this additional exemption, within the limits prescribed in this subsection, by ordinance adopted in the manner prescribed by general law, and must provide for the periodic adjustment of the income limitation prescribed in this subsection for changes in the cost of living.

(e) Each veteran who is age 65 or older who is partially or totally permanently disabled shall receive a discount from the amount of the ad valorem tax otherwise owed on homestead property the veteran owns and resides in if the disability was combat related, the veteran was a resident of this state at the time of entering the military service of the United States, and the veteran was honorably discharged upon separation from military service. The discount shall be in a percentage equal to the percentage of the veteran's permanent, service-connected disability as determined by the United States Department of Veterans Affairs. To qualify for the discount granted by this subsection, an applicant must submit to the county property appraiser, by March 1, proof of residency at the time of entering military service, an official letter from the United States Department of Veterans Affairs stating the percentage of the veteran's service-connected disability and such evidence that reasonably identifies the disability as combat related, and a copy of the veteran's honorable discharge. If the property appraiser denies the request for a discount, the appraiser must notify the applicant in writing of the reasons for the denial, and the veteran may reapply. The Legislature may, by general law, waive the annual application requirement in subsequent years. This subsection shall take effect December 7, 2006, is self-executing, and does not require implementing legislation.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 6

ADDITIONAL HOMESTEAD EXEMPTION; LOW-INCOME SENIORS WHO MAINTAIN LONG-TERM RESIDENCY ON PROPERTY; NOT EXCEEDING ASSESSED VALUE.—Proposing an amendment to the State Constitution to authorize the Legislature, by general law and subject to conditions set forth in the general law, to allow counties and municipalities to grant an additional homestead tax exemption not exceeding the assessed value of the property to an owner who has maintained permanent residency on the property for not less than 20 years, who has attained age 65, and whose household income does not exceed $15,000. The general law must allow counties and municipalities to grant this additional exemption by ordinance and must provide for periodic adjustment of the household income limitation of $15,000 for changes in the cost of living.

—was taken up out of order and read the second time in full.

An amendment was considered and adopted to conform **SJR 1740** to **CS for HJR 169**.

Pending further consideration of **SJR 1740** as amended, on motion by Senator Garcia, by two-thirds vote **CS for HJR 169** was withdrawn from the Committees on Community Affairs; Judiciary; Budget Subcommittee on Finance and Tax; and Budget.

On motion by Senator Garcia—

CS for HJR 169—A joint resolution proposing an amendment to Section 6 of Article VII of the State Constitution to authorize the Legislature, by general law, to allow counties and municipalities to grant an additional homestead tax exemption equal to the assessed value of homestead property, if the property has a just value lower than a specified amount, to an owner who has maintained permanent residency on the property for a specified duration, who has attained age 65, and whose household income does not exceed a specified amount.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 6 of Article VII of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

SECTION 6. Homestead exemptions.—

(a) Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation thereon, except assessments for special benefits, up to the assessed valuation of twenty-five thousand dollars and, for all levies other than school district levies, on the assessed valuation greater than fifty thousand dollars and up to seventy-five thousand dollars, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entireties, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or member's proprietary interest in a corporation owning a fee or a leasehold initially in excess of ninety-eight years. The exemption shall not apply with respect to any assessment roll until such roll is first determined to be in compliance with the provisions of section 4 by a state agency designated by general law. This exemption is repealed on the effective date of any amendment to this Article which provides for the assessment of homestead property at less than just value.

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which the interest in the corporation bears to the assessed value of the property.

(c) By general law and subject to conditions specified therein, the Legislature may provide to renters, who are permanent residents, ad valorem tax relief on all ad valorem tax levies. Such ad valorem tax relief shall be in the form and amount established by general law.

(d) The legislature may, by general law, allow counties or municipalities, for the purpose of their respective tax levies and subject to the provisions of general law, to grant *either or both of the following* ~~an~~ additional homestead tax *exemptions:*

(1) An exemption not exceeding fifty thousand dollars to any person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner and who has attained age sixty-five and whose household income, as defined by general law, does not exceed twenty thousand dollars*; or*~~.~~

(2) An exemption equal to the assessed value of the property to any person who has the legal or equitable title to real estate with a just value less than two hundred and fifty thousand dollars and who has maintained thereon the permanent residence of the owner for not less than twenty-five years and who has attained age sixty-five and whose household income does not exceed the income limitation prescribed in paragraph (1).

The general law must allow counties and municipalities to grant *these* ~~this~~ additional *exemptions* ~~exemption~~, within the limits prescribed in this subsection, by ordinance adopted in the manner prescribed by general law, and must provide for the periodic adjustment of the income limitation prescribed in this subsection for changes in the cost of living.

(e) Each veteran who is age 65 or older who is partially or totally permanently disabled shall receive a discount from the amount of the ad valorem tax otherwise owed on homestead property the veteran owns and resides in if the disability was combat related, the veteran was a resident of this state at the time of entering the military service of the United States, and the veteran was honorably discharged upon separation from military service. The discount shall be in a percentage equal to the percentage of the veteran's permanent, service-connected disability as determined by the United States Department of Veterans Affairs. To qualify for the discount granted by this subsection, an applicant must submit to the county property appraiser, by March 1, proof of residency

at the time of entering military service, an official letter from the United States Department of Veterans Affairs stating the percentage of the veteran's service-connected disability and such evidence that reasonably identifies the disability as combat related, and a copy of the veteran's honorable discharge. If the property appraiser denies the request for a discount, the appraiser must notify the applicant in writing of the reasons for the denial, and the veteran may reapply. The Legislature may, by general law, waive the annual application requirement in subsequent years. This subsection shall take effect December 7, 2006, is self-executing, and does not require implementing legislation.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 6

ADDITIONAL HOMESTEAD EXEMPTION; LOW-INCOME SENIORS WHO MAINTAIN LONG-TERM RESIDENCY ON PROPERTY; EQUAL TO ASSESSED VALUE.—Proposing an amendment to the State Constitution to authorize the Legislature, by general law and subject to conditions set forth in the general law, to allow counties and municipalities to grant an additional homestead tax exemption equal to the assessed value of homestead property if the property has a just value less than $250,000 to an owner who has maintained permanent residency on the property for not less than 25 years, who has attained age 65, and who has a low household income as defined by general law.

—a companion measure, was substituted for **SJR 1740** as amended and read the second time in full.

On motion by Senator Garcia, by two-thirds vote **CS for HJR 169** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

RECONSIDERATION OF BILL

On motion by Senator Hays, the Senate reconsidered the vote by which—

CS for CS for HB 1299—A bill to be entitled An act relating to the North Lake County Hospital District, Lake County; codifying special laws relating to the district; providing legislative intent; amending, codifying, reenacting, and repealing chapters 2002-348 and 2004-460, Laws of Florida, relating to the district; re-creating the district and re-creating and reenacting the charter; providing definitions; providing a public purpose; prohibiting a person from seeking election to the board of trustees if the person has previously served on the board of directors of certain entities within a specified time; requiring publication of the annual meeting notice on a publicly accessible website; providing general powers of the district, including the power to levy an ad valorem tax not to exceed a specified millage; establishing permitted uses of tax funds; providing restrictions on the district board's activities; prescribing requirements of the board for fiscal responsibility, transparency, and accountability; providing financial disclosure requirements and reporting, notice, and public meeting provisions for the board; providing for sovereign immunity; providing for expiration of the district at a specified time without further legislative action and permitting continuation of the district by referendum at the end of 10-year intervals; providing for a referendum; providing an effective date.

—as amended passed this day.

On motion by Senator Hays, the Senate reconsidered the vote by which **Amendments 1 (973138), 2 (899868), 3 (785310), 4 (936270)** and **5 (474162)** were adopted.

Amendments 1 (973138), 2 (899868), 3 (785310), 4 (936270) and **5 (474162)** were withdrawn.

On motion by Senator Hays, **CS for CS for HB 1299** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

On motion by Senator Hays, by unanimous consent—

CS for SB 1648—A bill to be entitled An act relating to the Department of Citrus; amending s. 20.29, F.S.; providing for the appointment, compensation, and powers and duties of the department's executive director; deleting and conforming obsolete provisions relating to the Florida Citrus Commission; amending ss. 570.55 and 600.041, F.S.; conforming cross-references; amending s. 601.01, F.S.; revising a short title; amending s. 601.03, F.S.; defining the term "department" and conforming definitions for purposes of the Florida Citrus Code; amending s. 601.04, F.S.; revising the qualifications and terms of members of the Florida Citrus Commission; providing for staggered terms of members appointed from each citrus district; providing for shortened terms of current members; specifying that members are eligible for reappointment; deleting obsolete provisions; requiring the commission to elect a chair and secretary; deleting legislative intent relating to redistricting of the commission; amending ss. 601.045, 601.05, 601.06, 601.07, and 601.08, F.S.; conforming provisions; amending s. 601.09, F.S.; providing legislative intent; authorizing the commission to submit recommendations to the Legislature for redistricting of the state's citrus districts; amending s. 601.10, F.S.; revising the department's powers; deleting provisions relating to the appointment, discharge, compensation, and powers and duties of the department's executive director; establishing staffing requirements for the department; deleting requirements relating to the days, hours, and other conditions of employment for department employees; conforming provisions; amending s. 601.101, F.S.; conforming provisions; amending s. 601.11, F.S.; revising the powers and duties of the department to adopt maturity and quality standards for citrus fruit and food products thereof; authorizing the department to issue permits for the export of citrus fruit grown in the state to certain foreign countries; authorizing the department to establish standards limiting increases in spacing between stacked field boxes caused by the placement of cleats or other devices on the field boxes; requiring that the commission issue and renew permits for processors of certain concentrated orange juice and suspend or revoke the permits of processors that violate certain rules; requiring that the commission issue emergency quality assurance orders upon determining that freezing tem-

peratures have caused damage or freeze-related injury to citrus fruit; requiring the department to adopt rules; amending s. 601.111, F.S.; revising the department's authority to modify maturity standards for citrus fruit and the number of commission members required to approve such modifications; revising legislative intent; authorizing the department to adopt emergency rules under certain conditions; amending s. 601.13, F.S.; revising the department's powers and duties for citrus research; providing for research related to disease and crop efficiency; conforming provisions; amending s. 601.15, F.S.; redesignating the advertising excise tax on citrus fruit as an assessment; revising the maximum rates of such assessments; revising the guarantee requirements for assessment payments; conforming provisions; amending s. 601.152, F.S.; revising the number of commission members required to issue marketing orders for special marketing campaigns and impose assessments upon citrus handlers to defray the expenses of such campaigns; conforming provisions; amending s. 601.155, F.S.; redesignating the equalizing excise tax on processed orange and grapefruit products as an assessment; revising the guarantee requirements for assessment payments; conforming provisions; amending ss. 601.24, 601.25, 601.28, 601.31, 601.32, 601.33, 601.34, 601.35, 601.37, 601.38, 601.40, 601.43, 601.44, 601.45, 601.46, 601.49, 601.50, 601.501, 601.51, 601.52, 601.54, 601.55, 601.56, 601.57, 601.58, 601.60, and 601.601, F.S.; conforming provisions and cross-references; amending s. 601.61, F.S.; specifying that the amount of bonds or certificates of deposit that must be furnished by citrus fruit dealer licensees shall be determined by the department pursuant to department rules; deleting obsolete provisions relating to the applicability and effect of certain provisions if such provisions had been determined invalid; amending ss. 601.64, 601.66, 601.67, 601.69, 601.70, 601.701, 601.731, 601.74, 601.75, 601.76, 601.77, 601.78, and 601.80, F.S.; conforming provisions; amending ss. 601.85 and 601.86, F.S.; specifying dimensions for standard shipping boxes and standard field boxes for fresh citrus fruit; revising circumstances under which such standard boxes must be used; amending ss. 601.91, 601.9901, 601.9902, 601.9903, and 601.99035, F.S.; conforming provisions; amending s. 601.99036, F.S.; revising requirements for the commission's approval of changes in the salaries of certain employees; amending ss. 601.9904, 601.9908, 601.9910, 601.9911, 601.9918, and 601.992, F.S.; conforming provisions; amending s. 603.161, F.S.; conforming a cross-reference; repealing ss. 601.16, 601.17, 601.18, 601.19, 601.20, 601.21, and 601.22, F.S., relating to maturity and quality standards for grapefruit, oranges, and tangerines; repealing s. 601.87, F.S., relating to limits on increased spacing between stacked field boxes caused by the placement of cleats or other devices on the field boxes; repealing ss. 601.90 and 601.901, F.S., relating to the issuance of emergency quality assurance orders following freezing temperatures that cause damage or freeze-related injury to citrus fruit and the use of such freeze-damaged citrus fruit in frozen concentrated products; repealing s. 601.981, F.S., relating to permits for the export to certain foreign countries of citrus fruit grown in the state and quality standards for such exported fruit; repealing s. 601.9905, F.S., relating to quality standards and labeling requirements for canned orange juice; repealing s. 601.9906, F.S., relating to quality standards for certain grapefruit juice products; repealing ss. 601.9907, 601.9909, and 601.9913, F.S., relating to quality standards and labeling requirements for canned blends of orange juice and grapefruit juice, frozen concentrated orange juice, and high-density frozen concentrated orange juice sold in retail, institutional, or bulk size containers; repealing s. 601.9914, F.S., relating to authority of the commission to adopt rules modifying citrus juice quality standards for specified purposes; repealing s. 601.9916, F.S., relating to the issuance of permits for the processing, shipping, and sale of frozen concentrated orange juice or concentrated orange juice for manufacturing into which certain nutritive sweetening ingredients are added, the inspection of such processors, and quality standards and labeling requirements for such concentrated orange juice; providing effective dates.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 1648**, on motion by Senator Hays, by two-thirds vote **CS for CS for HB 1237** was withdrawn from the Committees on Agriculture; Budget Subcommittee on General Government Appropriations; and Budget.

On motion by Senator Hays—

CS for CS for HB 1237—A bill to be entitled An act relating to the Department of Citrus; amending s. 20.29, F.S.; providing for the appointment, compensation, and powers and duties of the department's executive director; deleting and conforming obsolete provisions relating to the Florida Citrus Commission; amending ss. 570.55 and 600.041, F.S.; conforming cross-references; amending s. 601.01, F.S.; revising a short title; amending s. 601.03, F.S.; defining the term "department" and conforming definitions for purposes of the Florida Citrus Code; amending s. 601.04, F.S.; revising the qualifications and terms of members of the Florida Citrus Commission; providing for staggered terms of members appointed from each citrus district; providing for shortened terms of current members; specifying that members are eligible for reappointment; deleting obsolete provisions; requiring the commission to elect a chair and secretary; deleting legislative intent relating to redistricting of the commission; amending ss. 601.045, 601.05, 601.06, 601.07, and 601.08, F.S.; conforming provisions; amending s. 601.09, F.S.; providing legislative intent; authorizing the commission to submit recommendations to the Legislature for redistricting of the state's citrus districts; amending s. 601.10, F.S.; revising the department's powers; deleting provisions relating to the appointment, discharge, compensation, and powers and duties of the department's executive director; establishing staffing requirements for the department; deleting requirements relating to the days, hours, and other conditions of employment for department employees; conforming provisions; amending s. 601.101, F.S.; conforming provisions; amending s. 601.11, F.S.; revising the powers and duties of the department to adopt maturity and quality standards for citrus fruit and food products thereof; authorizing the department to issue permits for the export of citrus fruit grown in the state to certain foreign countries; authorizing the department to limit increases in spacing between stacked field boxes caused by the placement of cleats or other devices on the field boxes; requiring the commission to issue permits for processors of concentrated orange juice into which nutritive sweetening ingredients are added and to suspend or revoke the permits of processors that violate certain rules; requiring the commission to issue emergency quality assurance orders upon determining that freezing temperatures have caused damage or freeze-related injury to citrus fruit; requiring the department to adopt rules; amending s. 601.111, F.S.; revising the department's authority to modify maturity standards for citrus fruit and the number of commission members required to approve such modifications; revising legislative intent; authorizing the department to adopt emergency rules under certain conditions; amending s. 601.13, F.S.; revising the department's powers and duties for citrus research; providing for research related to disease and crop efficiency; conforming provisions; amending s. 601.15, F.S.; redesignating the advertising excise tax on citrus fruit as an assessment; revising the maximum rates of such assessments; revising the guarantee requirements for assessment payments; conforming provisions; amending s. 601.152, F.S.; revising the number of commission members required to issue marketing orders for special marketing campaigns and impose assessments upon citrus handlers to defray the expenses of such campaigns; conforming provisions; amending s. 601.155, F.S.; redesignating the equalizing excise tax on processed orange and grapefruit products as an assessment; revising the guarantee requirements for assessment payments; conforming provisions; amending ss. 601.24, 601.25, 601.28, 601.31, 601.32, 601.33, 601.34, 601.35, 601.37, 601.38, 601.40, 601.43, 601.44, 601.45, 601.46, 601.49, 601.50, 601.501, 601.51, 601.52, 601.54, 601.55, 601.56, 601.57, 601.58, 601.60, and 601.601, F.S.; conforming provisions and cross-references; amending s. 601.61, F.S.; specifying that the amount of bonds or certificates of deposit that must be furnished by citrus fruit dealer licensees shall be determined by the department pursuant to department rules; deleting obsolete provisions relating to the applicability and effect of certain provisions if such provisions had been determined invalid; amending ss. 601.64, 601.66, 601.67, 601.69, 601.70, 601.701, 601.731, 601.74, 601.75, 601.76, 601.77, 601.78, and 601.80, F.S.; conforming provisions; amending ss. 601.85 and 601.86, F.S.; specifying dimensions for standard shipping boxes and standard field boxes for fresh citrus fruit; revising circumstances under which such standard boxes must be used; amending ss. 601.91, 601.9901, 601.9902, 601.9903, and 601.99035, F.S.; conforming provisions; amending s. 601.99036, F.S.; revising requirements for the commission's approval of changes in the salaries of certain employees; amending ss. 601.9904, 601.9908, 601.9910, 601.9911, 601.9918, and 601.992, F.S.; conforming provisions; amending s. 603.161, F.S.; conforming a cross-reference; repealing ss. 601.16, 601.17, 601.18, 601.19, 601.20, 601.21, and 601.22, F.S., relating to maturity and quality standards for grapefruit, oranges, and tangerines; repealing s. 601.87, F.S., relating to limits on increased spacing between stacked field boxes caused by the placement of cleats or other devices on the field boxes; repealing ss. 601.90 and 601.901, F.S., relating to the issuance of emergency quality assurance orders following freezing temperatures that cause damage or freeze-related injury to citrus fruit and the use of such freeze-damaged

citrus fruit in frozen concentrated products; repealing s. 601.981, F.S., relating to permits for the export to certain foreign countries of citrus fruit grown in the state and quality standards for such exported fruit; repealing s. 601.9905, F.S., relating to quality standards and labeling requirements for canned orange juice; repealing s. 601.9906, F.S., relating to quality standards for certain grapefruit juice products; repealing ss. 601.9907, 601.9909, and 601.9913, F.S., relating to quality standards and labeling requirements for canned blends of orange juice and grapefruit juice, frozen concentrated orange juice, and high-density frozen concentrated orange juice sold in retail, institutional, or bulk size containers; repealing s. 601.9914, F.S., relating to authority of the commission to adopt rules modifying citrus juice quality standards for specified purposes; repealing s. 601.9916, F.S., relating to the issuance of permits for the processing, shipping, and sale of frozen concentrated orange juice or concentrated orange juice for manufacturing into which certain nutritive sweetening ingredients are added, the inspection of such processors, and quality standards and labeling requirements for such concentrated orange juice; providing effective dates.

—a companion measure, was substituted for **CS for SB 1648** and read the second time by title.

On motion by Senator Hays, by two-thirds vote **CS for CS for HB 1237** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

On motion by Senator Hays, by unanimous consent—

CS for SB 1650—A bill to be entitled An act relating to public records; amending s. 601.10, F.S.; providing an exemption from public records requirements for nonpublished reports or data related to certain studies or research related to citrus fruit, citrus fruit juices, and the products and byproducts thereof that is conducted, caused to be conducted, or funded by the Department of Citrus; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 1650**, on motion by Senator Hays, by two-thirds vote **HB 1239** was withdrawn from the Committees on Agriculture; and Governmental Oversight and Accountability.

On motion by Senator Hays—

HB 1239—A bill to be entitled An act relating to public records; amending s. 601.10, F.S.; providing an exemption from public records requirements for nonpublished reports or data related to certain studies or research related to citrus fruit, citrus fruit juices, and the products and byproducts thereof that is conducted, caused to be conducted, or funded by the Department of Citrus; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—a companion measure, was substituted for **CS for SB 1650** and read the second time by title.

On motion by Senator Hays, by two-thirds vote **HB 1239** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

On motion by Senator Benacquisto, by unanimous consent—

CS for CS for SB 964—A bill to be entitled An act relating to protection of minors; providing a short title; amending s. 775.21, F.S.; requiring a person convicted of a second or subsequent violation of a specified video voyeurism provision to register as a sexual offender if the victim of the violation was a minor; amending s. 827.071, F.S.; providing that if more than one child is involved in a violation of provisions prohibiting sexual performance by a child, a separate offense may be charged for each child; amending s. 943.0435, F.S.; requiring a person convicted of a video voyeurism violation to register as a sexual offender if the victim of the violation was a minor; amending ss. 944.606 and 944.607, F.S.; redefining the term "sexual offender"; amending s. 810.145, F.S.; revising the definition of the term "place and time when a person has a reasonable expectation of privacy" to include the interior of a residential dwelling; increasing the classification of specified video voyeurism offenses involving minors; amending s. 921.0022, F.S.; ranking a violation of s. 810.145(8)(b), F.S., above its default value for purposes of the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for CS for SB 964**, on motion by Senator Benacquisto, by two-thirds vote **CS for HB 437** was withdrawn from the Committees on Criminal Justice; Children, Families, and Elder Affairs; Budget Subcommittee on Criminal and Civil Justice Appropriations; and Budget.

On motion by Senator Benacquisto—

CS for HB 437—A bill to be entitled An act relating to protection of minors; providing a short title; amending s. 775.21, F.S.; requiring a person convicted of a second or subsequent violation of specified video voyeurism provisions to register as a sexual predator; amending s. 827.071, F.S.; providing that if more than one child is involved in a violation of provisions prohibiting sexual performance by a child, each child involved in the violation creates a separate offense; amending s. 943.0435, F.S.; requiring a person convicted of video voyeurism violations to register as a sexual offender; amending ss. 944.606 and 944.607, F.S.; revising the definition of the term "sexual offender" to include persons convicted of specified video voyeurism provisions; amending s. 810.145, F.S.; increasing the classification of specified video voyeurism offenses involving minors; amending s. 921.0022, F.S.; ranking a violation of s. 810.145(8)(b), F.S., above its default value for purposes of the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 964** and read the second time by title.

Senator Benacquisto moved the following amendment which was adopted:

Amendment 1 (309942) (with title amendment)—Delete lines 47-56 and insert: s. 796.035; s. 800.04; *s. 810.145(8)(b)*; s. 825.1025(2)(b); s. 827.071; s. 847.0135(5); s. 847.0145; or s. 985.701(1); or a violation of a similar law of another jurisdiction, and the offender has previously been convicted of or found to have committed, or has pled nolo contendere or guilty to, regardless of adjudication, any violation of s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,

And the title is amended as follows:

Delete line 6 and insert: a sexual predator if that person has been convicted of a specified prior offense; amending s. 827.071, F.S.;

On motion by Senator Benacquisto, by two-thirds vote **CS for HB 437** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Norman
Alexander	Flores	Oelrich
Altman	Gaetz	Rich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Gibson	Sachs
Braynon	Hays	Simmons
Bullard	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise

Nays—None

On motion by Senator Benacquisto, by unanimous consent—

CS for SB 876—A bill to be entitled An act relating to robbery by sudden snatching; amending s. 812.131, F.S.; clarifying that the offense of robbery by sudden snatching includes the taking of money or other property from the victim's person or from the area within the victim's immediate reach or control; providing criminal penalties; providing an effective date.

—was taken up out of order and read the second time by title.

Amendments were considered and adopted to conform **CS for SB 876** to **CS for HB 429**.

Pending further consideration of **CS for SB 876** as amended, on motion by Senator Benacquisto, by two-thirds vote **CS for HB 429** was withdrawn from the Committees on Criminal Justice; Budget Subcommittee on Criminal and Civil Justice Appropriations; and Budget.

On motion by Senator Benacquisto—

CS for HB 429—A bill to be entitled An act relating to robbery by sudden snatching; amending s. 812.131, F.S.; clarifying that the offense of robbery by sudden snatching includes the taking of money or other property from the victim's person or from the area within the victim's immediate reach or control; providing criminal penalties; providing an effective date.

—a companion measure, was substituted for **CS for SB 876** as amended and read the second time by title.

MOTION

On motion by Senator Diaz de la Portilla, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Diaz de la Portilla moved the following amendment:

Amendment 1 (298876) (with title amendment)—Delete lines 16 and 17 and insert: money or other property from *or on* the victim's person, with intent

And the title is amended as follows:

Delete lines 5-7 and insert: money or other property from or on the victim's person; providing criminal penalties; providing an

MOTION

On motion by Senator Diaz de la Portilla, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Diaz de la Portilla moved the following substitute amendment which was adopted:

Amendment 2 (589748) (with title amendment)—Delete lines 14-21 and insert: 812.131 Robbery by sudden snatching.—

(1)*(a)* "Robbery by sudden snatching" means the taking of money or other *personal* property *in the possession of another from his or her person or immediate control* ~~from the victim's person~~, with intent to permanently or temporarily deprive the victim or the owner of the money or other property, when, in the course of the taking, the victim was or became aware of the taking. In order to satisfy this definition, it is not necessary to show that:

And the title is amended as follows:

Delete lines 5-7 and insert: money or other personal property from or on the victim's person; providing criminal penalties; providing an

MOTION

On motion by Senator Diaz de la Portilla, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Diaz de la Portilla moved the following amendment which was adopted:

Amendment 3 (562664)—Between lines 44 and 45 insert:

This section does not apply to theft of merchandise as defined in s. 812.015.

On motion by Senator Benacquisto, by two-thirds vote **CS for HB 429** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

On motion by Senator Smith, by unanimous consent—

SB 1814—A bill to be entitled An act relating to a uniform home grading scale; repealing s. 215.55865, F.S., relating to the required adoption by the Financial Services Commission of a uniform home grading scale to grade the ability of a home to withstand the wind load from certain tropical storms or hurricanes; amending s. 215.5586, F.S., to conform; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **SB 1814**, on motion by Senator Smith, by two-thirds vote **HB 4061** was withdrawn from the Committees on Banking and Insurance; Budget Subcommittee on General Government Appropriations; and Budget.

On motion by Senator Smith—

HB 4061—A bill to be entitled An act relating to a uniform home grading scale; repealing s. 215.55865, F.S., relating to the required adoption by the Financial Services Commission of a uniform home grading scale to grade the ability of a home to withstand the wind load from certain tropical storms or hurricanes; amending s. 215.5586, F.S., to conform; providing an effective date.

—a companion measure, was substituted for **SB 1814** and read the second time by title.

On motion by Senator Smith, by two-thirds vote **HB 4061** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Gibson	Ring
Bogdanoff	Hays	Sachs
Braynon	Jones	Simmons
Bullard	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise

Nays—1

Flores

On motion by Senator Dean, by unanimous consent—

CS for CS for SB 824—A bill to be entitled An act relating to mitigation; amending s. 373.4137, F.S.; revising legislative intent to encourage the use of other mitigation options that satisfy state and federal requirements; providing the Department of Transportation or a transportation authority the option of participating in a mitigation project; requiring a transportation authority that chooses to participate in the program to submit lists of its projects in the adopted work program to the water management districts; requiring a list rather than a survey of threatened or endangered species and species of special concern affected by a proposed project; providing conditions for the release of certain environmental mitigation funds; prohibiting a mitigation plan from being implemented unless the plan is submitted to and approved, in part or in its entirety, by the Department of Environmental Protection; providing additional factors that must be explained regarding the choice of mitigation bank; removing a provision requiring an explanation for excluding certain projects from the mitigation plan; providing criteria that the Department of Transportation must use in determining which projects to include or exclude in the mitigation plan; amending s. 373.4135, F.S.; limiting the circumstances under which a governmental entity may create or provide mitigation for a project other than its own project; specifying certain exceptions; providing an effective date.

—was taken up out of order and read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 824** to **CS for CS for CS for HB 599**.

Pending further consideration of **CS for CS for SB 824**, on motion by Senator Dean, by two-thirds vote **CS for CS for CS for HB 599** was withdrawn from the Committees on Transportation; and Budget.

On motion by Senator Dean—

CS for CS for CS for HB 599—A bill to be entitled An act relating to transportation and mitigation programs; amending s. 341.301, F.S.; revising the definition of the term "limited covered accident"; amending s. 341.302, F.S.; authorizing the Department of Transportation to contract to indemnify against loss and purchase liability insurance coverage for National Railroad Passenger Corporation subject to specified terms and conditions; amending s. 373.4137, F.S.; revising legislative intent to encourage the use of other mitigation options that satisfy state and federal requirements; providing the Department of Transportation or a transportation authority the option of participating in a mitigation project; requiring the Department of Transportation or a transportation authority to submit lists of its projects in the adopted work program to the water management districts; requiring a list rather than a survey of threatened or endangered species and species of special concern affected by a proposed project; providing conditions for the release of certain environmental mitigation funds; prohibiting a mitigation plan from being implemented unless the plan is submitted to and approved by the Department of Environmental Protection; providing additional factors that must be explained regarding the choice of mitigation bank; removing a provision requiring an explanation for excluding certain projects from the mitigation plan; providing criteria that the Department of Transportation must use in determining which projects to include in or exclude from the mitigation plan; amending s. 373.4135, F.S.; authorizing a governmental entity to create or provide mitigation for projects other than its own under specified circumstances; providing applicability; amending s. 373.4136, F.S.; authorizing certain seaport projects to use a mitigation bank; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 824** as amended and read the second time by title.

MOTION

On motion by Senator Bennett, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Bennett moved the following amendment:

Amendment 1 (826678) (with title amendment)—Between lines 566 and 567 insert:

Section 6. Paragraph (d) of subsection (2) of section 163.2511, Florida Statutes, is amended to read:

163.2511 Urban infill and redevelopment.—

(2) It is declared that:

(d) State urban policies should guide the state, regional agencies, local governments, and the private sector in preserving and redeveloping existing urban cores and promoting the adequate provision of infrastructure, human services, *neighborhood improvement* ~~safe neighborhoods~~, educational facilities, and economic development to sustain these cores into the future.

Section 7. Paragraph (c) of subsection (3) of section 163.2517, Florida Statutes, is amended to read:

163.2517 Designation of urban infill and redevelopment area.—

(3) A local government seeking to designate a geographic area within its jurisdiction as an urban infill and redevelopment area shall prepare a plan that describes the infill and redevelopment objectives of the local government within the proposed area. In lieu of preparing a new plan, the local government may demonstrate that an existing plan or combination of plans associated with a community redevelopment area, Florida Main Street program, Front Porch Florida Community, sustainable community, enterprise zone, or neighborhood improvement

district includes the factors listed in paragraphs (a)-(n), including a collaborative and holistic community participation process, or amend such existing plans to include these factors. The plan shall demonstrate the local government and community's commitment to comprehensively address the urban problems within the urban infill and redevelopment area and identify activities and programs to accomplish locally identified goals such as code enforcement; improved educational opportunities; reduction in crime; neighborhood revitalization and preservation; provision of infrastructure needs, including mass transit and multimodal linkages; and mixed-use planning to promote multifunctional redevelopment to improve both the residential and commercial quality of life in the area. The plan shall also:

(c) Identify and map existing enterprise zones, community redevelopment areas, community development corporations, brownfield areas, downtown redevelopment districts, ~~safe~~ neighborhood improvement districts, historic preservation districts, and empowerment zones or enterprise communities located within the area proposed for designation as an urban infill and redevelopment area and provide a framework for coordinating infill and redevelopment programs within the urban core.

Section 8. Paragraph (a) of subsection (6) of section 163.3182, Florida Statutes, is amended to read:

163.3182 Transportation deficiencies.—

(6) EXEMPTIONS.—

(a) The following public bodies or taxing authorities are exempt from this section:

1. A special district that levies ad valorem taxes on taxable real property in more than one county.

2. A special district for which the sole available source of revenue is the authority to levy ad valorem taxes at the time an ordinance is adopted under this section. However, revenues or aid that may be dispensed or appropriated to a district as defined in s. 388.011 at the discretion of an entity other than such district are not deemed available.

3. A library district.

4. A neighborhood improvement district created under the ~~Safe~~ Neighborhoods *Improvement* Act.

5. A metropolitan transportation authority.

6. A water management district created under s. 373.069.

7. A community redevelopment agency.

Section 9. Paragraph (e) of subsection (2) of section 163.3246, Florida Statutes, is amended to read:

163.3246 Local government comprehensive planning certification program.—

(2) In order to be eligible for certification under the program, the local government must:

(e) Demonstrate that it has adopted programs in its local comprehensive plan and land development regulations which:

1. Promote infill development and redevelopment, including prioritized and timely permitting processes in which applications for local development permits within the certification area are acted upon expeditiously for proposed development that is consistent with the local comprehensive plan.

2. Promote the development of housing for low-income and very-low-income households or specialized housing to assist elderly and disabled persons to remain at home or in independent living arrangements.

3. Achieve effective intergovernmental coordination and address the extrajurisdictional effects of development within the certified area.

4. Promote economic diversity and growth while encouraging the retention of rural character, where rural areas exist, and the protection and restoration of the environment.

5. Provide and maintain public urban and rural open space and recreational opportunities.

6. Manage transportation and land uses to support public transit and promote opportunities for pedestrian and nonmotorized transportation.

7. Use design principles to foster individual community identity, create a sense of place, and promote pedestrian-oriented ~~safe~~ neighborhoods and town centers.

8. Redevelop blighted areas.

9. Adopt a local mitigation strategy and have programs to improve disaster preparedness and the ability to protect lives and property, especially in coastal high-hazard areas.

10. Encourage clustered, mixed-use development that incorporates greenspace and residential development within walking distance of commercial development.

11. Encourage urban infill at appropriate densities and intensities and separate urban and rural uses and discourage urban sprawl while preserving public open space and planning for buffer-type land uses and rural development consistent with their respective character along and outside the certification area.

12. Assure protection of key natural areas and agricultural lands that are identified using state and local inventories of natural areas. Key natural areas include, but are not limited to:

a. Wildlife corridors.

b. Lands with high native biological diversity, important areas for threatened and endangered species, species of special concern, migratory bird habitat, and intact natural communities.

c. Significant surface waters and springs, aquatic preserves, wetlands, and outstanding Florida waters.

d. Water resources suitable for preservation of natural systems and for water resource development.

e. Representative and rare native Florida natural systems.

13. Ensure the cost-efficient provision of public infrastructure and services.

Section 10. Paragraph (c) of subsection (2) of section 163.387, Florida Statutes, is amended to read:

163.387 Redevelopment trust fund.—

(2)

(c) The following public bodies or taxing authorities are exempt from paragraph (a):

1. A special district that levies ad valorem taxes on taxable real property in more than one county.

2. A special district for which the sole available source of revenue the district has the authority to levy is ad valorem taxes at the time an ordinance is adopted under this section. However, revenues or aid that may be dispensed or appropriated to a district as defined in s. 388.011 at the discretion of an entity other than such district shall not be deemed available.

3. A library district, except a library district in a jurisdiction where the community redevelopment agency had validated bonds as of April 30, 1984.

4. A neighborhood improvement district created under the ~~Safe~~ Neighborhoods *Improvement* Act.

5. A metropolitan transportation authority.

6. A water management district created under s. 373.069.

Section 11. Section 163.501, Florida Statutes, is amended to read:

163.501 Short title.—This part may be cited as the "~~Safe~~ Neighborhoods *Improvement* Act."

Section 12. Section 163.502, Florida Statutes, is amended to read:

163.502 ~~Safe~~ Neighborhoods *improvement*; legislative findings and purpose.—

(1) The Legislature ~~hereby~~ finds and declares that among the many causes of deterioration in the business and residential neighborhoods of the state are the following: proliferation of crime, automobile traffic flow strangled by outmoded street patterns, unsuitable topography, faulty lot layouts, fragmentation of land uses and parking areas necessitating frequent automobile movement, lack of separation of pedestrian areas from automobile traffic, lack of separation of vehicle traffic lanes and railroad traffic, ~~and~~ excessive noise levels from automobile traffic*, and lack of adequate public improvements such as streets, street lights, street furniture, street landscaping, sidewalks, traffic signals, way-finding signs, mass transit, stormwater systems, and other public utilities and improvements*.

(2) The Legislature further finds and declares that *healthy and vibrant* ~~safe~~ neighborhoods are the product of planning and implementation of appropriate environmental design concepts, comprehensive *planning* ~~crime prevention programs~~, land use recommendations, and beautification techniques.

(3) The Legislature further finds and declares that the provisions of this part and the powers granted to local governments, property owners' associations, special dependent districts, and community redevelopment neighborhood improvement districts are desirable to guide and accomplish the coordinated, balanced, and harmonious development of *healthy and vibrant* ~~safe~~ neighborhoods; to promote the health~~, safety,~~ and general welfare of these areas and their inhabitants, visitors, property owners, and workers; to establish, maintain, and preserve property values and preserve and foster the development of attractive neighborhood and business environments; to prevent ~~overcrowding and~~ congestion; *and* to improve or redirect automobile traffic and provide pedestrian safety~~; to reduce crime rates and the opportunities for the commission of crime; and to provide improvements in neighborhoods so they are defensible against crime~~.

(4) It is the intent of the Legislature to assist local governments in implementing plans that *improve the* ~~employ crime prevention through community policing innovations, environmental design, environmental security, and defensible space techniques to establish safe~~ neighborhoods *of this state*. The Legislature, therefore, declares that the development, redevelopment, preservation, and revitalization of neighborhoods in this state, and all the purposes of this part, are public purposes for which public money may be borrowed, expended, loaned, and granted.

Section 13. Section 163.503, Florida Statutes, is amended to read:

163.503 ~~Safe neighborhoods;~~ Definitions.—

(1) "~~Safe~~ Neighborhood improvement district," "district," or "neighborhood improvement district" means a district located in an area in which more than 75 percent of the land is used for residential purposes, or in an area in which more than 75 percent of the land is used for commercial, office, business, or industrial purposes, excluding the land area used for public facilities~~, and where there is a plan to reduce crime through the implementation of crime prevention through environmental design, environmental security, or defensible space techniques, or through community policing innovations~~. ~~Nothing in~~ This section *does not* ~~shall~~ preclude the inclusion of public land in a neighborhood improvement district although the amount of land used for public facilities is excluded from the land use acreage calculations.

(2) "Association" means a property owners' association which is incorporated for the purpose of creating and operating a neighborhood improvement district.

(3) "Department" means the Department of *Economic Opportunity* ~~Legal Affairs~~.

(4) "Board" means the board of directors of a neighborhood improvement district, which may be the governing body of a municipality or county or the officers of a property owners' association or the board of directors of a special neighborhood improvement district or community redevelopment neighborhood improvement district.

~~(5) "Environmental security" means an urban planning and design process which integrates crime prevention with neighborhood design and community development.~~

~~(6) "Crime prevention through environmental design" means the planned use of environmental design concepts such as natural access control, natural surveillance, and territorial reinforcement in a neighborhood or community setting which is designed to reduce criminal opportunity and foster positive social interaction among the legitimate users of that setting.~~

~~(7) "Defensible space" means an architectural perspective on crime prevention through physical design of the environment to create the ability to monitor and control the environment along individual perceived zones of territorial influence that result in a proprietary interest and a felt responsibility.~~

~~(8) "Enterprise zone" means an area designated pursuant to s. 290.0065.~~

~~(9) "Community policing innovation" means techniques or strategies as defined by s. 163.340.~~

Section 14. Section 163.5035, Florida Statutes, is amended to read:

163.5035 ~~Safe~~ Neighborhood improvement districts; compliance with special district provisions.—Any special district created pursuant to this part shall comply with all applicable provisions contained in chapter 189. In cases where a provision contained in this part conflicts with a provision in chapter 189, the provision in chapter 189 shall prevail.

Section 15. Section 163.504, Florida Statutes, is amended to read:

163.504 ~~Safe~~ Neighborhood improvement districts~~; planning funds~~.—

~~(1)~~ The governing body of any municipality or county may authorize the formation of ~~safe~~ neighborhood improvement districts through the adoption of *an* ~~a planning~~ ordinance *that* ~~which~~ specifies that such districts may be created by one or more of the methods established in ss. 163.506, 163.508, 163.511, and 163.512. *A* ~~No~~ district may *not* overlap the jurisdictional boundaries of a municipality and the unincorporated area of a county, *unless approved* ~~except~~ by interlocal agreement.

~~(2) If the governing body of a municipality or county elects to create a safe neighborhood improvement district, it shall be eligible to request a grant from the Safe Neighborhoods Program, created pursuant to s. 163.517 and administered by the Department of Legal Affairs, to prepare a safe neighborhood improvement plan for the district.~~

~~(3) Municipalities and counties may implement the provisions of this section without planning funds from the Department of Legal Affairs. However, nothing in this section shall be construed to exempt any district from the requirements of providing a safe neighborhood improvement plan pursuant to s. 163.516.~~

Section 16. Section 163.5055, Florida Statutes, is amended to read:

163.5055 *Notice* ~~Registration~~ of district establishment; notice of dissolution.—

(1)~~(a)~~ Each neighborhood improvement district authorized and established under this part shall within 30 days thereof *notify* ~~register with both~~ the Department of *Economic Opportunity* ~~Community Affairs and the Department of Legal Affairs~~ by providing *the department* ~~these departments~~ with the district's name, location, size, and type, and such other information as the *department* ~~departments~~ may *request* ~~require~~.

(2)~~(b)~~ Each local governing body *that* ~~which~~ authorizes the dissolution of a district shall notify ~~both~~ the Department of *Economic Opportunity* ~~Community Affairs and the Department of Legal Affairs~~ within 30 days after the dissolution of the district.

~~(2) This section shall apply to all neighborhood improvement districts established on or after July 1, 1987.~~

Section 17. Section 163.506, Florida Statutes, is amended to read:

163.506 Local government neighborhood improvement districts; creation; advisory council; dissolution.—

(1) After *an* ~~a local planning~~ ordinance has been adopted authorizing the creation of local government neighborhood improvement districts, the local governing body of a municipality or county may create local government neighborhood improvement districts by the enactment of a separate ordinance for each district~~,~~ which ~~ordinance~~:

(a) Specifies the boundaries, size, and name of the district.

(b) Authorizes the district to receive *grants* ~~a planning grant from the department~~.

(c) Authorizes the local government neighborhood improvement district to levy an ad valorem tax on real and personal property of up to 2 mills annually.

(d) Authorizes the use of special assessments to support planning and implementation of district improvements pursuant to the provisions of s. 163.514(16), *if the district is a residential local government neighborhood improvement district* ~~including community policing innovations~~.

(e) Designates the local governing body as the board of directors of the district.

(f) Establishes an advisory council to the board of directors comprised of property owners*, representatives of property owners, business owners,* or residents of the district.

(g) May prohibit the use of any district power authorized by s. 163.514.

(h) Requires the district to notify the ~~Department of Legal Affairs and the~~ Department of *Economic Opportunity* ~~Community Affairs~~ in writing of its establishment within 30 days thereof pursuant to s. 163.5055.

(i) Authorizes the district to borrow money, contract loans, and issue bonds, certificates, warrants, notes, or other evidence of indebtedness from time to time to finance the undertaking of any capital or other project for the purposes permitted by the State Constitution and this part and pledge the funds, credit, property, and taxing power of the improvement district for the payment of such debts and bonds.

1. Bonds issued under this part shall be authorized by resolution of the governing board of the district and, if required by the State Constitution, by affirmative vote of the electors of the district. Such bonds may be issued in one or more series and shall bear such date or dates, be payable upon demand or mature at such time or times, bear interest at such rate or rates, be in such denomination or denominations, be in such form, registered or not, with or without coupon, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, and subject to such terms of redemption, with or without premium, be secured in such manner, and have such other characteristics as may be provided by such resolution or trust indenture or mortgage issued pursuant thereto.

2. The governing body of the district shall determine the terms and manner of sale and distribution or other disposition of any and all bonds it may issue, consistent with s. 218.385, and shall have any and all powers necessary and convenient to such disposition.

3. The governing body of the district may establish and administer such sinking funds as it deems necessary or convenient for the payment, purchase, or redemption of any outstanding bonded indebtedness of the district.

4. The governing body of the improvement district may levy ad valorem taxes upon real and tangible personal property within the district as it deems necessary to make payment, including principal and interest, upon the general obligation and ad valorem bonded indebtedness of the district or into any sinking fund created pursuant to this part.

5. This part shall be full authority for the issuance of bonds authorized herein.

(j) Authorizes the district to make and collect special assessments pursuant to ss. 197.3632 and 197.3635 to pay for capital improvements within the district and for reasonable expenses of operating the district, including the payment of expenses included in the district's budget, if the district is a commercial local government neighborhood improvement district. Such assessments may not exceed $500 for each individual parcel of land per year.

(k) Authorizes the district to charge, collect, and enforce fees and other user charges.

(l) Conditions the exercise of the powers provided in paragraphs (c), (i), and (j) on approval pursuant to a referendum as described in this paragraph:

1. Within 45 days after the date the governing body of the municipality or county enacts an ordinance calling a referendum pursuant to this subsection, the city clerk or the supervisor of elections, whichever is appropriate, shall certify such ordinance and compile a list of the names and last known addresses of the freeholders in the proposed local government neighborhood improvement district from the tax assessment roll of the county applicable as of December 31 in the year preceding the year in which the ordinance was enacted. Except as otherwise provided in this paragraph, the list shall constitute the registration list for the purposes of the freeholders' referendum required under this paragraph.

2. Within 45 days after compilation of the freeholders' registration list pursuant to subparagraph 1., the city clerk or the supervisor of elections shall notify each such freeholder of the general provisions of this paragraph, including the taxing authority and the date of the upcoming referendum, and the method provided for submitting corrections to the registration list if the status of the freeholder has changed since the compilation of the tax rolls. Notification shall be by first-class United States mail and, in addition thereto, by publication one time in a newspaper of general circulation in the county or municipality in which the district is located.

3. Any freeholder whose name does not appear on the tax rolls compiled pursuant to subparagraph 1. may register to vote with the city clerk or the supervisor of elections. The registration list shall remain open for 75 days after enactment of the ordinance calling for the referendum.

4. Within 15 days after the closing of the registration list, the city clerk or the supervisor of elections shall send a ballot to each registered freeholder at his or her last known mailing address by first-class United States mail. The ballot shall include:

a. A description of the general provisions of this paragraph applicable to local government neighborhood improvement districts;

b. The assessed value of the freeholder's property;

c. The percent of the freeholder's interest in such property; and

d. Immediately following the information required in sub-subparagraphs a.-c., the following:

"Do you favor authorizing the .... Local Government Neighborhood Improvement District to levy up to 2 mills of ad valorem taxes by such proposed district?

....Yes, for authorizing the levy of up to 2 mills of ad valorem taxes by such proposed district.

....No, against authorizing the levy of up to 2 mills of ad valorem taxes by such proposed district."

"Do you favor authorizing the .... Local Government Neighborhood Improvement District to borrow money, including the issuance of bonds, as provided by s. 163.506(1)(i)?

....Yes, for authorizing the borrowing of money for district purposes.

....No, against authorizing the borrowing of money for district purposes."

"Do you favor authorizing the .... Local Government Neighborhood Improvement District to impose a special assessment of not greater than $500 for each individual parcel of land per year to pay for the expenses of operating the neighborhood improvement district and for approved capital improvements?

....Yes, for the special assessment.

....No, against the special assessment."

5. Ballots shall be returned by first-class United States mail or by personal delivery.

6. All ballots received within 120 days after enactment of the ordinance shall be tabulated by the city clerk or the supervisor of elections, who shall certify the results thereof to the city council or county commission no later than 5 days after the 120-day period.

7. The freeholders shall be deemed to have approved of the provisions of this paragraph at such time as the city clerk or the supervisor of elections certifies to the governing body of the municipality or county that approval has been given by freeholders owning in excess of 50 percent of the assessed value of the properties represented by ballots cast.

8. The city clerk or the supervisor of elections, whichever is appropriate, shall enclose with each ballot sent pursuant to this paragraph two envelopes: a secrecy envelope, into which the freeholder shall enclose the marked ballot; and a mailing envelope, into which the freeholder shall then place the secrecy envelope, which shall be addressed to the city clerk or the supervisor of elections. The back side of the mailing envelope shall bear a certificate in substantially the following form:

NOTE: PLEASE READ INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT AND COMPLETING VOTER'S CERTIFICATE.

VOTER'S CERTIFICATE

I, ..., am a duly qualified and registered freeholder of the proposed ...(name)... local government neighborhood improvement district; and I am entitled to vote this ballot. I do solemnly swear or affirm that I have not and will not vote more than one ballot in this election. I understand that failure to sign this certificate and have my signature witnessed will invalidate my ballot.

...(Voter's Signature)...

NOTE: YOUR SIGNATURE MUST BE WITNESSED BY ONE WITNESS 18 YEARS OF AGE OR OLDER AS PROVIDED IN THE INSTRUCTION SHEET.

I swear or affirm that the elector signed this voter's certificate in my presence.

...(Signature of Witness)...

...(Address)...(City/State)...

9. The certificate shall be arranged on the back of the mailing envelope so that the lines for the signatures of the freeholder and the attesting witness are across the seal of the envelope; however, no statement shall appear on the envelope which indicates that a signature of the freeholder or witness must cross the seal of the envelope. The freeholder and the attesting witness shall execute the certificate on the envelope.

10. The city clerk or the supervisor of elections shall enclose with each ballot sent to a freeholder pursuant to this paragraph separate printed instructions in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

a. VERY IMPORTANT. In order to ensure that your ballot will be counted, it should be completed and returned as soon as possible so that it can reach the city clerk or the supervisor of elections no later than 7 p.m. on the (final day of the 120-day period given here).

b. Mark your ballot in secret as instructed on the ballot.

c. Place your marked ballot in the enclosed secrecy envelope.

d. Insert the secrecy envelope into the enclosed mailing envelope, which is addressed to the city clerk or the supervisor of elections.

e. Seal the mailing envelope and completely fill out the Voter's Certificate on the back of the mailing envelope.

f. VERY IMPORTANT. Sign your name on the line provided for "(Voter's Signature)."

g. VERY IMPORTANT. In order for your ballot to be counted, it must include the signature and address of a witness 18 years of age or older affixed to the Voter's Certificate.

h. Mail, deliver, or have delivered the completed mailing envelope. Be sure there is sufficient postage if mailed.

(2) The advisory council shall perform such duties as may be prescribed by the governing body and shall submit within the time period specified by the governing body, acting as the board of directors, a report on the district's activities and a proposed budget to accomplish its objectives. In formulating a plan for services or improvements the advisory board shall consult in public session with the appropriate staff or consultants of the local governing body ~~responsible for the district's plan~~.

~~(3) As an alternative to designating the local governing body as the board of directors, a majority of the local governing body of a city or county may appoint a board of three to seven directors for the district who shall be residents of the proposed area and who are subject to ad valorem taxation in the residential neighborhood improvement district or who are property owners in a commercial neighborhood improvement district. The directors shall be appointed for staggered terms of 3 years. The initial appointments shall be as follows: one director for a 1 year term; one director for a 2 year term; and one director for a 3 year term. If more than three directors are to be appointed, the additional members shall initially be appointed for 3 year terms. Vacancies shall be filled for the unexpired portion of a term in the same manner as the initial appointments were made. Each director shall hold office until his or her successor is appointed and qualified unless the director ceases to be qualified or is removed from office. Upon appointment and qualification and in January of each year, the directors shall organize by electing from their number a chair and a secretary.~~

(3)~~(4)~~ A district may be dissolved by the governing body by rescinding the ordinance creating the district. The governing body *may rescind* ~~shall consider rescinding~~ the ordinance if presented with a petition *requesting that it be rescinded. Petitions related to a residential neighborhood improvement district must contain* ~~containing~~ the signatures of 60 percent of the residents*. Petitions related to a commercial neighborhood improvement district must contain signatures representing owners of 60 percent of the land area of the* ~~of a~~ district.

Section 18. Section 163.508, Florida Statutes, is amended to read:

163.508 Property owners' association neighborhood improvement districts; creation; powers and duties; duration.—

(1) After *an* ~~a local planning~~ ordinance has been adopted authorizing the creation of property owners' association neighborhood improvement districts, the local governing body of a municipality or county may create property owners' association neighborhood improvement districts by the enactment of a separate ordinance for each district~~,~~ which ~~ordinance~~:

(a) Establishes that an incorporated property owners' association representing 75 percent of all owners of property within a proposed district meeting the requirements of this section has petitioned the governing body of the municipality or county for creation of a district for the area encompassed by the property owned by members of the association.

(b) Specifies the boundaries, size, and name of the district.

(c) Authorizes the governing body through mutual agreement with the property owners' association to:

1. Request *grants* ~~a matching grant from the state's Safe Neighborhoods Program to prepare the first year's safe neighborhood improvement plan~~. ~~The provider of the local match for the state grant shall be mutually agreed upon between the governing body and the property owners' association. The governing body may agree to provide the match~~

~~as a no-interest-bearing loan to be paid back from assessments imposed by the association on its members or shareholders.~~

2. Provide staff and other technical assistance to the property owners' association on a mutually agreed-upon basis, contractual or otherwise.

~~3. Prepare the first year's safe neighborhood improvement plan, which shall comply with and be consistent with the governing body's adopted comprehensive plan.~~

(d) Provides for an audit of the property owners' association.

(e) Designates the officers of the incorporated property owners' association as the board of directors of the district.

(f) May prohibit the use of any district power authorized by s. 163.514.

(g) Requires the district to notify the ~~Department of Legal Affairs and the~~ Department of *Economic Opportunity* ~~Community Affairs~~ in writing of its establishment within 30 days thereof pursuant to s. 163.5055.

(2) In order to qualify for the creation of a neighborhood improvement district, the property owners shall form an association in compliance with this section, or use an existing property owners' association in compliance with this section, which shall be a corporation~~, for profit or~~ not for profit. *At least*~~, and of which not less than~~ 75 percent of all property owners within the proposed area *must consent* ~~have consented~~ in writing to become members ~~or shareholders~~. Upon such consent by 75 percent of the property owners in the proposed district, all consenting property owners and their successors shall become members of the association and shall be bound by the provisions of the articles of incorporation, the bylaws of the association, the covenants, the deed restrictions, the indentures, and any other properly promulgated restrictions. The association shall have no member ~~or shareholder~~ who is not a bona fide owner of property within the proposed district. Upon receipt of its certificate of incorporation, the property owners' association shall notify the clerk of the city or county court, whichever is appropriate, in writing, of such incorporation and shall list the names and addresses of the officers of the association.

(3) Any incorporated property owners' association operating pursuant to this part *has* ~~shall have~~ the power:

(a) To negotiate with the governing body of a municipality or county for closing, privatizing, or modifying the rights-of-way, and appurtenances thereto, within the district.

(b) To *use* ~~utilize~~ various legal instruments such as covenants, deed restrictions, and indentures to preserve and maintain the integrity of property, land, and rights-of-way owned and conveyed to it within the district.

(c) To make and collect assessments against all property within the boundaries of the district pursuant to the provisions of s. 163.514(16) and to lease, maintain, repair, and reconstruct any privatized street, land, or common area within the district upon dedication thereof to the association.

(d) Without the joinder of any property owner, to modify, move, or create any easement for ingress and egress or for the purpose of utilities, if such easement constitutes part of or crosses district property. However, this *does* ~~shall~~ not authorize the association to modify or move any easement *that* ~~which~~ is created in whole or in part for the use or benefit of anyone other than association members, or *that* ~~which~~ crosses the property of anyone other than association members, without the consent or approval of such person as required by law or by the instrument creating the easement. Nothing in this paragraph shall affect the rights of ingress or egress of any member of the association.

(4) A property owners' association neighborhood improvement district shall continue in perpetuity as long as the property owners' association created pursuant to this section exists under the applicable laws of the state.

Section 19. Subsections (1), (7), (8), and (10) of section 163.511, Florida Statutes, are amended to read:

163.511 Special neighborhood improvement districts; creation; referendum; board of directors; duration; extension.—

(1) After *an* ~~a local planning~~ ordinance has been adopted authorizing the creation of special neighborhood improvement districts, the governing body of a municipality or county may declare the need for and create special residential or business neighborhood improvement districts by the enactment of a separate ordinance for each district~~,~~ which ~~ordinance~~:

(a) Conditions the implementation of the ordinance on the approval of a referendum as provided in subsection (2).

(b) Authorizes the special neighborhood improvement district to levy an ad valorem tax on real and personal property of up to 2 mills annually.

(c) Authorizes the use of special assessments to support planning and implementation of district improvements pursuant to the provisions of s. 163.514(16)~~, including community policing innovations~~.

(d) Specifies the boundaries, size, and name of the district.

(e) Authorizes the district to receive a planning grant from the department.

(f) Provides for the appointment of a 3-member board of directors for the district.

(g) May authorize a special neighborhood improvement district to exercise the power of eminent domain pursuant to chapters 73 and 74. Any property identified for eminent domain by the district shall be subject to the approval of the local governing body before eminent domain procedures are exercised.

(h) May prohibit the use of any district power authorized by s. 163.514.

(i) Requires the district to notify ~~the Department of Legal Affairs and~~ the Department of *Economic Opportunity* ~~Community Affairs~~ in writing of its establishment within 30 days thereof pursuant to s. 163.5055.

(j) May authorize a special neighborhood improvement district to develop and implement community policing innovations in consultation with the local law enforcement agency having jurisdiction within the district boundaries.

(7) The business and affairs of a special neighborhood improvement district shall be conducted and administered by a board of three directors who shall be residents of *or property owners within* the proposed area and who are subject to ad valorem taxation in the district. Upon their *initial* appointment and qualification and in January of each year *thereafter*, the directors shall organize by electing from their number a chair and a secretary, and may also employ staff and legal representatives as deemed appropriate, who shall serve at the pleasure of the board and may receive such compensation as shall be fixed by the board. The secretary shall keep a record of the proceedings of the district and shall be custodian of all books and records of the district. The directors *may* ~~shall~~ not receive any compensation for their services, nor may they be employed by the district.

(8) Within 30 days of the approval of the creation of a special neighborhood improvement district, if the district is in a municipality, ~~a majority of~~ the governing body of the municipality, or if the district is in the unincorporated area of the county, ~~a majority of~~ the county commission, shall appoint the three directors provided for herein for staggered terms of 3 years. The initial appointments shall be as follows: one for a 1-year term, one for a 2-year term, and one for a 3-year term. Each director shall hold office until his or her successor is appointed and qualified unless the director ceases to be qualified to act as a director or is removed from office. Vacancies on the board shall be filled for the unexpired portion of a term in the same manner as the initial appointments were made.

(10) The governing body of a municipality or county may remove a director for inefficiency, neglect of duty, or misconduct in office ~~only after a hearing and only if he or she has been given a copy of the charges at least 10 days prior to such hearing and has had an opportunity to be~~

~~heard in person or by counsel~~. A vacancy so created shall be filled as provided herein.

Section 20. Section 163.512, Florida Statutes, is amended to read:

163.512 Community redevelopment neighborhood improvement districts; creation; advisory council; dissolution.—

(1) Upon the recommendation of the community redevelopment agency and after *an* ~~a local planning~~ ordinance has been adopted authorizing the creation of community redevelopment neighborhood improvement districts, the local governing body of a municipality or county may create community redevelopment neighborhood improvement districts by the enactment of a separate ordinance for each district~~,~~ which ~~ordinance~~:

(a) Specifies the boundaries, size, and name of the district.

(b) Authorizes the district to receive *grants* ~~a planning grant from the department~~.

(c) Authorizes the use of the community redevelopment trust fund created pursuant to s. 163.387 for the purposes of implementing the *district's* ~~safe neighborhood~~ improvement plan ~~and furthering crime prevention through community policing innovations, environmental design, environmental security, and defensible space techniques~~, if *the* expenditures ~~from the community redevelopment trust fund~~ are consistent with the community redevelopment plan created pursuant to s. 163.360.

(d) Designates the community redevelopment board of commissioners established pursuant to s. 163.356 or s. 163.357 as the board of directors for the district.

(e) Establishes an advisory council to the board of directors comprised of property owners or residents of the district.

(f) May prohibit the use of any district power authorized by s. 163.514.

(g) Requires that the *district's* ~~safe~~ neighborhood improvement plan be consistent with the community redevelopment plan created pursuant to s. 163.360, and permits the ~~safe~~ neighborhood improvement plan to be included in the community redevelopment plan as an optional element.

(h) Requires that the boundaries of the community redevelopment district be contained in whole within the community redevelopment area established pursuant to ss. 163.355 and 163.356.

(i) Requires the district to notify ~~the Department of Legal Affairs and the~~ Department of *Economic Opportunity* ~~Community Affairs~~ in writing of its establishment within 30 days thereof pursuant to s. 163.5055.

(2) The advisory council shall perform such duties as may be prescribed by the community redevelopment board established pursuant to s. 163.356 and shall submit within the time period specified by the board of directors a report on the district's activities and a proposed budget to accomplish its objectives. In formulating a plan for services or improvements, the advisory council shall consult in public session with the appropriate staff or consultants of the community redevelopment board ~~responsible for the district's plan~~.

(3) A district may be dissolved by the local governing body by rescinding the ordinance creating the district. The governing body *may rescind* ~~shall consider rescinding~~ the ordinance if presented with a petition containing the signatures of 60 percent of the residents of a district.

Section 21. *Section 163.513, Florida Statutes, is repealed.*

Section 22. Section 163.514, Florida Statutes, is amended to read:

163.514 Powers of neighborhood improvement districts.—Unless prohibited by ordinance, the board of any district *is* ~~shall be~~ empowered to:

(1) Enter into contracts and agreements and sue and be sued as a body corporate.

(2) Have and use a corporate seal.

(3) Acquire, own, convey, or otherwise dispose of, lease as lessor or lessee, construct, maintain, improve, enlarge, raze, relocate, operate, and manage property and facilities of whatever type to which it holds title and grant and acquire licenses, easements, and options with respect thereto.

(4) Accept grants and donations of any type of property, labor, or other thing of value from any public or private source.

(5) Have exclusive control of funds legally available to it, subject to limitations imposed by law or by any agreement validly entered into by it.

(6) Cooperate and contract with other governmental agencies or other public bodies.

(7) Contract for services of *planners, engineers, attorneys, and other* ~~planning~~ consultants~~, experts on crime prevention through community policing innovations, environmental design, environmental security, or defensible space, or other experts~~ in areas pertaining to the operations of the board of directors or the district.

(8) Contract with the county or municipal government for planning assistance, *legal advice,* and ~~for~~ increased levels of law enforcement protection and security, including additional personnel.

(9) Promote and advertise the commercial advantages of the district so as to attract new businesses and encourage the expansion of existing businesses.

(10) Promote and advertise the district to the public and engage in cooperative advertising programs with businesses located in the district.

(11) Improve*, plan, design, construct, operate, provide, and maintain* street lighting, parks, streets, drainage, utilities, swales, *parking facilities, transit facilities, landscaping,* and open areas, and provide ~~safe~~ access to mass transportation facilities in the district.

(12) Undertake innovative approaches to securing neighborhoods from crime, such as crime prevention through community policing innovations, environmental design, environmental security, and defensible space.

(13) Privatize, close, vacate, plan, or replan streets, roads, sidewalks, and alleys, subject to the concurrence of the local governing body and, if required, the state Department of Transportation.

(14) Prepare, adopt, implement, and modify a ~~safe~~ neighborhood improvement plan for the district.

(15) Identify areas with blighted influences, including, but not limited to, areas where unlawful urban dumping or graffiti are prevalent, and develop programs for eradication thereof.

(16)(a) Subject to referendum approval, *and for residential local government, special, community redevelopment, and property owners' association neighborhood improvement districts only,* make and collect special assessments pursuant to ss. 197.3632 and 197.3635 to pay for improvements to the district and for reasonable expenses of operating the district, including the payment of expenses included in the district's budget, subject to an affirmative vote by a majority of the registered voters residing in the district. Such assessments shall not exceed $500 for each individual parcel of land per year. Notwithstanding the provisions of s. 101.6102, the referendum to approve the special assessment shall be by mail ballot.

(b) In order to implement this subsection, the city clerk or the supervisor of elections, whichever is appropriate, shall compile a list of the names and last known addresses of the electors in the neighborhood improvement district from the list of registered voters of the county as of the last day of the preceding month. The same shall constitute the registration list for the purposes of a referendum. Within 45 days after compilation of the voter registration list, the city clerk or the supervisor of elections shall notify each elector of the general provisions of this section, including the taxing authority and the date of the upcoming referendum. Notification shall be by United States mail and, in addition

thereto, by publication one time in a newspaper of general circulation in the county or municipality in which the district is located.

(c) Any resident of the district whose name does not appear on the list compiled pursuant to paragraph (b) may register to vote as provided by law. The registration list shall remain open for 75 days after the notification required in paragraph (b).

(d) Within 15 days after the closing of registration, the city clerk or the supervisor of elections shall send a ballot to each elector at his or her last known mailing address by first-class United States mail. The ballot shall include:

1. A description of the general provisions of this section applicable to the neighborhood improvement district; and

2. Immediately following said information, the following:

"Do you favor the imposition of a special assessment of not greater than $500 for each individual parcel of land per year to pay for the expenses of operating the neighborhood improvement district?

_____Yes, for the special assessment.

_____No, against the special assessment."

(e) Ballots shall be returned by United States mail or by personal delivery.

(f) All ballots received within 60 days after the closing of registration shall be tabulated by the city clerk or the supervisor of elections, who shall certify the results thereof to the city governing body or county commission no later than 5 days after said 60-day period.

(17) Exercise all lawful powers incidental to the effective and expedient exercise of the foregoing powers.

Section 23. Subsections (3) and (4) of section 163.5151, Florida Statutes, are amended to read:

163.5151 Fiscal management; budget preparation.—

(3) Each *local government and* special neighborhood improvement district *levying an ad valorem tax on real or personal property* shall establish its budget pursuant to the provisions of chapter 200. *Before adopting* ~~Prior to adoption of~~ the final budget and setting of the millage rate to be levied by the board, the board shall submit a tentative budget and proposed millage rate of the district to the governing body of the municipality in which the district is located, or to the county if the district is located in the unincorporated portion of the county, for approval or disapproval. Such governing body shall have the power to modify the budget or millage submitted by the board. Subsequent to approval, the board shall adopt its final budget and millage rate in accordance with the requirements of chapter 200.

(4) At the option of the county property appraiser for the county within which the neighborhood improvement district is located, ~~the~~ assessments levied by the district *may* ~~shall~~ be collected in the same manner as all ad valorem taxes if so requested by the local governing body pursuant to s. 197.363.

Section 24. Section 163.516, Florida Statutes, is amended to read:

163.516 ~~Safe~~ Neighborhood improvement plans.—

(1) A ~~safe~~ neighborhood improvement plan is mandated for all neighborhood improvement districts. The plan *must* ~~shall~~ contain at least the following elements:

(a) Demographics of the district.

~~(b) Crime activity data and analysis.~~

(b)~~(c)~~ Land use, zoning, housing, and traffic analysis.

~~(d) Determination of the problems of the crime to environment relationship and the stability of the neighborhood improvement district.~~

(c)~~(e)~~ Statement of the district's goal and objectives.

~~(f) Assessment of crime prevention through community policing innovations, environmental design, environmental security, and defensible space strategies and tactics that will be applied to the crime to environment relationship problems.~~

~~(g) Cost estimates and the methods of financing.~~

~~(h) Outline of program participants and their functions and responsibilities.~~

~~(i) Schedule for executing program activities.~~

~~(j) Evaluation guidelines.~~

(2) Every ~~safe~~ neighborhood improvement plan *must* ~~shall~~ show, by diagram and by general explanation:

(a) Such property as is intended for use as public parks, recreation areas, streets, public utilities, and public improvements of any nature.

(b) Specific identification of any publicly funded capital improvement projects to be undertaken within the district.

~~(c) Adequate assurances that the improvements will be carried out pursuant to the plan.~~

~~(d) Provision for the retention of controls and the establishment of any restrictions or covenants running with land sold or leased for private use for such periods of time and under such conditions as the governing body of the municipality in which the district is located, or the county if the district is located in the unincorporated portion of the county, deems necessary to effectuate the purposes of this part.~~

(c)~~(e)~~ Projected costs of improvements, including the amount to be expended on publicly funded capital improvement projects in the district and any indebtedness of the district, the county, or the municipality proposed to be incurred if such indebtedness is to be repaid with district revenues.

~~(f) Promotion of advertising programs to be undertaken by the district or in conjunction with businesses in the district.~~

~~(g) Suggested physical improvements necessary for the safety of residents in or visitors to the district.~~

~~(h) Law enforcement and security plans for the district.~~

(3) The ~~safe~~ neighborhood improvement plan *must* ~~shall~~:

(a) Be consistent with the adopted comprehensive plan for the county or municipality pursuant to the Community Planning Act. No district plan shall be implemented unless the local governing body has determined said plan is consistent.

(b) Be sufficiently complete to indicate such land acquisition, demolition and removal of structures, street modifications, redevelopment, and rehabilitation as may be proposed to be carried out in the district.

~~(c) Provide some method for and measurement of the reduction of crime within the district.~~

~~(4) The county, municipality, or district may prepare or cause to be prepared a safe neighborhood improvement plan, or any person or agency, public or private, may submit such a plan to a district. Prior to its consideration of a safe neighborhood improvement plan, the district shall submit such plan to the local governing body for review and written approval as to its consistency with the local government comprehensive plan. The district must be notified of approval or disapproval within 60 days after receipt of the plan for review, and a revised version of the plan may be submitted to satisfy any inconsistencies. The district may not proceed with the safe neighborhood improvement plan until final approval is given by the local governing body.~~

(4)~~(5)~~ Prior to adoption of the ~~safe~~ neighborhood improvement plan, the board shall hold a public hearing on the plan after public notice thereof by publication in a newspaper of general circulation in the county or municipality in which the district is located. The notice shall describe the time, date, place, and purpose of the hearing; identify the boundaries of the district; and outline the general scope of the plan.

(5)~~(6)~~ The board, after the public hearing, may approve the ~~safe~~ neighborhood improvement plan if it finds:

(a) The plan has been approved as consistent with the local comprehensive plan by the local governing body; and

(b) The plan will improve the promotion, appearance, ~~safety, security,~~ and public amenities of the neighborhood improvement district as stipulated in s. 163.502.

(6)~~(7)~~ If, at any time after approval of the ~~safe~~ neighborhood improvement plan, it becomes desirable to amend or modify the plan, the board may do so. Prior to any such amendment or modification, the board shall obtain written approval of the local governing body concerning conformity to the local government comprehensive plan and hold a public hearing on the proposed amendment or modification after public notice thereof by publication in a newspaper of general circulation in the county or municipality in which the district is located. The notice shall describe the time, place, and purpose of the hearing and generally describe the proposed amendment or modification.

~~(8) Pursuant to s. 163.3184, the governing body of a municipality or county shall hold two public hearings to consider the board-adopted safe neighborhood improvement plan as an amendment or modification to the municipality's or county's adopted local comprehensive plan.~~

~~(9) A safe neighborhood improvement plan for each district shall be prepared and adopted by the municipality or county prior to the levy and expenditure of any of the proceeds of any tax assessment or fee authorized to such districts other than for the preparation of the safe community or business improvement plan.~~

Section 25. *Section 163.517, Florida Statutes, is repealed.*

Section 26. *Section 163.519, Florida Statutes, is repealed.*

Section 27. *Section 163.521, Florida Statutes, is repealed.*

Section 28. *Section 163.5215, Florida Statutes, is repealed.*

Section 29. *Section 163.522, Florida Statutes, is repealed.*

Section 30. *Section 163.523, Florida Statutes, is repealed.*

Section 31. *Section 163.524, Florida Statutes, is repealed.*

Section 32. *Section 163.526, Florida Statutes, is repealed.*

Section 33. Paragraph (c) of subsection (1) of section 376.84, Florida Statutes, is amended to read:

376.84 Brownfield redevelopment economic incentives.—It is the intent of the Legislature that brownfield redevelopment activities be viewed as opportunities to significantly improve the utilization, general condition, and appearance of these sites. Different standards than those in place for new development, as allowed under current state and local laws, should be used to the fullest extent to encourage the redevelopment of a brownfield. State and local governments are encouraged to offer redevelopment incentives for this purpose, as an ongoing public investment in infrastructure and services, to help eliminate the public health and environmental hazards, and to promote the creation of jobs in these areas. Such incentives may include financial, regulatory, and technical assistance to persons and businesses involved in the redevelopment of the brownfield pursuant to this act.

(1) Financial incentives and local incentives for redevelopment may include, but not be limited to:

(c) ~~Safe~~ Neighborhood improvement districts as provided in *part IV of chapter 163* ~~ss. 163.501-163.523~~.

Section 34. Subsection (2) of section 704.01, Florida Statutes, is amended to read:

704.01 Common-law and statutory easements defined and determined.—

(2) STATUTORY WAY OF NECESSITY EXCLUSIVE OF COMMON-LAW RIGHT.—Based on public policy, convenience, and necessity, a statutory way of necessity exclusive of any common-law right exists when any land, including land formed by *or connected to adjoining land by* accretion, reliction, or other naturally occurring processes, or portion thereof, which is being used or is desired to be used for a dwelling or dwellings or for agricultural or for timber raising or cutting or stockraising purposes*,* is shut off or hemmed in by lands, fencing, or other improvements by other persons so that *a* ~~no~~ practicable route of egress or ingress is *not* available ~~therefrom~~ to the nearest practicable public ~~or private~~ road*, or to a private road* in which the landlocked owner has vested easement rights *to a public road*. The owner or tenant thereof, or anyone *on* ~~in~~ their behalf, lawfully may use and maintain an easement for persons, vehicles, stock, franchised cable television service, and any utility service, including, but not limited to, water, wastewater, reclaimed water, natural gas, electricity, and telephone service, over, under, through, and upon the lands *that* ~~which~~ lie between the said shut-off or hemmed-in lands and such public or private road by means of the nearest practical route, considering the use to which *the* ~~said~~ lands are being put; and the use thereof *does*~~, as aforesaid, shall~~ not constitute a trespass; nor shall the party thus using the same be liable in damages for the use thereof *if*~~, provided that~~ such easement *is* ~~shall be~~ used only in an orderly and proper manner. *This subsection applies to any land that was previously hemmed in or landlocked or that becomes hemmed in or landlocked if the owner of such land provides compensation under s. 404.04 for any loss of private property rights to the owner of land over which a statutory easement is granted.*

Section 35. Subsection (2) of section 775.083, Florida Statutes, is amended to read:

775.083 Fines.—

(2) In addition to the fines set forth in subsection (1), court costs shall be assessed and collected in each instance a defendant pleads nolo contendere to, or is convicted of, or adjudicated delinquent for, a felony, a misdemeanor, or a criminal traffic offense under state law, or a violation of any municipal or county ordinance if the violation constitutes a misdemeanor under state law. The court costs imposed by this section shall be $50 for a felony and $20 for any other offense and shall be deposited by the clerk of the court into an appropriate county account for disbursement for the purposes provided in this subsection. A county shall account for the funds separately from other county funds as crime prevention funds. The county, in consultation with the sheriff, must expend such funds for crime prevention programs in the county, including ~~safe~~ neighborhood *improvement* programs under *part IV of chapter 163* ~~ss. 163.501-163.523~~.

Section 36. Paragraphs (a) and (c) of subsection (5) of section 932.7055, Florida Statutes, are amended to read:

932.7055 Disposition of liens and forfeited property.—

(5)(a) If the seizing agency is a county or municipal agency, the remaining proceeds shall be deposited in a special law enforcement trust fund established by the board of county commissioners or the governing body of the municipality. Such proceeds and interest earned therefrom shall be used for school resource officer, crime prevention, ~~safe~~ neighborhood *improvement*, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators for use in law enforcement vehicles, and providing matching funds to obtain federal grants. The proceeds and interest may not be used to meet normal operating expenses of the law enforcement agency.

(c) An agency or organization, other than the seizing agency, that wishes to receive such funds shall apply to the sheriff or chief of police for an appropriation and its application shall be accompanied by a written certification that the moneys will be used for an authorized purpose. Such requests for expenditures shall include a statement describing anticipated recurring costs for the agency for subsequent fiscal years. An agency or organization that receives money pursuant to this subsection shall provide an accounting for such moneys and shall furnish the same reports as an agency of the county or municipality that receives public funds. Such funds may be expended in accordance with the following procedures:

1. Such funds may be used only for school resource officer, crime prevention, ~~safe~~ neighborhood *improvement*, drug abuse education, or

drug prevention programs or such other law enforcement purposes as the board of county commissioners or governing body of the municipality deems appropriate.

2. Such funds shall not be a source of revenue to meet normal operating needs of the law enforcement agency.

3. After July 1, 1992, and during every fiscal year thereafter, any local law enforcement agency that acquires at least $15,000 pursuant to the Florida Contraband Forfeiture Act within a fiscal year must expend or donate no less than 15 percent of such proceeds for the support or operation of any drug treatment, drug abuse education, drug prevention, crime prevention, ~~safe~~ neighborhood *improvement*, or school resource officer *program* ~~program(s)~~. The local law enforcement agency has the discretion to determine which *program or programs* ~~program(s)~~ will receive the designated proceeds.

Notwithstanding the drug abuse education, drug treatment, drug prevention, crime prevention, ~~safe~~ neighborhood *improvement*, or school resource officer minimum expenditures or donations, the sheriff and the board of county commissioners or the chief of police and the governing body of the municipality may agree to expend or donate such funds over a period of years if the expenditure or donation of such minimum amount in any given fiscal year would exceed the needs of the county or municipality for such *program or programs* ~~program(s)~~. Nothing in this section precludes the expenditure or donation of forfeiture proceeds in excess of the minimum amounts established herein.

And the title is amended as follows:

Delete line 37 and insert: seaport projects to use a mitigation bank; amending ss. 163.2511, 163.2517, 163.3182, 163.3246, and 163.387, F.S.; conforming provisions to changes made by the act; amending s. 163.501, F.S.; renaming the "Safe Neighborhoods Act" as the "Neighborhoods Improvement Act"; amending s. 163.502, F.S.; revising legislative findings and purpose; amending s. 163.503, F.S.; revising and deleting definitions; amending s. 163.5035, F.S.; conforming provisions to changes made by the act; amending s. 163.504, F.S.; authorizing the governing body of any municipality or county to form a neighborhood improvement district through the adoption of an ordinance rather than by a planning ordinance; removing provisions pertaining to the creation and funding of safe neighborhood improvement districts; amending s. 163.5055, F.S.; requiring each neighborhood improvement district authorized under law to notify the Department of Economic Opportunity of its existence rather than to register with the Department of Community Affairs and the Department of Legal Affairs; removing the requirement that the neighborhood improvement district notify the Department of Community Affairs and the Department of Legal Affairs; amending s. 163.506, F.S.; revising provisions authorizing a local governing body to create a local government neighborhood improvement district; specifying that the ordinance may authorize the improvement district to borrow money, contract loans, and issue bonds; authorizing the governing body of the improvement district to levy ad valorem taxes upon real and tangible personal property within the district; authorizing the district to make and collect special assessments; conditioning the exercise of power by the local government neighborhood improvement district to borrow money, contract loans, issue bonds, charge, collect, and enforce fees, make and collect special assessments, and levy ad valorem taxes upon real and tangible personal property within the district upon the approval of a referendum by the freeholders of the district; providing ballot requirements; removing provisions allowing an alternative organization for the board of directors; amending s. 163.508, F.S., relating to property owners' association neighborhood improvement districts; revising the requirements for creating a property owners' association neighborhood improvement district by the enactment of a separate ordinance for each district; authorizing the governing body to request grants from the state; amending s. 163.511, F.S., relating to special neighborhood improvement districts; revising provisions to conform to changes made by the act; revising the method of appointing and removing directors of the district; amending s. 163.512, F.S.; revising provisions authorizing a municipality or county to create a community redevelopment neighborhood improvement district; authorizing the district to receive grants and other funding; providing that the local governing body may dissolve the district under certain circumstances; repealing s. 163.513, F.S., relating to crime prevention through community policing innovations; amending s. 163.514, F.S.; revising the powers of neighborhood improvement districts; allowing the district to contract with legal counsel and other needed professionals; authorizing the district to collect special assessments under certain circumstances and following designated procedures; amending s. 163.5151, F.S.; requiring a local government and a special neighborhood improvement district to prepare its budget in a specified manner if levying an ad valorem tax on real or personal property; amending s. 163.516, F.S.; requiring neighborhood improvement plans to be created for each improvement district; revising the contents of the neighborhood improvement district's plan; repealing s. 163.517, F.S., relating to the Safe Neighborhoods Program; repealing s. 163.519, F.S., relating to the duties of the Department of Legal Affairs relating to neighborhood improvement districts; repealing s. 163.521, F.S., relating to funding for a neighborhood improvement district inside an enterprise zone; repealing s. 163.5215, F.S., relating to the effect and construction of existing laws relating to neighborhood improvement districts; repealing s. 163.522, F.S., relating to state redevelopment programs; repealing s. 163.523, F.S., relating to cooperation and involvement of community organizations in the creation of safe neighborhood improvement districts; repealing s. 163.524, F.S., relating to participation in the Neighborhood Preservation and Enhancement Program; repealing s. 163.526, F.S., relating to powers and duties of the Neighborhood Councils and the designated agency of the local government; amending ss. 376.84, F.S.; conforming provision to changes made by the act; amending s. 704.01, F.S., relating to a statutory way of necessity over land; providing applicability to hemmed in or landlocked land; requiring compensation; amending ss. 775.083 and 932.7055, F.S.; conforming provisions to changes made by the act; providing

MOTION

On motion by Senator Bennett, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Bennett moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A (198884)—Delete line 1109 and insert: *of such land provides compensation under s. 704.04 for any loss*

Amendment 1 as amended was adopted.

On motion by Senator Dean, further consideration of **CS for CS for CS for HB 599** as amended was deferred.

RECESS

The President declared the Senate in recess at 5:07 p.m. to reconvene at 5:22 p.m.

CALL TO ORDER

The Senate was called to order by the President at 5:38 p.m. A quorum present—27.

Mr. President	Gaetz	Norman
Alexander	Garcia	Oelrich
Altman	Gardiner	Rich
Benacquisto	Gibson	Richter
Bennett	Hays	Ring
Bogdanoff	Joyner	Sachs
Bullard	Lynn	Sobel
Dean	Margolis	Storms
Evers	Negron	Thrasher

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed CS for HB 909 as further amended, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for HB 909—A bill to be entitled An act for the relief of Anais Cruz Peinado by the School Board of Miami-Dade County; providing for an appropriation to compensate Anais Cruz Peinado, mother of Juan Carlos Rivera, deceased, for the death of Juan Carlos Rivera as a result of the negligence of the School Board of Miami-Dade County; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

House Amendment 1 to Senate Amendment 1 (767777)—Remove lines 5-8 of the amendment and insert: *remainder awarded under this act, for a total of $167,000. However, taxable costs, which may not include attorney's fees and lobbying fees, related to the underlying civil action may be collected in addition to the $167,000.*

On motion by Senator Gibson, the Senate concurred in House Amendment 1 to Senate Amendment 1.

CS for HB 909 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—30

Mr. President	Gardiner	Norman
Alexander	Gibson	Oelrich
Altman	Hays	Rich
Benacquisto	Jones	Richter
Bogdanoff	Joyner	Ring
Bullard	Latvala	Sachs
Evers	Lynn	Siplin
Fasano	Margolis	Sobel
Flores	Montford	Storms
Garcia	Negron	Thrasher

Nays—3

Bennett	Gaetz	Wise

Vote after roll call:

Yea—Dean, Simmons

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed CS for HB 877 as further amended, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for HB 877—A bill to be entitled An act for the relief of Odette Acanda and Alexis Rodriguez by the Public Health Trust of Miami-Dade County, d/b/a Jackson Memorial Hospital; providing for an appropriation to compensate Odette Acanda and Alexis Rodriguez for the death of their son, Ryan Rodriguez, as a result of the negligence of employees of the Public Health Trust of Miami-Dade County; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

House Amendment 1 to Senate Amendment 1 (515733)—Remove lines 5-8 of the amendment and insert: *under section 2 of this act. However, taxable costs, which may not include attorney's fees and lobbying fees, related to the underlying civil action may be collected in addition to 15 percent of the total amount awarded under section 2 of this act.*

On motion by Senator Montford, the Senate concurred in House Amendment 1 to Senate Amendment 1.

CS for HB 877 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Altman	Garcia	Oelrich
Benacquisto	Gardiner	Richter
Bennett	Gibson	Ring
Bogdanoff	Jones	Sachs
Braynon	Joyner	Siplin
Bullard	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	

Nays—2

Gaetz	Wise

Vote after roll call:

Yea—Dean, Simmons

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed CS for HB 579 as further amended, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for HB 579—A bill to be entitled An act for the relief of Ronnie Lopez and Roberto Guzman, as co-personal representatives of the Estate of Ana-Yency Velasquez, deceased, and for Ronnie Lopez, Jr., Ashley Lorena Lopez-Velasquez, and Steven Robert Guzman, minor children of Ana-Yency Velasquez, by Miami-Dade County; providing for an appropriation to compensate the estate and the minor children for the death of Ana-Yency Velasquez as a result of the negligence of an employee of Miami-Dade County; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

House Amendment 1 to Senate Amendment 1 (721239)—Remove lines 5-8 of the amendment and insert: *remainder awarded under this act, for a total of $151,000. However, taxable costs, which may not include attorney's fees and lobbying fees, related to the underlying civil action may be collected in addition to the $151,000.*

On motion by Senator Braynon, the Senate concurred in House Amendment 1 to Senate Amendment 1.

CS for HB 579 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—29

Mr. President	Fasano	Montford
Alexander	Flores	Norman
Altman	Garcia	Oelrich
Benacquisto	Gibson	Rich
Bogdanoff	Hays	Richter
Braynon	Jones	Ring
Bullard	Joyner	Sachs
Diaz de la Portilla	Latvala	Siplin
Dockery	Lynn	Sobel
Evers	Margolis	

Nays—3

Bennett	Gaetz	Wise

Vote after roll call:

Yea—Simmons

Vote Preference:

March 15: Yea—Negron

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed CS for HB 457 as further amended, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for HB 457—A bill to be entitled An act for the relief of Denise Gordon Brown and David Brown by the North Broward Hospital District; providing for an appropriation to compensate Denise Gordon Brown and David Brown, parents of Darian Brown, for injuries and damages sustained by Darian Brown as result of the negligence of Broward General Medical Center; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

House Amendment 1 to Senate Amendment 1 (248465)—Remove lines 5-7 of the amendment and insert: *for a total of $250,000. However, taxable costs, which may not include attorney fees and lobbying fees, related to the underlying civil action may be collected in addition to the $250,000.*

On motion by Senator Negron, the Senate concurred in House Amendment 1 to Senate Amendment 1.

CS for HB 457 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

Mr. President	Evers	Negron
Alexander	Fasano	Norman
Altman	Flores	Rich
Benacquisto	Garcia	Richter
Bennett	Gibson	Ring
Bogdanoff	Hays	Sachs
Braynon	Jones	Siplin
Bullard	Joyner	Sobel
Dean	Latvala	Storms
Detert	Lynn	Thrasher
Diaz de la Portilla	Margolis	
Dockery	Montford	

Nays—3

Gaetz	Oelrich	Wise

Vote after roll call:

Yea—Simmons

SPECIAL ORDER CALENDAR

On motion by Senator Garcia, by unanimous consent—

CS for SB 1086—A bill to be entitled An act relating to reclaimed water; amending s. 373.019, F.S.; defining the terms "reclaimed water" and "reclaimed water distribution system"; amending s. 373.250, F.S.; providing legislative findings relating to the use of reclaimed water; providing that reclaimed water is an alternative water supply and eligible for such funding; authorizing specified contract provisions for the development of reclaimed water as an alternative water supply; prohibiting the exclusion of reclaimed water use from regional water supply planning; deleting a definition for the term "uncommitted"; providing for the determination of uncommitted reclaimed water capacity by certain utilities; prohibiting water management districts from requiring permits for the use of reclaimed water; authorizing permit conditions for certain surface water and groundwater sources; authorizing water management districts to require the use of reclaimed water under certain conditions; prohibiting water management districts from requiring or restricting services provided by reuse utilities; providing an exception; clarifying which permit applicants are required to submit certain information; requiring the Department of Environmental Protection and each water management district to initiate rulemaking to adopt specified revisions to the water resource implementation rule; revising applicability; providing for construction of the act; amending ss. 373.036, 373.421, 403.813, and 556.102, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 1086**, on motion by Senator Garcia, by two-thirds vote **CS for HB 639** was withdrawn from the Committees on Environmental Preservation and Conservation; Budget Subcommittee on General Government Appropriations; and Budget.

On motion by Senator Garcia—

CS for HB 639—A bill to be entitled An act relating to reclaimed water; amending s. 373.019, F.S.; defining the terms "reclaimed water" and "reclaimed water distribution system"; amending s. 373.250, F.S.; providing legislative findings relating to the use of reclaimed water; providing that reclaimed water is an alternative water supply and eligible for such funding; authorizing specified contract provisions for the development of reclaimed water as an alternative water supply; prohibiting the exclusion of reclaimed water use from regional water supply planning; deleting a definition for the term "uncommitted"; providing for the determination of uncommitted reclaimed water capacity by certain utilities; prohibiting water management districts from requiring permits for the use of reclaimed water; authorizing permit conditions for certain surface water and groundwater sources; authorizing water management districts to require the use of reclaimed water under certain conditions; prohibiting water management districts from requiring or restricting services provided by reuse utilities; providing an exception; clarifying which permit applicants are required to submit certain information; requiring the Department of Environmental Protection and each water management district to initiate rulemaking to adopt specified revisions to the water resource implementation rule; revising applicability; providing for construction of the act; amending ss. 373.036, 373.421, 403.813, and 556.102, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 1086** and read the second time by title.

On motion by Senator Garcia, by two-thirds vote **CS for HB 639** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Gibson	Ring
Bogdanoff	Hays	Sachs
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	

Nays—None

On motion by Senator Bogdanoff, by unanimous consent—

CS for SB 1292—A bill to be entitled An act relating to health care facilities; amending s. 400.021, F.S.; revising definitions of the terms "geriatric outpatient clinic" and "resident care plan" and defining the term "therapeutic spa services"; amending s. 400.141, F.S.; revising provisions relating to facilities eligible to share programming and staff;

deleting requirements for the submission of certain reports to the Agency for Health Care Administration; creating s. 400.172, F.S.; providing requirements for a nursing home facility operated by a licensee that provides respite care services; providing for rights of persons receiving respite care in nursing home facilities; requiring a prospective respite care recipient to provide certain information to the nursing home facility; amending s. 400.141, F.S.; revising provisions relating to other needed services provided by licensed nursing home facilities, including respite care, adult day, and therapeutic spa services; amending s. 408.036, F.S.; adding to the exemptions from agency review and from the requirement of a certificate of need a pilot project to construct a nursing home that is affiliated with an accredited nursing school in a private accredited university and that meets certain criteria; providing an exception to a moratorium on new construction of nursing home beds; providing for expiration of the provision; amending s. 429.195, F.S.; revising provisions prohibiting certain rebates relating to assisted living facilities; amending s. 429.905, F.S.; defining the term "day" for purposes of day care services provided to adults who are not residents; amending ss. 458.3265 and 459.0137, F.S.; revising the definition of the term "chronic nonmalignant pain"; requiring that a pain-management clinic register with the Department of Health unless the clinic is wholly owned by certain board-eligible or board-certified physicians or medical specialists, organized as a physician-owned group practice, or wholly owned by physicians who are not board eligible or board certified but who have completed specified residency programs and have a specified number of years of full-time practice in pain medicine; amending s. 651.118, F.S.; providing a funding limitation on sheltered nursing home beds used to provide assisted living, rather than extended congregate care services; authorizing certain sharing of areas, services, and staff between such sheltered beds and nursing home beds in those facilities; amending s. 817.505, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 1292**, on motion by Senator Bogdanoff, by two-thirds vote **CS for CS for HB 787** was withdrawn from the Committees on Health Regulation; Budget Subcommittee on Health and Human Services Appropriations; and Budget.

On motion by Senator Bogdanoff—

CS for CS for HB 787—A bill to be entitled An act relating to nursing home facilities; amending s. 400.021, F.S.; revising definitions of the terms "geriatric outpatient clinic" and "resident care plan" and defining the term "therapeutic spa services"; amending s. 400.141, F.S.; revising provisions relating to other needed services provided by licensed nursing home facilities, including respite care, adult day, and therapeutic spa services; revising provisions relating to facilities eligible to share programming and staff; deleting requirements for the submission of certain reports to the Agency for Health Care Administration; creating s. 400.172, F.S.; providing requirements for a nursing home facility operated by a licensee that provides respite care services; providing for rights of persons receiving respite care in nursing home facilities; requiring a prospective respite care recipient to provide certain information to the nursing home facility; amending s. 408.036, F.S.; providing an exemption from certain certificate-of-need requirements to provide for the creation of a pilot project in any of specified Agency for Health Care Administration subdistricts; requiring the nursing home to be affiliated with an accredited nursing school that offers certain degree programs; providing requirements for affiliation with a private accredited university and for location and staffing of the nursing home; providing for the pilot project to proceed notwithstanding any moratorium under certain conditions; providing for expiration of the exemption; amending s. 429.905, F.S.; defining the term "day" for purposes of day care services provided to adults who are not residents; amending s. 651.118, F.S.; providing a funding limitation on sheltered nursing home beds used to provide assisted living, rather than extended congregate care services; authorizing certain sharing of areas, services, and staff between such sheltered beds and nursing home beds in those facilities; providing an effective date.

—a companion measure, was substituted for **CS for SB 1292** and read the second time by title.

MOTION

On motion by Senator Bogdanoff, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Bogdanoff moved the following amendment:

Amendment 1 (109490) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsections (8) and (16) of section 400.021, Florida Statutes, are amended, and subsection (19) is added to that section, to read:

400.021 Definitions.—When used in this part, unless the context otherwise requires, the term:

(8) "Geriatric outpatient clinic" means a site for providing outpatient health care to persons 60 years of age or older, which is staffed by a registered nurse, ~~or~~ a physician assistant*, or a licensed practical nurse under the direct supervision of a registered nurse, advanced registered nurse practitioner, physician assistant, or physician*.

(16) "Resident care plan" means a written plan developed, maintained, and reviewed not less than quarterly by a registered nurse, with participation from other facility staff and the resident or his or her designee or legal representative, which includes a comprehensive assessment of the needs of an individual resident; the type and frequency of services required to provide the necessary care for the resident to attain or maintain the highest practicable physical, mental, and psychosocial well-being; a listing of services provided within or outside the facility to meet those needs; and an explanation of service goals. ~~The resident care plan must be signed by the director of nursing or another registered nurse employed by the facility to whom institutional responsibilities have been delegated and by the resident, the resident's designee, or the resident's legal representative. The facility may not use an agency or temporary registered nurse to satisfy the foregoing requirement and must document the institutional responsibilities that have been delegated to the registered nurse.~~

(19) "Therapeutic spa services" means bathing, nail, and hair care services and other similar services related to personal hygiene.

Section 2. Subsection (2) of section 400.1183, Florida Statutes, is amended to read:

400.1183 Resident grievance procedures.—

(2) Each *nursing home* facility shall maintain records of all grievances and *a* ~~shall~~ report*, subject to agency inspection, of* ~~to the agency at the time of relicensure~~ the total number of grievances handled ~~during the prior licensure period~~, a categorization of the cases underlying the grievances, and the final disposition of the grievances.

Section 3. Paragraphs (p), (q), (s), (t), (u), (v), (w) of subsection (1) of section 400.141, Florida Statutes, are redesignated as paragraphs (o), (p), (q), (r), (s), (t), and (u), respectively, and present paragraphs (f), (g), (j), (n), (o), (p), (q), (r),and (s) of that subsection are amended, to read:

400.141 Administration and management of nursing home facilities.—

(1) Every licensed facility shall comply with all applicable standards and rules of the agency and shall:

(f) Be allowed and encouraged by the agency to provide other needed services under certain conditions. If the facility has a standard licensure status, ~~and has had no class I or class II deficiencies during the past 2 years or has been awarded a Gold Seal under the program established in s. 400.235,~~ it may ~~be encouraged by the agency to~~ provide services, including, but not limited to, respite*, therapeutic spa,* and adult day services *to nonresidents*~~, which enable individuals to move in and out~~ of the facility. A facility is not subject to any additional licensure requirements for providing these services. Respite care may be offered to persons in need of short-term or temporary nursing home services. Respite care must be provided in accordance with this part ~~and rules adopted by the agency. However, the agency shall, by rule, adopt modified requirements for resident assessment, resident care plans, resident contracts, physician orders, and other provisions, as appropriate, for short-term or temporary nursing home services~~. *Providers of adult day services must*

comply with the requirements of s. 429.905(2). The agency shall allow for shared programming and staff in a facility which meets minimum standards and offers services pursuant to this paragraph, but, if the facility is cited for deficiencies in patient care, may require additional staff and programs appropriate to the needs of service recipients. A person who receives respite care may not be counted as a resident of the facility for purposes of the facility's licensed capacity unless that person receives 24-hour respite care. A person receiving either respite care for 24 hours or longer or adult day services must be included when calculating minimum staffing for the facility. Any costs and revenues generated by a nursing home facility from nonresidential programs or services shall be excluded from the calculations of Medicaid per diems for nursing home institutional care reimbursement.

(g) If the facility has a standard license ~~or is a Gold Seal facility~~, exceeds the minimum required hours of licensed nursing and certified nursing assistant direct care per resident per day, and is part of a continuing care facility licensed under chapter 651 or a retirement community that offers other services pursuant to part III of this chapter or part I or part III of chapter 429 on a single campus, be allowed to share programming and staff. At the time of inspection ~~and in the semiannual report required pursuant to paragraph (o)~~, a continuing care facility or retirement community that uses this option must demonstrate through staffing records that minimum staffing requirements for the facility were met. Licensed nurses and certified nursing assistants who work in the ~~nursing home~~ facility may be used to provide services elsewhere on campus if the facility exceeds the minimum number of direct care hours required per resident per day and the total number of residents receiving direct care services from a licensed nurse or a certified nursing assistant does not cause the facility to violate the staffing ratios required under s. 400.23(3)(a). Compliance with the minimum staffing ratios *must* ~~shall~~ be based on *the* total number of residents receiving direct care services, regardless of where they reside on campus. If the facility receives a conditional license, it may not share staff until the conditional license status ends. This paragraph does not restrict the agency's authority under federal or state law to require additional staff if a facility is cited for deficiencies in care which are caused by an insufficient number of certified nursing assistants or licensed nurses. The agency may adopt rules for the documentation necessary to determine compliance with this provision.

(j) Keep full records of resident admissions and discharges; medical and general health status, including medical records, personal and social history, and identity and address of next of kin or other persons who may have responsibility for the affairs of the *resident* ~~residents~~; and individual resident care plans, including, but not limited to, prescribed services, service frequency and duration, and service goals. The records *must* ~~shall~~ be open to *agency* inspection ~~by the agency~~. *The licensee shall maintain clinical records on each resident in accordance with accepted professional standards and practices, which must be complete, accurately documented, readily accessible, and systematically organized.*

~~(n) Submit to the agency the information specified in s. 400.071(1)(b) for a management company within 30 days after the effective date of the management agreement.~~

~~(o)1. Submit semiannually to the agency, or more frequently if requested by the agency, information regarding facility staff-to-resident ratios, staff turnover, and staff stability, including information regarding certified nursing assistants, licensed nurses, the director of nursing, and the facility administrator. For purposes of this reporting:~~

~~a. Staff-to-resident ratios must be reported in the categories specified in s. 400.23(3)(a) and applicable rules. The ratio must be reported as an average for the most recent calendar quarter.~~

~~b. Staff turnover must be reported for the most recent 12-month period ending on the last workday of the most recent calendar quarter prior to the date the information is submitted. The turnover rate must be computed quarterly, with the annual rate being the cumulative sum of the quarterly rates. The turnover rate is the total number of terminations or separations experienced during the quarter, excluding any employee terminated during a probationary period of 3 months or less, divided by the total number of staff employed at the end of the period for which the rate is computed, and expressed as a percentage.~~

~~c. The formula for determining staff stability is the total number of employees that have been employed for more than 12 months, divided by the total number of employees employed at the end of the most recent calendar quarter, and expressed as a percentage.~~

(n) Comply with state minimum-staffing requirements:

1.~~d.~~ A ~~nursing~~ facility that has failed to comply with state minimum-staffing requirements for 2 consecutive days is prohibited from accepting new admissions until the facility has achieved the minimum-staffing requirements for ~~a period of~~ 6 consecutive days. For the purposes of this *subparagraph* ~~sub-subparagraph~~, any person who was a resident of the facility and was absent from the facility for the purpose of receiving medical care at a separate location or was on a leave of absence is not considered a new admission. Failure *by the facility* to impose such an admissions moratorium *is subject to a $1,000 fine* ~~constitutes a class II deficiency~~.

2.~~e.~~ A ~~nursing~~ facility *that* ~~which~~ does not have a conditional license may be cited for failure to comply with the standards in s. 400.23(3)(a) 1.b. and c. only if it has failed to meet those standards on 2 consecutive days or if it has failed to meet at least 97 percent of those standards on any one day.

3.~~f.~~ A facility *that* ~~which~~ has a conditional license must be in compliance with the standards in s. 400.23(3)(a) at all times.

~~2. This paragraph does not limit the agency's ability to impose a deficiency or take other actions if a facility does not have enough staff to meet the residents' needs.~~

(o)~~(p)~~ Notify a licensed physician when a resident exhibits signs of dementia or cognitive impairment or has a change of condition in order to rule out the presence of an underlying physiological condition that may be contributing to such dementia or impairment. The notification must occur within 30 days after the acknowledgment of such signs by facility staff. If an underlying condition is determined to exist, the facility shall ~~arrange~~, with the appropriate health care provider, *arrange for* the necessary care and services to treat the condition.

(p)~~(q)~~ If the facility implements a dining and hospitality attendant program, ensure that the program is developed and implemented under the supervision of the facility director of nursing. A licensed nurse, licensed speech or occupational therapist, or a registered dietitian must conduct training of dining and hospitality attendants. A person employed by a facility as a dining and hospitality attendant must perform tasks under the direct supervision of a licensed nurse.

~~(r) Report to the agency any filing for bankruptcy protection by the facility or its parent corporation, divestiture or spin-off of its assets, or corporate reorganization within 30 days after the completion of such activity.~~

(q)~~(s)~~ Maintain general and professional liability insurance coverage that is in force at all times. In lieu of *such* ~~general and professional liability insurance~~ coverage, a state-designated teaching nursing home and its affiliated assisted living facilities created under s. 430.80 may demonstrate proof of financial responsibility as provided in s. 430.80(3)(g).

Section 4. Subsection (3) of section 400.142, Florida Statutes, is amended to read:

400.142 Emergency medication kits; orders not to resuscitate.—

(3) Facility staff may withhold or withdraw cardiopulmonary resuscitation if presented with an order not to resuscitate executed pursuant to s. 401.45. ~~The agency shall adopt rules providing for the implementation of such orders.~~ Facility staff and facilities *are* ~~shall~~ not ~~be~~ subject to criminal prosecution or civil liability, *or* ~~nor be~~ considered to have engaged in negligent or unprofessional conduct, for withholding or withdrawing cardiopulmonary resuscitation pursuant to such ~~an~~ order ~~and rules adopted by the agency~~. The absence of an order not to resuscitate executed pursuant to s. 401.45 does not preclude a physician from withholding or withdrawing cardiopulmonary resuscitation as otherwise permitted by law.

Section 5. Subsections (9) through (15) of section 400.147, Florida Statutes, are renumbered as subsections (8) through (13), respectively, and present subsections (7), (8), and (10) of that section are amended to read:

400.147 Internal risk management and quality assurance program.—

(7) The *nursing home* facility shall initiate an investigation ~~and shall notify the agency~~ within 1 business day after the risk manager or his or her designee has received a report pursuant to paragraph (1)(d). *The facility must complete the investigation and submit a report to the agency within 15 calendar days after the adverse incident occurred.* ~~The notification must be made in writing and be provided electronically, by facsimile device or overnight mail delivery.~~ The *agency shall develop a form for the report which* ~~notification~~ must include *the name of the risk manager,* information regarding the identity of the affected resident, the type of adverse incident, the initiation of an investigation by the facility, and whether the events causing or resulting in the adverse incident represent a potential risk to any other resident. The *report* ~~notification~~ is confidential as provided by law and is not discoverable or admissible in any civil or administrative action, except in disciplinary proceedings by the agency or the appropriate regulatory board. The agency may investigate, as it deems appropriate, any such incident and prescribe measures that must or may be taken in response to the incident. The agency shall review each *report* ~~incident~~ and determine whether it potentially involved conduct by the health care professional who is subject to disciplinary action, in which case the provisions of s. 456.073 shall apply.

~~(8)(a) Each facility shall complete the investigation and submit an adverse incident report to the agency for each adverse incident within 15 calendar days after its occurrence. If, after a complete investigation, the risk manager determines that the incident was not an adverse incident as defined in subsection (5), the facility shall include this information in the report. The agency shall develop a form for reporting this information.~~

~~(b) The information reported to the agency pursuant to paragraph (a) which relates to persons licensed under chapter 458, chapter 459, chapter 461, or chapter 466 shall be reviewed by the agency. The agency shall determine whether any of the incidents potentially involved conduct by a health care professional who is subject to disciplinary action, in which case the provisions of s. 456.073 shall apply.~~

~~(c) The report submitted to the agency must also contain the name of the risk manager of the facility.~~

~~(d) The adverse incident report is confidential as provided by law and is not discoverable or admissible in any civil or administrative action, except in disciplinary proceedings by the agency or the appropriate regulatory board.~~

~~(10) By the 10th of each month, each facility subject to this section shall report any notice received pursuant to s. 400.0233(2) and each initial complaint that was filed with the clerk of the court and served on the facility during the previous month by a resident or a resident's family member, guardian, conservator, or personal legal representative. The report must include the name of the resident, the resident's date of birth and social security number, the Medicaid identification number for Medicaid-eligible persons, the date or dates of the incident leading to the claim or dates of residency, if applicable, and the type of injury or violation of rights alleged to have occurred. Each facility shall also submit a copy of the notices received pursuant to s. 400.0233(2) and complaints filed with the clerk of the court. This report is confidential as provided by law and is not discoverable or admissible in any civil or administrative action, except in such actions brought by the agency to enforce the provisions of this part.~~

Section 6. Section 400.172, Florida Statutes, is created to read:

400.172 Respite care provided in nursing home facilities.—

(1) For each person admitted for respite care as authorized under s. 400.141(1)(f), a nursing home facility operated by a licensee must:

(a) Have a written abbreviated plan of care that, at a minimum, includes nutritional requirements, medication orders, physician orders, nursing assessments, and dietary preferences. The nursing or physician assessments may take the place of all other assessments required for full-time residents.

(b) Have a contract that, at a minimum, specifies the services to be provided to a resident receiving respite care, including charges for services, activities, equipment, emergency medical services, and the administration of medications. If multiple admissions for a single person for respite care are anticipated, the original contract is valid for 1 year after the date the contract is executed.

(c) Ensure that each resident is released to his or her caregiver or an individual designated in writing by the caregiver.

(2) A person admitted under the respite care program shall:

(a) Be exempt from department rules relating to the discharge planning process.

(b) Be covered by the residents' rights specified in s. 400.022(1)(a)-(o) and (r)-(t). Funds or property of the resident are not be considered trust funds subject to the requirements of s. 400.022(1)(h) until the resident has been in the facility for more than 14 consecutive days.

(c) Be allowed to use his or her personal medications during the respite stay if permitted by facility policy. The facility must obtain a physician's order for the medications. The caregiver may provide information regarding the medications as part of the nursing assessment and that information must agree with the physician's order. Medications shall be released with the resident upon discharge in accordance with current physician's orders.

(d) Be entitled to reside in the facility for a total of 60 days within a contract year or for a total of 60 days within a calendar year if the contract is for less than 12 months. However, each single stay may not exceed 14 days. If a stay exceeds 14 consecutive days, the facility must comply with all assessment and care planning requirements applicable to nursing home residents.

(e) Reside in a licensed nursing home bed.

(3) A prospective respite care resident must provide medical information from a physician, physician assistant, or nurse practitioner and any other information provided by the primary caregiver required by the facility before or when the person is admitted to receive respite care. The medical information must include a physician's order for respite care and proof of a physical examination by a licensed physician, physician assistant, or nurse practitioner. The physician's order and physical examination may be used to provide intermittent respite care for up to 12 months after the date the order is written.

(4) The facility shall assume the duties of the primary caregiver. To ensure continuity of care and services, the resident may retain his or her personal physician and shall have access to medically necessary services such as physical therapy, occupational therapy, or speech therapy, as needed. The facility shall arrange for transportation of the resident to these services, if necessary.

Section 7. Subsection (5) of section 400.23, Florida Statutes, is amended to read:

400.23 Rules; evaluation and deficiencies; licensure status.—

(5) The agency, in collaboration with the Division of Children's Medical Services of the Department of Health, must~~, no later than December 31, 1993,~~ adopt rules for*:*

(a) Minimum standards of care for persons under 21 years of age who reside in nursing home facilities. ~~The rules must include a methodology for reviewing a nursing home facility under ss. 408.031-408.045 which serves only persons under 21 years of age.~~ A facility may be *exempted* ~~exempt~~ from these standards for specific persons between 18 and 21 years of age, if the person's physician agrees that minimum standards of care based on age are not necessary.

(b) Minimum staffing requirements for persons under 21 years of age who reside in nursing home facilities, which apply in lieu of the requirements contained in subsection (3).

1. For persons under 21 years of age who require skilled care:

a. A minimum combined average of 3.9 hours of direct care per resident per day must be provided by licensed nurses, respiratory therapists, respiratory care practitioners, and certified nursing assistants.

b. A minimum licensed nursing staffing of 1.0 hour of direct care per resident per day must be provided.

c. No more than 1.5 hours of certified nursing assistant care per resident per day may be counted in determining the minimum direct care hours required.

d. One registered nurse must be on duty on the site 24 hours per day on the unit where children reside.

2. For persons under 21 years of age who are medically fragile:

a. A minimum combined average of 5.0 hours of direct care per resident per day must be provided by licensed nurses, respiratory therapists, respiratory care practitioners, and certified nursing assistants.

b. A minimum licensed nursing staffing of 1.7 hours of direct care per resident per day must be provided.

c. No more than 1.5 hours of certified nursing assistant care per resident per day may be counted in determining the minimum direct care hours required.

d. One registered nurse must be on duty on the site 24 hours per day on the unit where children reside.

Section 8. Subsection (1) of section 400.275, Florida Statutes, is amended to read:

400.275 Agency duties.—

(1) ~~The agency shall ensure that each newly hired nursing home surveyor, as a part of basic training, is assigned full-time to a licensed nursing home for at least 2 days within a 7-day period to observe facility operations outside of the survey process before the surveyor begins survey responsibilities. Such observations may not be the sole basis of a deficiency citation against the facility.~~ The agency may not assign an individual to be a member of a survey team for purposes of a survey, evaluation, or consultation visit at a nursing home facility in which the surveyor was an employee within the preceding *2* ~~5~~ years.

Section 9. For the purpose of incorporating the amendment made by this act to section 400.509, Florida Statutes, in a reference thereto, paragraph (a) of subsection (6) of section 400.506, Florida Statutes, is reenacted, and subsection (18) is added to that section, to read:

400.506 Licensure of nurse registries; requirements; penalties.—

(6)(a) A nurse registry may refer for contract in private residences registered nurses and licensed practical nurses registered and licensed under part I of chapter 464, certified nursing assistants certified under part II of chapter 464, home health aides who present documented proof of successful completion of the training required by rule of the agency, and companions or homemakers for the purposes of providing those services authorized under s. 400.509(1). A licensed nurse registry shall ensure that each certified nursing assistant referred for contract by the nurse registry and each home health aide referred for contract by the nurse registry is adequately trained to perform the tasks of a home health aide in the home setting. Each person referred by a nurse registry must provide current documentation that he or she is free from communicable diseases.

(18) An administrator may manage only one nurse registry, except that an administrator may manage up to five registries if all five registries have identical controlling interests as defined in s. 408.803 and are located within one agency geographic service area or within an immediately contiguous county. An administrator shall designate, in writing, for each licensed entity, a qualified alternate administrator to serve during the administrator's absence.

Section 10. Subsection (1) of section 400.509, Florida Statutes, is amended to read:

400.509 Registration of particular service providers exempt from licensure; certificate of registration; regulation of registrants.—

(1) Any organization that provides companion services or homemaker services and does not provide a home health service to a person is exempt from licensure under this part. However, any organization that provides companion services or homemaker services must register with the agency. *An organization under contract with the Agency for Persons with Disabilities which provides companion services only for persons with a developmental disability, as defined in s. 393.063, is exempt from registration.*

Section 11. Paragraph (i) of subsection (1) and subsection (4) of section 400.606, Florida Statutes, are amended to read:

400.606 License; application; renewal; conditional license or permit; certificate of need.—

(1) In addition to the requirements of part II of chapter 408, the initial application and change of ownership application must be accompanied by a plan for the delivery of home, residential, and homelike inpatient hospice services to terminally ill persons and their families. Such plan must contain, but need not be limited to:

~~(i) The projected annual operating cost of the hospice.~~

If the applicant is an existing licensed health care provider, the application must be accompanied by a copy of the most recent profit-loss statement and, if applicable, the most recent licensure inspection report.

(4) A freestanding hospice facility that is ~~primarily~~ engaged in providing inpatient and related services and that is not otherwise licensed as a health care facility shall ~~be required to~~ obtain a certificate of need. However, a freestanding hospice facility *that has* ~~with~~ six or fewer beds *is* ~~shall~~ not ~~be~~ required to comply with institutional standards such as, but not limited to, standards requiring sprinkler systems, emergency electrical systems, or special lavatory devices.

Section 12. Section 400.915, Florida Statutes, is amended to read:

400.915 Construction and renovation; requirements.—The requirements for the construction or renovation of a PPEC center shall comply with:

(1) The provisions of chapter 553, which pertain to building construction standards, including plumbing, electrical code, glass, manufactured buildings, accessibility for the physically disabled;

(2) The *provisions of s. 633.022 and applicable rules pertaining to physical* ~~minimum~~ standards for *nonresidential child care* ~~physical~~ facilities ~~in rule 10M-12.003, Florida Administrative Code, Child Care Standards~~; and

(3) The standards or rules adopted pursuant to this part and part II of chapter 408.

Section 13. Section 400.931, Florida Statutes, is amended to read:

400.931 Application for license; fee~~; provisional license; temporary permit.—~~

(1) In addition to the requirements of part II of chapter 408, the applicant must file with the application satisfactory proof that the home medical equipment provider is in compliance with this part and applicable rules, including:

(a) A report, by category, of the equipment to be provided, indicating those offered either directly by the applicant or through contractual arrangements with existing providers. Categories of equipment include:

1. Respiratory modalities.

2. Ambulation aids.

3. Mobility aids.

4. Sickroom setup.

5. Disposables.

(b) A report, by category, of the services to be provided, indicating those offered either directly by the applicant or through contractual arrangements with existing providers. Categories of services include:

1. Intake.

2. Equipment selection.

3. Delivery.

4. Setup and installation.

5. Patient training.

6. Ongoing service and maintenance.

7. Retrieval.

(c) A listing of those with whom the applicant contracts, both the providers the applicant uses to provide equipment or services to its consumers and the providers for whom the applicant provides services or equipment.

(2) *An applicant for initial licensure, change of ownership, or license renewal to operate a licensed home medical equipment provider at a location outside the state must submit documentation of accreditation or an application for accreditation from an accrediting organization that is recognized by the agency. An applicant that has applied for accreditation must provide proof of accreditation that is not conditional or provisional within 120 days after the date the agency receives the application for licensure or the application shall be withdrawn from further consideration. Such accreditation must be maintained by the home medical equipment provider in order to maintain licensure.* ~~As an alternative to submitting proof of financial ability to operate as required in s. 408.810(8), the applicant may submit a $50,000 surety bond to the agency.~~

(3) As specified in part II of chapter 408, the home medical equipment provider must also obtain and maintain professional and commercial liability insurance. Proof of liability insurance, as defined in s. 624.605, must be submitted with the application. The agency shall set the required amounts of liability insurance by rule, but the required amount must not be less than $250,000 per claim. In the case of contracted services, it is required that the contractor have liability insurance not less than $250,000 per claim.

(4) When a change of the general manager of a home medical equipment provider occurs, the licensee must notify the agency of the change within 45 days.

(5) In accordance with s. 408.805, an applicant or a licensee shall pay a fee for each license application submitted under this part, part II of chapter 408, and applicable rules. The amount of the fee shall be established by rule and may not exceed $300 per biennium. The agency shall set the fees in an amount that is sufficient to cover its costs in carrying out its responsibilities under this part. However, state, county, or municipal governments applying for licenses under this part are exempt from the payment of license fees.

(6) An applicant for initial licensure, renewal, or change of ownership shall also pay an inspection fee not to exceed $400, which shall be paid by all applicants except those not subject to licensure inspection by the agency as described in s. 400.933.

Section 14. Paragraph (a) of subsection (2) of section 408.033, Florida Statutes, is amended to read:

408.033 Local and state health planning.—

(2) FUNDING.—

(a) The Legislature intends that the cost of local health councils be borne by assessments on selected health care facilities subject to facility licensure by the Agency for Health Care Administration, including abortion clinics, assisted living facilities, ambulatory surgical centers, birthing centers, clinical laboratories except community nonprofit blood banks and clinical laboratories operated by practitioners for exclusive use regulated under s. 483.035, home health agencies, hospices, hospitals, intermediate care facilities for the developmentally disabled, nursing homes, health care clinics, and multiphasic testing centers and by assessments on organizations subject to certification by the agency pursuant to chapter 641, part III, including health maintenance organizations and prepaid health clinics. *Fees assessed may be collected prospectively at the time of licensure renewal and prorated for the licensure period.*

Section 15. Subsection (2) of section 408.034, Florida Statutes, is amended to read:

408.034 Duties and responsibilities of agency; rules.—

(2) In the exercise of its authority to issue licenses to health care facilities and health service providers, as provided under chapters 393 and 395 and parts II, ~~and~~ IV*, and VIII* of chapter 400, the agency may not issue a license to any health care facility or health service provider that fails to receive a certificate of need or an exemption for the licensed facility or service.

Section 16. Paragraph (n) of subsection (3) of section 408.036, Florida Statutes, is amended to read:

408.036 Projects subject to review; exemptions.—

(3) EXEMPTIONS.—Upon request, the following projects are subject to exemption from the provisions of subsection (1):

(n) For the provision of percutaneous coronary intervention for patients presenting with emergency myocardial infarctions in a hospital without an approved adult open-heart-surgery program. In addition to any other documentation required by the agency, a request for an exemption submitted under this paragraph must comply with the following:

1. The applicant must certify that it will meet and continuously maintain the requirements adopted by the agency for the provision of these services. These licensure requirements shall be adopted by rule ~~pursuant to ss. 120.536(1) and 120.54~~ and must be consistent with the guidelines published by the American College of Cardiology and the American Heart Association for the provision of percutaneous coronary interventions in hospitals without adult open-heart services. At a minimum, the rules *must* ~~shall~~ require the following:

a. Cardiologists must be experienced interventionalists who have performed a minimum of 75 interventions within the previous 12 months.

b. The hospital must provide a minimum of 36 emergency interventions annually in order to continue to provide the service.

c. The hospital must offer sufficient physician, nursing, and laboratory staff to provide the services 24 hours a day, 7 days a week.

d. Nursing and technical staff must have demonstrated experience in handling acutely ill patients requiring intervention based on previous experience in dedicated interventional laboratories or surgical centers.

e. Cardiac care nursing staff must be adept in hemodynamic monitoring and Intra-aortic Balloon Pump (IABP) management.

f. Formalized written transfer agreements must be developed with a hospital with an adult open-heart-surgery program, and written transport protocols must be in place to ensure safe and efficient transfer of a patient within 60 minutes. Transfer and transport agreements must be reviewed and tested, with appropriate documentation maintained at least every 3 months. *However, a hospital located more than 100 road miles from the closest Level II adult cardiovascular services program does not need to meet the 60-minute transfer time protocol if the hospital demonstrates that it has a formalized, written transfer agreement with a hospital that has a Level II program. The agreement must include written transport protocols that ensure the safe and efficient transfer of a patient, taking into consideration the patient's clinical and physical characteristics, road and weather conditions, and viability of ground and air ambulance service to transfer the patient.*

g. Hospitals implementing the service must first undertake a training program of 3 to 6 months' duration, which includes establishing standards and testing logistics, creating quality assessment and error management practices, and formalizing patient-selection criteria.

2. The applicant must certify that it will use at all times the patient-selection criteria for the performance of primary angioplasty at hospitals without adult open-heart-surgery programs issued by the American

College of Cardiology and the American Heart Association. At a minimum, these criteria would provide for the following:

a. Avoidance of interventions in hemodynamically stable patients who have identified symptoms or medical histories.

b. Transfer of patients who have a history of coronary disease and clinical presentation of hemodynamic instability.

3. The applicant must agree to submit a quarterly report to the agency detailing patient characteristics, treatment, and outcomes for all patients receiving emergency percutaneous coronary interventions pursuant to this paragraph. This report must be submitted within 15 days after the close of each calendar quarter.

4. The exemption provided by this paragraph does not apply unless the agency determines that the hospital has taken all necessary steps to be in compliance with all requirements of this paragraph, including the training program required under sub-subparagraph 1.g.

5. Failure of the hospital to continuously comply with the requirements of sub-subparagraphs 1.c.-f. and subparagraphs 2. and 3. will result in the immediate expiration of this exemption.

6. Failure of the hospital to meet the volume requirements of sub-subparagraphs 1.a. and b. within 18 months after the program begins offering the service will result in the immediate expiration of the exemption.

If the exemption for this service expires under subparagraph 5. or subparagraph 6., the agency may not grant another exemption for this service to the same hospital for 2 years and then only upon a showing that the hospital will remain in compliance with the requirements of this paragraph through a demonstration of corrections to the deficiencies that caused expiration of the exemption. Compliance with the requirements of this paragraph includes compliance with the rules adopted pursuant to this paragraph.

Section 17. Paragraph (b) of subsection (3) of section 408.0361, Florida Statutes, is amended to read:

408.0361 Cardiovascular services and burn unit licensure.—

(3) In establishing rules for adult cardiovascular services, the agency shall include provisions that allow for:

(b) For a hospital seeking a Level I program, demonstration that, for the most recent 12-month period as reported to the agency, it has provided a minimum of 300 adult inpatient and outpatient diagnostic cardiac catheterizations or, for the most recent 12-month period, has discharged or transferred at least 300 inpatients with the principal diagnosis of ischemic heart disease and that it has a formalized, written transfer agreement with a hospital that has a Level II program, including written transport protocols to ensure safe and efficient transfer of a patient within 60 minutes. *However, a hospital located more than 100 road miles from the closest Level II adult cardiovascular services program does not need to meet the 60-minute transfer time protocol if the hospital demonstrates that it has a formalized, written transfer agreement with a hospital that has a Level II program. The agreement must include written transport protocols to ensure the safe and efficient transfer of a patient, taking into consideration the patient's clinical and physical characteristics, road and weather conditions, and viability of ground and air ambulance service to transfer the patient.*

Section 18. Section 408.10, Florida Statutes, is amended to read:

408.10 Consumer complaints.—The agency shall~~:~~

~~(1)~~ publish and make available to the public a toll-free telephone number for the purpose of handling consumer complaints and shall serve as a liaison between consumer entities and other private entities and governmental entities for the disposition of problems identified by consumers of health care.

~~(2) Be empowered to investigate consumer complaints relating to problems with health care facilities' billing practices and issue reports to be made public in any cases where the agency determines the health care facility has engaged in billing practices which are unreasonable and unfair to the consumer.~~

Section 19. *Subsection (11) of section 408.802, Florida Statutes, is repealed.*

Section 20. Subsection (3) is added to section 408.804, Florida Statutes, to read:

408.804 License required; display.—

(3) Any person who knowingly alters, defaces, or falsifies a license certificate issued by the agency, or causes or procures any person to commit such an offense, commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. Any licensee or provider who displays an altered, defaced, or falsified license certificate is subject to the penalties set forth in s. 408.815 and an administrative fine of $1,000 for each day of illegal display.

Section 21. Paragraph (d) of subsection (2) of section 408.806, Florida Statutes, is amended, and paragraph (e) is added to that subsection, to read:

408.806 License application process.—

(2)

(d) ~~The agency shall notify the licensee by mail or electronically at least 90 days before the expiration of a license that a renewal license is necessary to continue operation.~~ The *licensee's* failure to timely *file* ~~submit~~ a renewal application and license *application* fee *with the agency* shall result in a $50 per day late fee charged to the licensee by the agency; however, the aggregate amount of the late fee may not exceed 50 percent of the licensure fee or $500, whichever is less. *The agency shall provide a courtesy notice to the licensee by United States mail, electronically, or by any other manner at its address of record or mailing address, if provided, at least 90 days before the expiration of a license. This courtesy notice must inform the licensee of the expiration of the license. If the agency does not provide the courtesy notice or the licensee does not receive the courtesy notice, the licensee continues to be legally obligated to timely file the renewal application and license application fee with the agency and is not excused from the payment of a late fee.* If an application is received after the required filing date and exhibits a hand-canceled postmark obtained from a United States post office dated on or before the required filing date, no fine will be levied.

(e) The applicant must pay the late fee before a late application is considered complete and failure to pay the late fee is considered an omission from the application for licensure pursuant to paragraph (3)(b).

Section 22. Paragraph (b) of subsection (1) of section 408.8065, Florida Statutes, is amended to read:

408.8065 Additional licensure requirements for home health agencies, home medical equipment providers, and health care clinics.—

(1) An applicant for initial licensure, or initial licensure due to a change of ownership, as a home health agency, home medical equipment provider, or health care clinic shall:

(b) Submit *projected* ~~pro forma~~ financial statements, including a balance sheet, income and expense statement, and a statement of cash flows for the first 2 years of operation which provide evidence that the applicant has sufficient assets, credit, and projected revenues to cover liabilities and expenses.

All documents required under this subsection must be prepared in accordance with generally accepted accounting principles and may be in a compilation form. The financial statements must be signed by a certified public accountant.

Section 23. Subsection (9) of section 408.810, Florida Statutes, is amended to read:

408.810 Minimum licensure requirements.—In addition to the licensure requirements specified in this part, authorizing statutes, and applicable rules, each applicant and licensee must comply with the requirements of this section in order to obtain and maintain a license.

(9) A controlling interest may not withhold from the agency any evidence of financial instability, including, but not limited to, checks returned due to insufficient funds, delinquent accounts, nonpayment of

withholding taxes, unpaid utility expenses, nonpayment for essential services, or adverse court action concerning the financial viability of the provider or any other provider licensed under this part that is under the control of the controlling interest. *A controlling interest shall notify the agency within 10 days after a court action to initiate bankruptcy, foreclosure, or eviction proceedings concerning the provider in which the controlling interest is a petitioner or defendant.* Any person who violates this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. Each day of continuing violation is a separate offense.

Section 24. Subsection (3) is added to section 408.813, Florida Statutes, to read:

408.813 Administrative fines; violations.—As a penalty for any violation of this part, authorizing statutes, or applicable rules, the agency may impose an administrative fine.

(3) The agency may impose an administrative fine for a violation that is not designated as a class I, class II, class III, or class IV violation. Unless otherwise specified by law, the amount of the fine may not exceed $500 for each violation. Unclassified violations include:

(a) Violating any term or condition of a license.

(b) Violating any provision of this part, authorizing statutes, or applicable rules.

(c) Exceeding licensed capacity.

(d) Providing services beyond the scope of the license.

(e) Violating a moratorium imposed pursuant to s. 408.814.

Section 25. Section 429.195, Florida Statutes, is amended to read:

429.195 Rebates prohibited; penalties.—

(1) *An* ~~It is unlawful for any~~ assisted living facility licensed under this part *may not* ~~to~~ contract or promise to pay or receive any commission, bonus, kickback, or rebate or engage in any split-fee arrangement in any form whatsoever with any *person, health care provider, or health care facility as provided under s. 817.505* ~~physician, surgeon, organization, agency, or person, either directly or indirectly, for residents referred to an assisted living facility licensed under this part. A facility may employ or contract with persons to market the facility, provided the employee or contract provider clearly indicates that he or she represents the facility. A person or agency independent of the facility may provide placement or referral services for a fee to individuals seeking assistance in finding a suitable facility; however, any fee paid for placement or referral services must be paid by the individual looking for a facility, not by the facility.~~

(2) This section does not apply to:

(a) An individual employed by the assisted living facility, or with whom the facility contracts to provide marketing services for the facility, if the individual clearly indicates that he or she works with or for the facility.

(b) Payments by an assisted living facility to a referral service that provides information, consultation, or referrals to consumers to assist them in finding appropriate care or housing options for seniors or disabled adults if the referred consumers are not Medicaid recipients.

(c) A resident of an assisted living facility who refers a friend, family members, or other individuals with whom the resident has a personal relationship to the assisted living facility, in which case the assisted living facility may provide a monetary reward to the resident for making such referral.

(3)~~(2)~~ A violation of this section *is* ~~shall be considered~~ patient brokering and is punishable as provided in s. 817.505.

Section 26. Subsection (2) of section 429.905, Florida Statutes, is amended to read:

429.905 Exemptions; monitoring of adult day care center programs colocated with assisted living facilities or licensed nursing home facilities.—

(2) A licensed assisted living facility, a licensed hospital, or a licensed nursing home facility may provide services during the day which include, but are not limited to, social, health, therapeutic, recreational, nutritional, and respite services, to adults who are not residents. Such a facility need not be licensed as an adult day care center; however, the agency must monitor the facility during the regular inspection and at least biennially to ensure adequate space and sufficient staff. If an assisted living facility, a hospital, or a nursing home holds itself out to the public as an adult day care center, it must be licensed as such and meet all standards prescribed by statute and rule. *For the purpose of this subsection, the term "day" means any portion of a 24-hour day.*

Section 27. Present paragraphs (a), (c), and (d) of subsection (1), paragraph (a) of subsection (2), and paragraph (e) of subsection (3) of section 456.44, Florida Statutes, are amended, and a new paragraph (d) is added to subsection (1) of that section, to read:

456.44 Controlled substance prescribing.—

(1) DEFINITIONS.—

(a) "Addiction medicine specialist" means a board-certified *psychiatrist* ~~physiatrist~~ with a subspecialty certification in addiction medicine or who is eligible for such subspecialty certification in addiction medicine, an addiction medicine physician certified or eligible for certification by the American Society of Addiction Medicine, or an osteopathic physician who holds a certificate of added qualification in Addiction Medicine through the American Osteopathic Association.

(c) "Board–certified pain management physician" means a physician who possesses board certification in pain medicine by the American Board of Pain Medicine, board certification by the American Board of Interventional Pain Physicians, or board certification or subcertification in pain management *or pain medicine* by a specialty board recognized by the American Association of Physician Specialists *or the American Board of Medical Specialties* or an osteopathic physician who holds a certificate in Pain Management by the American Osteopathic Association.

(d) "Board eligible" means successful completion of an anesthesia, physical medicine and rehabilitation, rheumatology, or neurology residency program approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association for a period of 6 years from successful completion of such residency program.

(e)~~(d)~~ "Chronic nonmalignant pain" means pain unrelated to cancer ~~or rheumatoid arthritis~~ which persists beyond the usual course of disease or the injury that is the cause of the pain or more than 90 days after surgery.

(2) REGISTRATION.—Effective January 1, 2012, a physician licensed under chapter 458, chapter 459, chapter 461, or chapter 466 who prescribes any controlled substance, *listed in Schedule II, Schedule III, or Schedule IV* as defined in s. 893.03, for the treatment of chronic nonmalignant pain, must:

(a) Designate himself or herself as a controlled substance prescribing practitioner on the physician's practitioner profile.

(3) STANDARDS OF PRACTICE.—The standards of practice in this section do not supersede the level of care, skill, and treatment recognized in general law related to health care licensure.

(e) The physician shall refer the patient as necessary for additional evaluation and treatment in order to achieve treatment objectives. Special attention shall be given to those patients who are at risk for misusing their medications and those whose living arrangements pose a risk for medication misuse or diversion. The management of pain in patients with a history of substance abuse or with a comorbid psychiatric disorder requires extra care, monitoring, and documentation and requires consultation with or referral to an *addiction medicine specialist or psychiatrist* ~~addictionologist or physiatrist~~.

This subsection does not apply to a *board-eligible or* board-certified anesthesiologist, physiatrist, *rheumatologist,* or neurologist, or to a board-certified physician who has surgical privileges at a hospital or ambula-

tory surgery center and primarily provides surgical services. This subsection does not apply to a *board-eligible or* board-certified medical specialist who has also completed a fellowship in pain medicine approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association, or who is *board eligible or* board certified in pain medicine by *the American Board of Pain Medicine or* a board approved by the American Board of Medical Specialties or the American Osteopathic Association and performs interventional pain procedures of the type routinely billed using surgical codes. *This subsection does not apply to a physician who prescribes medically necessary controlled substances for a patient during an inpatient stay in a hospital licensed under chapter 395.*

Section 28. Paragraph (a) of subsection (1) of section 458.3265, Florida Statutes, is amended to read:

458.3265 Pain-management clinics.—

(1) REGISTRATION.—

(a)1. As used in this section, the term:

a. "Board eligible" means successful completion of an anesthesia, physical medicine and rehabilitation, rheumatology, or neurology residency program approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association for a period of 6 years from successful completion of such residency program.

b.~~a.~~ "Chronic nonmalignant pain" means pain unrelated to cancer ~~or rheumatoid arthritis~~ which persists beyond the usual course of disease or the injury that is the cause of the pain or more than 90 days after surgery.

c.~~b.~~ "Pain-management clinic" or "clinic" means any publicly or privately owned facility:

(I) That advertises in any medium for any type of pain-management services; or

(II) Where in any month a majority of patients are prescribed opioids, benzodiazepines, barbiturates, or carisoprodol for the treatment of chronic nonmalignant pain.

2. Each pain-management clinic must register with the department unless:

a. That clinic is licensed as a facility pursuant to chapter 395;

b. The majority of the physicians who provide services in the clinic primarily provide surgical services;

c. The clinic is owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded $50 million;

d. The clinic is affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;

e. The clinic does not prescribe controlled substances for the treatment of pain;

f. The clinic is owned by a corporate entity exempt from federal taxation under 26 U.S.C. s. 501(c)(3);

g. The clinic is wholly owned and operated by one or more *board-eligible or* board-certified anesthesiologists, physiatrists, *rheumatologists,* or neurologists; or

h. The clinic is wholly owned and operated by *a physician multispecialty practice where* one or more *board-eligible or* board-certified medical specialists who have also completed fellowships in pain medicine approved by the Accreditation Council for Graduate Medical Education, or who are also board-certified in pain medicine by *the American Board of Pain Medicine or* a board approved by the American Board of Medical Specialties*, the American Association of Physician Specialists, or the American Osteopathic Association* and perform interventional pain procedures of the type routinely billed using surgical codes.

Section 29. Paragraph (a) of subsection (1) of section 459.0137, Florida Statutes, is amended to read:

459.0137 Pain-management clinics.—

(1) REGISTRATION.—

(a)1. As used in this section, the term:

a. "Board eligible" means successful completion of an anesthesia, physical medicine and rehabilitation, rheumatology, or neurology residency program approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association for a period of 6 years from successful completion of such residency program.

b.~~a.~~ "Chronic nonmalignant pain" means pain unrelated to cancer ~~or rheumatoid arthritis~~ which persists beyond the usual course of disease or the injury that is the cause of the pain or more than 90 days after surgery.

c.~~b.~~ "Pain-management clinic" or "clinic" means any publicly or privately owned facility:

(I) That advertises in any medium for any type of pain-management services; or

(II) Where in any month a majority of patients are prescribed opioids, benzodiazepines, barbiturates, or carisoprodol for the treatment of chronic nonmalignant pain.

2. Each pain-management clinic must register with the department unless:

a. That clinic is licensed as a facility pursuant to chapter 395;

b. The majority of the physicians who provide services in the clinic primarily provide surgical services;

c. The clinic is owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded $50 million;

d. The clinic is affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;

e. The clinic does not prescribe controlled substances for the treatment of pain;

f. The clinic is owned by a corporate entity exempt from federal taxation under 26 U.S.C. s. 501(c)(3);

g. The clinic is wholly owned and operated by one or more *board-eligible or* board-certified anesthesiologists, physiatrists, *rheumatologists,* or neurologists; or

h. The clinic is wholly owned and operated by *a physician multispecialty practice where* one or more *board-eligible or* board-certified medical specialists who have also completed fellowships in pain medicine approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association, or who are also board-certified in pain medicine by *the American Board of Pain Medicine or* a board approved by the American Board of Medical Specialties*, the American Association of Physician Specialists,* or the American Osteopathic Association and perform interventional pain procedures of the type routinely billed using surgical codes.

Section 30. Paragraph (b) of subsection (1) of section 483.23, Florida Statutes, is amended to read:

483.23 Offenses; criminal penalties.—

(1)

(b) The performance of any act specified in paragraph (a) *shall be referred by the agency to the local law enforcement agency and* constitutes a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. *Additionally, the agency may issue and deliver a notice to cease and desist from such act and may impose by citation an administrative penalty not to exceed $5,000 per act. Each day that un-*

licensed activity continues after issuance of a notice to cease and desist constitutes a separate act.

Section 31. Subsection (1) of section 483.245, Florida Statutes, is amended, and subsection (3) is added to that section, to read:

483.245 Rebates prohibited; penalties.—

(1) It is unlawful for any person to pay or receive any commission, bonus, kickback, or rebate or engage in any split-fee arrangement in any form whatsoever with any dialysis facility, physician, surgeon, organization, agency, or person, either directly or indirectly, for patients referred to a clinical laboratory licensed under this part. *A clinical laboratory is prohibited from, directly or indirectly, providing through employees, contractors, an independent staffing company, lease agreement, or otherwise, personnel to perform any functions or duties in a physician's office, or any part of a physician's office, for any purpose whatsoever, including for the collection or handling of specimens, unless the laboratory and the physician's office are wholly owned and operated by the same entity. A clinical laboratory is prohibited from leasing space within any part of a physician's office for any purpose, including for the purpose of establishing a collection station.*

(3) The agency shall promptly investigate all complaints of noncompliance with subsection (1). The agency shall impose a fine of $5,000 for each separate violation of subsection (1). In addition, the agency shall deny an application for a license or license renewal if the applicant, or any other entity with one or more common controlling interests in the applicant, demonstrates a pattern of violating subsection (1). A pattern may be demonstrated by a showing of at least two such violations.

Section 32. Subsection (8) of section 651.118, Florida Statutes, is amended to read:

651.118 Agency for Health Care Administration; certificates of need; sheltered beds; community beds.—

(8) A provider may petition the Agency for Health Care Administration to use a designated number of sheltered nursing home beds to provide *assisted living* ~~extended congregate care as defined in s. 429.02~~ if the beds are in a distinct area of the nursing home which can be adapted to meet the requirements for *an assisted living facility as defined in s. 429.02* ~~extended congregate care~~. The provider may subsequently use such beds as sheltered beds after notifying the agency of the intended change. Any sheltered beds used to provide *assisted living* ~~extended congregate care~~ pursuant to this subsection may not qualify for funding under the Medicaid waiver. Any sheltered beds used to provide *assisted living* ~~extended congregate care~~ pursuant to this subsection may share common areas, services, and staff with beds designated for nursing home care, provided that all of the beds are under common ownership. For the purposes of this subsection, fire and life safety codes applicable to nursing home facilities shall apply.

Section 33. Paragraph (j) is added to subsection (3) of section 817.505, Florida Statutes, to read:

817.505 Patient brokering prohibited; exceptions; penalties.—

(3) This section shall not apply to:

(j) Any activity permitted under s. 429.195(2).

Section 34. This act shall take effect July 1, 2012.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to health care facilities; amending s. 400.021, F.S.; revising definitions of the terms "geriatric outpatient clinic" and "resident care plan" and defining the term "therapeutic spa services"; amending s. 400.1183, F.S.; revising requirements relating to nursing home facility grievance reports; amending s. 400.141, F.S.; revising provisions relating to other needed services provided by licensed nursing home facilities, including respite care, adult day, and therapeutic spa services; revising provisions relating to facilities eligible to share programming and staff; deleting requirements for the submission of certain reports to the Agency for Health Care Administration; amending s. 400.142, F.S.; deleting the agency's authority to adopt rules relating to orders not to resuscitate; amending s. 400.147, F.S.; revising provisions relating to adverse incident reports; deleting certain reporting requirements; creating s. 400.172, F.S.; providing requirements for a nursing home facility operated by a licensee that provides respite care services; providing for rights of persons receiving respite care in nursing home facilities; requiring a prospective respite care recipient to provide certain information to the nursing home facility; 400.23, F.S.; specifying the content of rules relating to nursing home facility staffing requirements for residents under 21 years of age; amending s. 400.275, F.S.; revising agency duties with regard to training nursing home surveyor teams; revising requirements for team members; reenacting s. 400.506(6)(a), F.S., relating to licensure of nurse registries, respectively, to incorporate the amendment made to s. 400.509, F.S., in references thereto; authorizing an administrator to manage up to five nurse registries under certain circumstances; requiring an administrator to designate, in writing, for each licensed entity, a qualified alternate administrator to serve during the administrator's absence; amending s. 400.509, F.S.; providing that organizations that provide companion or homemaker services only to persons with developmental disabilities, under contract with the Agency for Persons with Disabilities, are exempt from registration with the Agency for Health Care Administration; amending s. 400.606, F.S.; revising the content requirements of the plan accompanying an initial or change-of-ownership application for licensure of a hospice; revising requirements relating to certificates of need for certain hospice facilities; amending s. 400.915, F.S.; correcting an obsolete cross-reference to administrative rules; amending s. 400.931, F.S.; requiring each applicant for initial licensure, change of ownership, or license renewal to operate a licensed home medical equipment provider at a location outside the state to submit documentation of accreditation, or an application for accreditation, from an accrediting organization that is recognized by the Agency for Health Care Administration; requiring an applicant that has applied for accreditation to provide proof of accreditation within a specified time; deleting a requirement that an applicant for a home medical equipment provider license submit a surety bond to the agency; amending s. 408.033, F.S.; providing that fees assessed on selected health care facilities and organizations may be collected prospectively at the time of licensure renewal and prorated for the licensing period; amending s. 408.034, F.S.; revising agency authority relating to licensing of intermediate care facilities for the developmentally disabled; amending s. 408.036, F.S.; providing an exception from certain requirement for exemption from certificate-of-need review for hospitals providing percutaneous coronary intervention for certain patients; amending s. 408.0361, F.S.; revising the criteria for qualifying for an exemption from certificate-of-need review for hospitals providing cardiovascular services; amending s. 408.10, F.S.; removing agency authority to investigate certain consumer complaints; repealing s. 408.802(11), F.S., removing applicability of part II of ch. 408, F.S., relating to general licensure requirements, to private review agents; amending s. 408.804, F.S.; providing penalties for altering, defacing, or falsifying a license certificate issued by the agency or displaying such an altered, defaced, or falsified certificate; amending s. 408.806, F.S.; revising agency responsibilities for notification of licensees of impending expiration of a license; requiring payment of a late fee for a license application to be considered complete under certain circumstances; amending s. 408.8065, F.S.; revising the requirements for becoming licensed as a home health agency, home medical equipment provider, or health care clinic; amending s. 408.810, F.S.; requiring that the controlling interest of a health care licensee notify the agency of certain court proceedings; providing a penalty; amending s. 408.813, F.S.; authorizing the agency to impose fines for unclassified violations of part II of ch. 408, F.S.; amending s. 429.195, F.S.; revising provisions prohibiting certain rebates relating to assisted living facilities; amending s. 429.905, F.S.; defining the term "day" for purposes of day care services provided to adults who are not residents; amending s. 456.44, F.S.; revising the definition of the term "addiction medicine specialist" to include board-certified psychiatrists; defining the term "board eligible"; excluding a board-certified physiatrist as an addiction medicine specialist; including the American Board of Medical Specialties as a recognized certification entity; revising the definition of the term "chronic nonmalignant pain" to exclude reference to rheumatoid arthritis; exempting specified board-eligible health care providers from application of certain provisions; adding the American Board of Pain Medicine as a recognized board-certification entity for purposes of exemption from application of certain provisions; amending s. 458.3265, F.S.; defining the term "board eligible"; revising the definition of the term "chronic nonmalignant pain" to exclude reference to rheumatoid arthritis; permitting specified board-eligible physicians to own a pain-management clinic without registering the clinic; permitting a rheumatologist to own a pain-management clinic without registering

the clinic; including a physician multispecialty practice to permitted ownership forms of pain-management clinics; requiring at least one specialist in multispecialty practice to be board-eligible; recognizing the American Board of Pain Medicine, the American Association of Physician Specialists, and the American Osteopathic Association as board-certification organizations for purposes of determining a board-certified pain medicine specialist as an owner of a pain-management clinic; amending s. 459.0137, F.S.; defining the term "board eligible"; revising the definition of the term "chronic nonmalignant pain" to exclude reference to rheumatoid arthritis; permitting a board-eligible rheumatologist to own a pain-management clinic; including a physician multispecialty practice to permitted ownership forms of pain-management clinics; permitting specified board-eligible physicians to own a pain-management clinic without registering the clinic; permitting a rheumatologist to own a pain-management clinic without registering the clinic; adding multispecialty practice to permitted ownership forms of pain-management clinics; requiring at least one specialist in multispecialty practice to be board eligible; recognizing the American Board of Pain Medicine and the American Association of Physician Specialists as board-certification organizations for purposes of determining a board-certified pain medicine specialist as owner of a pain-management clinic; amending s. 483.23, F.S.; requiring the agency to refer criminal acts regarding the operation of a clinical laboratory to a local law enforcement agency; authorizing the agency to issue and deliver notice to cease and desist and impose an administrative penalty for each act; amending s. 483.245, F.S.; providing that a clinical laboratory is prohibited from providing personnel to perform functions or duties in a physician's office unless the laboratory and the physician's office are owned and operated by the same entity; prohibiting a clinical laboratory from leasing space in a physician's office; requiring the agency to investigate complaints, impose fines, and deny an application for a license or license renewal under certain circumstances; amending s. 651.118, F.S.; providing a funding limitation on sheltered nursing home beds used to provide assisted living, rather than extended congregate care services; authorizing certain sharing of areas, services, and staff between such sheltered beds and nursing home beds in those facilities; amending s. 817.505, F.S.; conforming provisions to changes made by the act; providing an effective date.

On motion by Senator Bogdanoff, further consideration of **CS for CS for HB 787** with pending **Amendment 1 (109490)** was deferred.

On motion by Senator Bogdanoff, by unanimous consent—

CS for SB 1202—A bill to be entitled An act relating to construction liens and bonds; amending s. 95.11, F.S.; adding a cross-reference; deleting a provision for the limitation of actions against a bond; amending s. 255.05, F.S.; requiring that the bond number be stated on the first page of the bond; providing that a provision in a payment bond furnished for a public works contract that limits or expands the effective duration of the bond or adds conditions precedent is unenforceable; requiring a contractor, or the contractor's attorney, to serve rather than mail a notice of contest of claim against the payment bond; providing additional time for service when the bond is not recorded; specifying the duration of the bond; providing that payment to a contractor who has furnished a payment bond on a public works project may not be conditioned upon production of certain documents; providing prerequisites for commencement of an action against a payment bond; creating s. 255.0518, F.S.; requiring that the state, a county, a municipality, or any other public body or institution open sealed bids received in response to a competitive solicitation at a public meeting, announce the name of each bidder and the price submitted, and make available upon request the names of bidders and submitted prices; amending s. 713.10, F.S.; providing that a specified notice concerning a lessor's liability for liens for improvements made by the lessee prohibits liens even if other leases do not expressly prohibit liens or if certain other provisions are not identical; amending s. 713.13, F.S.; revising a notice form to clarify that the notice of commencement expires 1 year after the date of recording; removing a perjury clause; providing additional time for service when a notice of commencement is not recorded with a copy of the bond attached; amending s. 713.132, F.S.; requiring notice of termination to be served on lienors in privity with the owner; amending s. 713.16, F.S.; revising requirements for demands for a copy of a construction contract and a statement of account; authorizing a lienor to make certain written demands to an owner for certain written statements; providing requirements for such written demands; amending s. 713.18, F.S.; providing additional methods by which certain items may be served; revising provisions relating to when service of specified items is effective; specifying requirements for certain written instruments under certain circumstances; amending s. 713.22, F.S.; requiring that the clerk serve rather than mail a notice of contest of lien; amending s. 713.23, F.S.; revising the contents of a notice to contractor; requiring that a contractor serve rather than mail a notice of contest of claim against the payment bond and a notice of bond; clarifying the attachment of the bond to the notice; providing that a provision in a payment bond that limits or expands the effective duration of the bond or adds conditions precedent is unenforceable; clarifying applicability of certain provisions; providing an effective date.

—was taken up out of order and read the second time by title.

An amendment was considered and adopted to conform **CS for SB 1202** to **CS for CS for HB 897**.

Pending further consideration of **CS for SB 1202** as amended, on motion by Senator Bogdanoff, by two-thirds vote **CS for CS for HB 897** was withdrawn from the Committees on Judiciary; Budget Subcommittee on General Government Appropriations; and Budget.

On motion by Senator Bogdanoff—

CS for CS for HB 897—A bill to be entitled An act relating to construction contracting; amending s. 95.11, F.S.; adding a cross-reference; amending s. 255.05, F.S.; requiring that the bond number be stated on the first page of the bond; providing that a public entity may not make payment to the contractor unless the public entity has received a certified copy of the bond; providing that a provision in a payment bond furnished for a public works contract that limits or expands the effective duration of the bond or adds conditions precedent is unenforceable; requiring a contractor, or the contractor's attorney, to serve rather than mail a notice of contest of claim against the payment bond; providing prerequisites for commencement of an action against a payment bond; requiring payment bond forms to reference specified notice and time limitation provisions; providing that payment to a contractor who has furnished a payment bond on a public works project may not be conditioned upon production of certain documents if the surety has given written consent; providing for the surety to withhold or revoke consent; creating s. 255.0518, F.S.; requiring that the state, a county, a municipality, or any other public body or institution open sealed bids received in response to a competitive solicitation at a public meeting, announce the name of each bidder and the price submitted, and make available upon request the names of bidders and submitted prices; amending s. 713.10, F.S.; providing that a specified notice concerning a lessor's liability for liens for improvements made by the lessee prohibits liens even if other leases do not expressly prohibit liens or if certain other provisions are not identical; amending s. 713.13, F.S.; revising a notice form to clarify that the notice of commencement expires 1 year after the date of recording; removing a clause relating to perjury; providing additional time for service when a notice of commencement is not recorded with a copy of the bond attached; reenacting and amending s. 489.118, F.S.; reviving certain grandfathering provisions and setting a new deadline by which certain registered contractors may apply for certification; amending s. 713.132, F.S.; requiring notice of termination to be served on lienors in privity with the owner; amending s. 713.16, F.S.; revising requirements for demands for a copy of a construction contract and a statement of account; authorizing a lienor to make certain written demands to an owner for certain written statements; providing requirements for such written demands; amending s. 713.18, F.S.; providing additional methods by which certain items may be served; revising provisions relating to when service of specified items is effective; specifying requirements for certain written instruments under certain circumstances; amending s. 713.22, F.S.; requiring that the clerk serve rather than mail a notice of contest of lien; amending s. 713.23, F.S.; revising the contents of a notice to contractor; requiring that a contractor serve rather than mail a notice of contest of claim against the payment bond and a notice of bond; clarifying the attachment of the bond to the notice; providing that a provision in a payment bond that limits or expands the effective duration of the bond or adds conditions precedent is unenforceable; clarifying applicability of certain provisions; providing effective dates.

—a companion measure, was substituted for **CS for SB 1202** as amended and read the second time by title.

On motion by Senator Bogdanoff, by two-thirds vote **CS for CS for HB 897** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

On motion by Senator Bogdanoff, by unanimous consent—

CS for SB 1388—A bill to be entitled An act relating to motor vehicle registration forms; amending s. 320.02, F.S.; requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to Autism Services and Supports and to Support Our Troops; providing that such contributions are not income for specified purposes; amending s. 322.08, F.S.; requiring the application forms for an original, renewal, or replacement driver license or identification card to include language permitting the applicant to make a voluntary contribution to Autism Services and Supports and to Support Our Troops; providing that such contributions are not income for specified purposes; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 1388**, on motion by Senator Bogdanoff, by two-thirds vote **CS for HB 1287** was withdrawn from the Committees on Transportation; Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations; and Budget.

On motion by Senator Bogdanoff—

CS for HB 1287—A bill to be entitled An act relating to voluntary contributions on registration, driver license, and identification card forms; amending s. 320.02, F.S.; requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to Autism Services and Supports and to Support Our Troops; providing that such contributions are not income for specified purposes; amending s. 322.08, F.S.; requiring the application forms for an original, renewal, or replacement driver license or identification card to include language permitting the applicant to make a voluntary contribution to Autism Services and Supports and to Support Our Troops; providing that such contributions are not income for specified purposes; providing an effective date.

—a companion measure, was substituted for **CS for SB 1388** and read the second time by title.

On motion by Senator Bogdanoff, by two-thirds vote **CS for HB 1287** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bennett	Dean
Alexander	Bogdanoff	Detert
Altman	Braynon	Diaz de la Portilla
Benacquisto	Bullard	Dockery
Evers	Latvala	Ring
Fasano	Lynn	Sachs
Gaetz	Margolis	Simmons
Garcia	Montford	Siplin
Gardiner	Negron	Smith
Gibson	Norman	Sobel
Hays	Oelrich	Storms
Jones	Rich	Thrasher
Joyner	Richter	Wise

Nays—None

MOTION

On motion by Senator Thrasher, by two-thirds vote **SB 1068** was placed on the Special Order Calendar.

On motion by Senator Bullard, by unanimous consent—

SB 148—A bill to be entitled An act relating to community redevelopment; amending s. 163.340, F.S.; expanding the definition of the term "blighted area" to include land previously used as a military facility; providing an effective date.

—was taken up out of order and read the second time by title.

MOTION

On motion by Senator Bullard, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Bullard moved the following amendment which was adopted:

Amendment 1 (727934) (with title amendment)—Delete lines 57-59 and insert: blighted*, or the area was previously used as a military facility and is adjacent to a county-owned zoological park*. Such

And the title is amended as follows:

Delete line 5 and insert: military facility and adjacent to a county-owned zoological park; providing an effective date.

On motion by Senator Bullard, by two-thirds vote **SB 148** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Gibson	Ring
Braynon	Hays	Sachs
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	
Flores	Norman	

Nays—1

Sobel

RECESS

The President declared the Senate in recess at 5:59 p.m. to reconvene at 6:14 p.m.

CALL TO ORDER

The Senate was called to order by the President at 6:18 p.m. A quorum present.

SPECIAL ORDER CALENDAR

On motion by Senator Joyner, by unanimous consent—

SB 1068—A bill to be entitled An act relating to motor vehicle registration; amending s. 320.07, F.S.; specifying that a vehicle may not be operated after expiration of the renewal period or, for a natural person, after midnight on the owner's birthday unless the registration was renewed before then; amending s. 320.15, F.S.; authorizing a person who has renewed a vehicle registration during an early registration period to apply for a refund of specified license taxes upon surrendering the registration license plate before the end of the renewal period; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **SB 1068**, on motion by Senator Joyner, by two-thirds vote **HB 763** was withdrawn from the Committees on Transportation; and Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations.

On motion by Senator Joyner—

HB 763—A bill to be entitled An act relating to motor vehicle registration; amending s. 320.07, F.S.; specifying that a vehicle may not be operated after expiration of the renewal period or, for a natural person, after midnight on the owner's birthday unless the registration was renewed before then; amending s. 320.15, F.S.; authorizing a person who has renewed a vehicle registration during an early registration period to apply for a refund of specified license taxes upon surrendering the registration license plate before the end of the renewal period; providing an effective date.

—a companion measure, was substituted for **SB 1068** and read the second time by title.

On motion by Senator Joyner, by two-thirds vote **HB 763** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Garcia	Richter
Altman	Hays	Ring
Benacquisto	Joyner	Sachs
Bennett	Latvala	Simmons
Bullard	Lynn	Sobel
Dean	Margolis	Storms
Dockery	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	
Gaetz	Oelrich	

Nays—None

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5005, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5005

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5005, same being:

An act relating to retirement.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander	*s/ Joe Negron*
Chair	Vice Chair
s/ Thad Altman	*s/ Lizbeth Benacquisto*
s/ Michael S. "Mike" Bennett	*s/ Ellyn Setnor Bogdanoff*
s/ Oscar Braynon II	*s/ Larcenia J. Bullard*
s/ Charles S. "Charlie" Dean, Sr.	*s/ Nancy C. Detert*
s/ Miguel Diaz de la Portilla	Paula Dockery
s/ Greg Evers	Mike Fasano
s/ Anitere Flores	*s/ Don Gaetz*
s/ Rene Garcia	Andy Gardiner
s/ Audrey Gibson	*s/ Alan Hays*
s/ Dennis L. Jones, D.C.	*s/ Arthenia L. Joyner*
Jack Latvala	Evelyn J. Lynn
s/ Gwen Margolis	*s/ Bill Montford*
s/ Jim Norman	*s/ Steve Oelrich*
Nan H. Rich	*s/ Garrett Richter*
s/ Jeremy Ring	Maria Lorts Sachs
s/ David Simmons	*s/ Gary Siplin*
s/ Christopher L. "Chris" Smith	Eleanor Sobel
s/ Ronda Storms	John Thrasher
s/ Stephen R. Wise	

Managers on the part of the Senate

s/ Denise Grimsley	*s/ Janet H. Adkins*
Chair	*s/ Larry Ahern*
s/ Ben Albritton	*s/ Frank Artiles*
s/ Gary Aubuchon	*s/ Dennis K. Baxley*
Leonard L. Bembry	Lori Berman
Mack Bernard	*s/ Michael Bileca*
Jim Boyd	*s/ Jeffrey "Jeff" Brandes*
s/ Jason T. Brodeur	*s/ Douglas Vaughn "Doug" Broxson*
Dwight M. Bullard	*s/ Matthew H. "Matt" Caldwell*
s/ Rachel V. Burgin	Gwyndolen "Gwyn" Clarke-Reed
Charles S. "Chuck" Chestnut IV	*s/ Marti Coley*
At Large	*s/ Fredrick W. "Fred" Costello*
Richard Corcoran	Janet Cruz
s/ Steve Crisafulli	*s/ Jose Felix Diaz*
s/ Daniel Davis	*s/ Brad Drake*
Chris Dorworth, At Large	*s/ Erik Fresen*
s/ Eric Eisnaugle	*s/ Matt Gaetz*
s/ James C. "Jim" Frishe, At Large	*s/ Richard "Rich" Glorioso*
Joseph A. "Joe" Gibbons	*s/ Tom Goodson*
Eduardo "Eddy" Gonzalez	*s/ Bill Hager*
s/ James W. "J.W." Grant	*s/ Shawn Harrison*
s/ Gayle B. Harrell	*s/ Ed Hooper*
s/ Doug Holder	*s/ Matt Hudson*
s/ Mike Horner	Mia L. Jones
Dorothy L. Hukill	Martin David "Marty" Kiar
s/ John Patrick Julien	*s/ Ana Rivas Logan*
s/ John Legg	*s/ Debbie Mayfield*
s/ Carlos Lopez-Cantera	*s/ Seth McKeel*
s/ Charles McBurney	*s/ Peter Nehr*
s/ Larry Metz	*s/ Jeanette M. Nunez*
s/ Bryan Nelson	

s/ Jose R. Oliva
Mark S. Pafford
s/ Jimmy Patronis
Ray Pilon
s/ Stephen L. Precourt
Scott Randolph
Betty Reed
s/ Patrick Rooney, Jr.
Franklin Sands
s/ Robert C. "Rob" Schenck
At Large
s/ William D. Snyder, At Large
s/ Kelli Stargel
Dwayne L. Taylor
Perry E. Thurston, Jr.
James W. "Jim" Waldman
Will W. Weatherford
s/ Alan B. Williams
s/ John Wood
s/ Dana D. Young
s/ H. Marlene O'Toole
s/ Kathleen C. Passidomo
s/ W. Keith Perry
s/ Elizabeth W. Porter
s/ William L. "Bill" Proctor
s/ Lake Ray
Hazelle P. "Hazel" Rogers
Darryl Ervin Rouson
Ron Saunders
Elaine J. Schwartz
s/ Jimmie T. Smith
Darren Soto
W. Gregory "Greg" Steube
Geraldine F. "Geri" Thompson
s/ Carlos Trujillo
Barbara Watson
s/ Michael B. "Mike" Weinstein
s/ Trudi K. Williams
s/ Ritch Workman

Managers on the part of the House

The Conference Committee Amendment for HB 5005, Retirement, provides for the following:

- Reduces the employer contribution rates into the Community College System Optional Retirement Program.
- Reduces the employer contribution rates into the Senior Management Service Optional Annuity Program.
- Reduces the employer contribution rates into the State University System Optional Retirement Program.
- Adjusts the employer-paid contribution rates for normal cost and unfunded actuarial liability for the Florida Retirement System (FRS), based on the 2011 Actuarial Valuation, as adjusted by the changes to the Investment Plan allocations.
- Reduce the allocation rates for all retirement classes being deposited into Investment Plan member accounts.

The Division of Retirement conducted an actuarial study to determine the impact from changes to the allocations to individual members Investment Plan accounts to the "blended" normal cost for the FRS, as determined in the July 1, 2011 Valuation Study. The net impacts of the adjustments to the "blended" normal cost of the FRS made by the bill upon state funded entities are as follows:

Entities Funded by the State	**General Revenue Fund**	**Trust Funds**	**Total**
State	$11.17M	11.17M	22.34M
School Boards	46.73M		46.73M
State University System	4.48M		4.48M
Community Colleges	3.47M		3.47M
Total	**$62.38M**	**11.17M**	**$77.02M**

The reduction in employer-paid contributions to the State University Optional Retirement Program, the Community College Optional Retirement Program and the Senior Management Service Optional Annuity Program produce the following savings to the entities indicated:

Entities Funded by the State	**General Revenue Fund**	**Trust Funds**	**Total**
State	($0.07M)	($0.07M)	($0.15M)
State University System	(37.57M)		(37.57M)
Community Colleges	(2.57M)		(2.57M)
Total	**($40.21M)**	**($0.07M)**	**($40.29M)**

Conference Committee Amendment (712021)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (c) of subsection (2) of section 121.051, Florida Statutes, is amended to read:

121.051 Participation in the system.—

(2) OPTIONAL PARTICIPATION.—

(c) Employees of public community colleges or charter technical career centers sponsored by public community colleges, designated in s. 1000.21(3), who are members of the Regular Class of the Florida Retirement System and who comply with the criteria set forth in this paragraph and s. 1012.875 may, in lieu of participating in the Florida Retirement System, elect to withdraw from the system altogether and participate in the State Community College System Optional Retirement Program provided by the employing agency under s. 1012.875.

1.a. Through June 30, 2001, the cost to the employer for benefits under the optional retirement program equals the normal cost portion of the employer retirement contribution which would be required if the employee were a member of the pension plan's Regular Class, plus the portion of the contribution rate required by s. 112.363(8) which would otherwise be assigned to the Retiree Health Insurance Subsidy Trust Fund.

b. Effective July 1, 2001, through June 30, 2011, each employer shall contribute on behalf of each member of the optional program an amount equal to 10.43 percent of the employee's gross monthly compensation. The employer shall deduct an amount for the administration of the program.

c. Effective July 1, 2011, *through June 30, 2012,* each member shall contribute an amount equal to the employee contribution required under s. 121.71(3). The employer shall contribute on behalf of each program member an amount equal to the difference between 10.43 percent of the employee's gross monthly compensation and the employee's required contribution based on the employee's gross monthly compensation.

d. Effective July 1, 2012, each member shall contribute an amount equal to the employee contribution required under s. 121.71(3). The employer shall contribute on behalf of each program member an amount equal to the difference between 8.15 percent of the employee's gross monthly compensation and the employee's required contribution based on the employee's gross monthly compensation.

e.~~d.~~ The employer shall contribute an additional amount to the Florida Retirement System Trust Fund equal to the unfunded actuarial accrued liability portion of the Regular Class contribution rate.

2. The decision to participate in the optional retirement program is irrevocable as long as the employee holds a position eligible for participation, except as provided in subparagraph 3. Any service creditable under the Florida Retirement System is retained after the member withdraws from the system; however, additional service credit in the system may not be earned while a member of the optional retirement program.

3. An employee who has elected to participate in the optional retirement program shall have one opportunity, at the employee's discretion, to transfer from the optional retirement program to the pension plan of the Florida Retirement System or to the investment plan established under part II of this chapter, subject to the terms of the applicable optional retirement program contracts.

a. If the employee chooses to move to the investment plan, any contributions, interest, and earnings creditable to the employee under the optional retirement program are retained by the employee in the optional retirement program, and the applicable provisions of s. 121.4501(4) govern the election.

b. If the employee chooses to move to the pension plan of the Florida Retirement System, the employee shall receive service credit equal to his or her years of service under the optional retirement program.

(I) The cost for such credit is the amount representing the present value of the employee's accumulated benefit obligation for the affected period of service. The cost shall be calculated as if the benefit commencement occurs on the first date the employee becomes eligible for unreduced benefits, using the discount rate and other relevant actuarial assumptions that were used to value the Florida Retirement System Pension Plan liabilities in the most recent actuarial valuation. The calculation must include any service already maintained under the pension plan in addition to the years under the optional retirement program. The present value of any service already maintained must be applied as a credit to total cost resulting from the calculation. The division *must* ~~shall~~ ensure that the transfer sum is prepared using a formula and methodology certified by an enrolled actuary.

(II) The employee must transfer from his or her optional retirement program account and from other employee moneys as necessary, a sum representing the present value of the employee's accumulated benefit obligation immediately following the time of such movement, determined assuming that attained service equals the sum of service in the pension plan and service in the optional retirement program.

4. Participation in the optional retirement program is limited to employees who satisfy the following eligibility criteria:

a. The employee is otherwise eligible for membership or renewed membership in the Regular Class of the Florida Retirement System, as provided in s. 121.021(11) and (12) or s. 121.122.

b. The employee is employed in a full-time position classified in the Accounting Manual for Florida's Public Community Colleges as:

(I) Instructional; or

(II) Executive Management, Instructional Management, or Institutional Management and the community college determines that recruiting to fill a vacancy in the position is to be conducted in the national or regional market, and the duties and responsibilities of the position include the formulation, interpretation, or implementation of policies, or the performance of functions that are unique or specialized within higher education and that frequently support the mission of the community college.

c. The employee is employed in a position not included in the Senior Management Service Class of the Florida Retirement System as described in s. 121.055.

5. Members of the program are subject to the same reemployment limitations, renewed membership provisions, and forfeiture provisions applicable to regular members of the Florida Retirement System under ss. 121.091(9), 121.122, and 121.091(5), respectively. A member who receives a program distribution funded by employer and required employee contributions is deemed to be retired from a state-administered retirement system if the member is subsequently employed with an employer that participates in the Florida Retirement System.

6. Eligible community college employees are compulsory members of the Florida Retirement System until, pursuant to s. 1012.875, a written election to withdraw from the system and participate in the optional retirement program is filed with the program administrator and received by the division.

a. A community college employee whose program eligibility results from initial employment shall be enrolled in the optional retirement program retroactive to the first day of eligible employment. The employer and employee retirement contributions paid through the month of the employee plan change shall be transferred to the community college to the employee's optional program account, and, effective the first day of the next month, the employer shall pay the applicable contributions based upon subparagraph 1.

b. A community college employee whose program eligibility is due to the subsequent designation of the employee's position as one of those specified in subparagraph 4., or due to the employee's appointment, promotion, transfer, or reclassification to a position specified in subparagraph 4., must be enrolled in the program on the first day of the first full calendar month that such change in status becomes effective. The employer and employee retirement contributions paid from the effective date through the month of the employee plan change must be transferred to the community college to the employee's optional program account, and, effective the first day of the next month, the employer shall pay the applicable contributions based upon subparagraph 1.

7. Effective July 1, 2003, through December 31, 2008, any member of the optional retirement program who has service credit in the pension plan of the Florida Retirement System for the period between his or her first eligibility to transfer from the pension plan to the optional retirement program and the actual date of transfer may, during employment, transfer to the optional retirement program a sum representing the present value of the accumulated benefit obligation under the defined benefit retirement program for the period of service credit. Upon transfer, all service credit previously earned under the pension plan during this period is nullified for purposes of entitlement to a future benefit under the pension plan.

Section 2. Paragraph (d) of subsection (6) of section 121.055, Florida Statutes, is amended to read:

121.055 Senior Management Service Class.—There is hereby established a separate class of membership within the Florida Retirement System to be known as the "Senior Management Service Class," which shall become effective February 1, 1987.

(6)

(d) *Contributions.*—

1.a. Through June 30, 2001, each employer shall contribute on behalf of each member of the Senior Management Service Optional Annuity Program an amount equal to the normal cost portion of the employer retirement contribution which would be required if the member were a Senior Management Service Class member of the Florida Retirement System Pension Plan, plus the portion of the contribution rate required in s. 112.363(8) that would otherwise be assigned to the Retiree Health Insurance Subsidy Trust Fund.

b. Effective July 1, 2001, through June 30, 2011, each employer shall contribute on behalf of each member of the optional *annuity* program an amount equal to 12.49 percent of the employee's gross monthly compensation.

c. Effective July 1, 2011, *through June 30, 2012,* each member of the optional annuity program shall contribute an amount equal to the employee contribution required under s. 121.71(3). The employer shall contribute on behalf of such employee an amount equal to the difference between 12.49 percent of the employee's gross monthly compensation and the amount equal to the employee's required contribution based on the employee's gross monthly compensation.

d. Effective July 1, 2012, each member of the optional annuity program shall contribute an amount equal to the employee contribution required under s. 121.73. The employer shall contribute on behalf of such employee an amount equal to the difference between 9.27 percent of the employee's gross monthly compensation and the amount equal to the employee's required contribution based on the employee's gross monthly compensation.

e.~~d.~~ The department shall deduct an amount approved by the Legislature to provide for the administration of this program. Payment of the contributions, including contributions made by the employee, shall be made by the employer to the department, which shall forward the contributions to the designated company or companies contracting for payment of benefits for the member under the program.

2. Each employer shall contribute on behalf of each member of the Senior Management Service Optional Annuity Program an amount equal to the unfunded actuarial accrued liability portion of the employer contribution which would be required for members of the Senior Management Service Class in the Florida Retirement System. This contribution shall be paid to the department for transfer to the Florida Retirement System Trust Fund.

3. An Optional Annuity Program Trust Fund shall be established in the State Treasury and administered by the department to make payments to provider companies on behalf of the optional annuity program

members, and to transfer the unfunded liability portion of the state optional annuity program contributions to the Florida Retirement System Trust Fund.

4. Contributions required for social security by each employer and employee, in the amount required for social security coverage as now or hereafter may be provided by the federal Social Security Act shall be maintained for each member of the Senior Management Service retirement program and are in addition to the retirement contributions specified in this paragraph.

5. Each member of the ~~Senior Management Service~~ optional annuity program may contribute by way of salary reduction or deduction a percentage amount of the employee's gross compensation not to exceed the percentage amount contributed by the employer to the optional annuity program. Payment of the employee's contributions shall be made by the employer to the department, which shall forward the contributions to the designated company or companies contracting for payment of benefits for the member under the program.

Section 3. Paragraph (a) of subsection (4) of section 121.35, Florida Statutes, is amended to read:

121.35 Optional retirement program for the State University System.—

(4) CONTRIBUTIONS.—

(a)1. Through June 30, 2001, each employer shall contribute on behalf of each member of the optional retirement program an amount equal to the normal cost portion of the employer retirement contribution which would be required if the employee were a regular member of the Florida Retirement System Pension Plan, plus the portion of the contribution rate required in s. 112.363(8) that would otherwise be assigned to the Retiree Health Insurance Subsidy Trust Fund.

2. Effective July 1, 2001, through June 30, 2011, each employer shall contribute on behalf of each member of the optional retirement program an amount equal to 10.43 percent of the employee's gross monthly compensation.

3. Effective July 1, 2011, *through June 30, 2012,* each member of the optional retirement program shall contribute an amount equal to the employee contribution required in s. 121.71(3). The employer shall contribute on behalf of each such member an amount equal to the difference between 10.43 percent of the employee's gross monthly compensation and the amount equal to the employee's required contribution based on the employee's gross monthly compensation.

4. Effective July 1, 2012, each member of the optional retirement program shall contribute an amount equal to the employee contribution required in s. 121.71(3). The employer shall contribute on behalf of each such member an amount equal to the difference between 8.15 percent of the employee's gross monthly compensation and the amount equal to the employee's required contribution based on the employee's gross monthly compensation.

5.~~4.~~ The payment of the contributions, including contributions by the employee, shall be made by the employer to the department, which shall forward the contributions to the designated company or companies contracting for payment of benefits for members of the program. However, such contributions paid on behalf of an employee described in paragraph (3)(c) may not be forwarded to a company and do not begin to accrue interest until the employee has executed a contract and notified the department. The department shall deduct an amount from the contributions to provide for the administration of this program.

Section 4. Subsections (4) and (5) of section 121.71, Florida Statutes, are amended to read:

121.71 Uniform rates; process; calculations; levy.—

(4) Required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

Membership Class	Percentage of Gross Compensation, Effective July 1, *2012* ~~2011~~	Percentage of Gross Compensation, Effective July 1, *2013* ~~2012~~
Regular Class	*3.55%* ~~3.28%~~	*3.55%* ~~3.28%~~
Special Risk Class	*11.01%* ~~10.21%~~	*11.01%* ~~10.21%~~
Special Risk Administrative Support Class	*3.94%* ~~4.07%~~	*3.94%* ~~4.07%~~
Elected Officers' Class—Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	*6.51%* ~~7.02%~~	*6.51%* ~~7.02%~~
Elected Officers' Class—Justices, Judges	*10.02%* ~~9.78%~~	*10.02%* ~~9.78%~~
Elected Officers' Class—County Elected Officers	*8.36%* ~~9.27%~~	*8.36%* ~~9.27%~~
Senior Management Class	*4.84%* ~~4.81%~~	*4.84%* ~~4.81%~~
DROP	*4.33%* ~~3.31%~~	*4.33%* ~~3.31%~~

(5) In order to address unfunded actuarial liabilities of the system, the required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

Membership Class	Percentage of Gross Compensation, Effective July 1, *2012* ~~2011~~	Percentage of Gross Compensation, Effective July 1,*2013* ~~2012~~
Regular Class	0.49%	*2.02%* ~~2.16%~~
Special Risk Class	2.75%	*7.03%* ~~8.21%~~
Special Risk Administrative Support Class	0.83%	*27.04%* ~~21.40%~~
Elected Officers' Class—Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	0.88%	*27.18%* ~~21.76%~~
Elected Officers' Class—Justices, Judges	0.77%	*16.38%* ~~12.86%~~
Elected Officers' Class—County Elected Officers	0.73%	*23.01%* ~~22.05%~~
Senior Management Service Class	0.32%	*11.25%* ~~10.51%~~
DROP	0.00%	*6.21%* ~~6.36%~~

Section 5. Subsection (4) of section 121.72, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

121.72 Allocations to investment plan member accounts; percentage amounts.—

(4) Effective July 1, 2002, *through June 30, 2012,* allocations from the Florida Retirement System Contributions Clearing Trust Fund to investment plan member accounts are as follows:

Membership Class	Percentage of Gross Compensation
Regular Class	9.00%
Special Risk Class	20.00%

Special Risk Administrative Support Class	11.35%
Elected Officers' Class—Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	13.40%
Elected Officers' Class—Justices, Judges	18.90%
Elected Officers' Class—County Elected Officers	16.20%
Senior Management Service Class	10.95%

(5) Effective July 1, 2012, allocations from the Florida Retirement System Contributions Clearing Trust Fund to investment plan member accounts are as follows:

Membership Class	*Percentage of Gross Compensation*
Regular Class	*6.30%*
Special Risk Class	*14.00%*
Special Risk Administrative Support Class	*7.95%*
Elected Officers' Class—Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	*9.38%*
Elected Officers' Class—Justices, Judges	*13.23%*
Elected Officers' Class—County Elected Officers	*11.34%*
Senior Management Service Class	*7.67%*

Section 6. Paragraph (a) of subsection (4) of section 1012.875, Florida Statutes, is amended to read:

1012.875 State Community College System Optional Retirement Program.—Each Florida College System institution may implement an optional retirement program, if such program is established therefor pursuant to s. 1001.64(20), under which annuity or other contracts providing retirement and death benefits may be purchased by, and on behalf of, eligible employees who participate in the program, in accordance with s. 403(b) of the Internal Revenue Code. Except as otherwise provided herein, this retirement program, which shall be known as the State Community College System Optional Retirement Program, may be implemented and administered only by an individual Florida College System institution or by a consortium of Florida College System institutions.

(4)(a)1. Through June 30, 2011, each college must contribute on behalf of each program member an amount equal to 10.43 percent of the employee's gross monthly compensation.

2. Effective July 1, 2011, *through June 30, 2012,* each member shall contribute an amount equal to the employee contribution required under s. 121.71(3). The employer shall contribute on behalf of each program member an amount equal to the difference between 10.43 percent of the employee's gross monthly compensation and the employee's required contribution based on the employee's gross monthly compensation.

3. Effective July 1, 2012, each member shall contribute an amount equal to the employee contribution required under s. 121.71(3). The employer shall contribute on behalf of each program member an amount equal to the difference between 8.15 percent of the employee's gross monthly compensation and the employee's required contribution based on the employee's gross monthly compensation.

4.~~3.~~ The college shall deduct an amount approved by the district board of trustees of the college to provide for the administration of the optional retirement program. Payment of this contribution must be made directly by the college or through the program administrator to the designated company contracting for payment of benefits to the program member.

Section 7. *The Legislature finds that a proper and legitimate state purpose is served when employees and retirees of the state and its political subdivisions, and the dependents, survivors, and beneficiaries of such employees and retirees, are extended the basic protections afforded by governmental retirement systems. These persons must be provided benefits that are fair and adequate and that are managed, administered, and funded in an actuarially sound manner, as required by s. 14, Article X of the State Constitution and part VII of chapter 112, Florida Statutes. Therefore, the Legislature determines and declares that this act fulfills an important state interest.*

Section 8. This act shall take effect July 1, 2012.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to retirement; amending s. 121.051, F.S.; revising employer contributions for members of the Florida Retirement System who are employees of public community colleges or charter technical career centers sponsored by public community colleges on a certain date; amending s. 121.055, F.S.; revising employer contributions for members of the Senior Management Service Class of the Florida Retirement System on a certain date; amending s. 121.35, F.S.; revising employer contributions for members of the optional retirement program for the State University System on a certain date; amending s. 121.71, F.S.; revising the required employer retirement contribution rates for members of each membership class and subclass of the Florida Retirement System; amending s. 121.72, F.S.; revising allocations from the Florida Retirement System Contributions Clearing Trust Fund to investment plan member accounts on a certain date; amending s. 1012.875, F.S.; revising employer contributions for members of the State Community College System Optional Retirement Program on a certain date; providing that the act fulfills an important state interest; providing an effective date.

On motion by Senator Alexander, the Conference Committee Report on **HB 5005** was adopted. **HB 5005** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gaetz	Rich
Alexander	Garcia	Richter
Altman	Gibson	Sachs
Benacquisto	Hays	Simmons
Bennett	Joyner	Siplin
Bogdanoff	Latvala	Smith
Braynon	Lynn	Sobel
Bullard	Margolis	Storms
Dean	Montford	Thrasher
Diaz de la Portilla	Negron	Wise
Dockery	Norman	
Flores	Oelrich	

Nays—2

Fasano	Ring

Vote after roll call:

Yea—Gardiner

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5007, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5007

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5007, same being:

An act relating to state employees.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz
Andy Gardiner
s/ Alan Hays
s/ Arthenia L. Joyner
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Ben Albritton
s/ Gary Aubuchon, At Large
Leonard L. Bembry
Mack Bernard
Jim Boyd
s/ Jason T. Brodeur
Dwight M. Bullard
s/ Rachel V. Burgin
Charles S. "Chuck" Chestnut IV
At Large
Richard Corcoran
s/ Steve Crisafulli
s/ Daniel Davis
Chris Dorworth, At Large
s/ Eric Eisnaugle
s/ James C. "Jim" Frishe, At Large
Joseph A. "Joe" Gibbons
Eduardo "Eddy" Gonzalez
s/ James W. "J.W." Grant
s/ Gayle B. Harrell
s/ Doug Holder
s/ Mike Horner
Dorothy L. Hukill, At Large
s/ John Patrick Julien
s/ John Legg, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Charles McBurney
s/ Larry Metz
s/ Bryan Nelson

s/ Janet H. Adkins
s/ Larry Ahern
s/ Frank Artiles
s/ Dennis K. Baxley
Lori Berman
s/ Michael Bileca
s/ Jeffrey "Jeff" Brandes
s/ Douglas Vaughn "Doug" Broxson
s/ Matthew H. "Matt" Caldwell
Gwyndolen "Gwyn" Clarke-Reed
s/ Marti Coley
s/ Fredrick W. "Fred" Costello
Janet Cruz
s/ Jose Felix Diaz
s/ Brad Drake
s/ Erik Fresen
s/ Matt Gaetz
s/ Richard "Rich" Glorioso
s/ Tom Goodson
s/ Bill Hager
s/ Shawn Harrison
s/ Ed Hooper
s/ Matt Hudson
Mia L. Jones, At Large
Martin David "Marty" Kiar
s/ Ana Rivas Logan
s/ Debbie Mayfield
s/ Seth McKeel, At Large
s/ Peter Nehr
s/ Jeanette M. Nunez

s/ Jose R. Oliva
Mark S. Pafford
s/ Jimmy Patronis
Ray Pilon
s/ Stephen L. Precourt
Scott Randolph
Betty Reed
s/ Patrick Rooney, Jr.
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
s/ William D. Snyder, At Large
s/ Kelli Stargel
Dwayne L. Taylor
Perry E. Thurston, Jr.
James W. "Jim" Waldman
Will W. Weatherford, At Large
s/ Alan B. Williams
s/ John Wood
s/ Dana D. Young

s/ H. Marlene O'Toole
s/ Kathleen C. Passidomo
s/ W. Keith Perry
s/ Elizabeth W. Porter
s/ William L. "Bill" Proctor
s/ Lake Ray
Hazelle P. "Hazel" Rogers
Darryl Ervin Rouson
Ron Saunders, At Large
Elaine J. Schwartz
s/ Jimmie T. Smith
Darren Soto
W. Gregory "Greg" Steube
Geraldine F. "Geri" Thompson
s/ Carlos Trujillo
Barbara Watson
s/ Michael B. "Mike" Weinstein
s/ Trudi K. Williams
s/ Ritch Workman

Managers on the part of the House

The Conference Committee Amendment for HB 5007, State Employees, provides for the following:

- Resolves the collective bargaining issues at impasse between the State of Florida and the bargaining representatives for state employees for the 2012-2013 fiscal year which have not been resolved in the General Appropriations Act or other legislation.

The amendment does not change substantive law.

Conference Committee Amendment (659209)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *Collective bargaining issues at impasse for the 2012-2013 fiscal year between the State of Florida and the certified representatives of the bargaining units for state employees shall be resolved as follows:*

(1) Collective bargaining issues at impasse between the State of Florida and the Teamsters Local Union No. 2011 regarding Article 3 "Vacant," Article 9 "Reassignment, Transfer, Change in Duty Station," Article 24 "On-call Assignment and Call-Back," Article 28 "Travel Expenses," and Article 32 "Entire Agreement" shall be resolved pursuant to the state's proposal dated December 5, 2011. Article 23 "Hours of Work/Overtime" shall be resolved pursuant to the state's proposal dated March 7, 2012.

(2) Collective bargaining issues at impasse between the State of Florida and the Police Benevolent Association Florida Highway Patrol Unit regarding Article 5 "Employment Representation and PBA Activities" shall be resolved pursuant to the state's proposal dated December 5, 2011.

(3) Collective bargaining issues at impasse between the State of Florida and the Police Benevolent Association Law Enforcement Unit regarding Article 5 "Employment Representation and PBA Activities" shall be resolved pursuant to the state's proposal dated December 5, 2011.

(4) Collective bargaining issues at impasse between the State of Florida and the Police Benevolent Association Special Agent Unit regarding Article 5 "Employment Representation and Association Activities" and Article 31 "Prevailing Rights" shall be resolved pursuant to the state's proposal dated December 5, 2011.

(5) Collective bargaining issues at impasse between the State of Florida and the Florida State Fire Service Association regarding Article 1 "Recognition," Article 2 "Gender Reference," Article 3 "Vacant," Article 5 "Representation Rights," Article 6 "Grievance Procedures," Article 7 "Disciplinary Action," Article 8 "Workforce Reductions," Article 9 "Voluntary Reassignment, Transfer, Change in Duty Station and Promotions," Article 10 "Occupation Profiles/Rules Maintained/Documentation," Article 11 "Classification Review," Article 12 "Personnel Records," Article 13 "Health and Welfare," Article 14 "State Vehicles and Vessels," Article 15 "Probationary Status," Article 16 "Retirement," Article 17 "Allowances and Reimbursements," Article 18 "Leaves of Absence," Article 20 "Training and Education," Article 21 "Committees," Article 24 "On-Call Assignment, Call-Back and Residency," Article 26 "Vacant," Article 27

"Uniforms," Article 30 "Prevailing Rights," Article 32 "Entire Agreement," and Article 33 "Savings Clause" shall be resolved pursuant to the state's proposal dated December 5, 2011. Article 23 "Hours of Work and Overtime" shall be resolved by the state's proposal dated February 16, 2012.

(6) Collective bargaining issues at impasse between the State of Florida and the American Federation of State, County and Municipal Employees, Florida, Council 79 regarding Article 9 "Vacant" and Article 10 "Vacant" shall be resolved pursuant to the state's proposal dated December 5, 2011. Article 27 "Health Insurance" shall be resolved pursuant to the state's proposal dated March 2, 2012.

(7) Collective bargaining issues at impasse between the State of Florida and the Federation of Physicians and Dentists Selected Exempt Service (SES) Supervisory Non-Professional Unit regarding Article 2 "Gender Reference," Article 3 "Vacant," Article 4 "No Discrimination," Article 5 "Union Activities and Employee Representation," Article 6 "Grievance Procedure," Article 7 "Employee Standards of Conduct," Article 8 "Employee Rights," Article 9 "Vacant," Article 10 "Career Opportunities," Article 11 "Classification and Pay Plan," Article 12 "Personnel File," Article 13 "Safety," Article 14 "Review and Performance Evaluations," Article 15 "Scope of Professional Responsibilities," Article 16 "Employment Outside State Government," Article 17 "Drug Testing," Article 18 "Hours of Work/Overtime & Leaves of Absence," Article 19 "Holidays," Article 20 "Training," Article 21 "Travel Expenses," Article 22 "Replacement of Personal Property," Article 24 "Call Back," Article 26 "Printing of the Agreement," Article 27 "Vacant," Article 28 "Management Rights," Article 29 "Entire Agreement," and Article 30 "Savings Clause" shall be resolved pursuant to the state's proposal dated December 5, 2011. Article 23 "Insurance Benefits" shall be resolved pursuant to the state's proposal dated March 2, 2012.

(8) Collective bargaining issues at impasse between the State of Florida and the Federation of Physicians and Dentists Selected Exempt Service (SES) Supervisory Physicians Unit regarding Article 2 "Gender Reference," Article 3 "Vacant," Article 4 "No Discrimination," Article 5 "Employee Rights, Management and Union Communications," Article 6 "Grievance Procedure," Article 7 "Employee Standards of Conduct and Performance," Article 8 "Termination Due to a Reduction in Force and Recall," Article 9 "Reassignment," Article 10 "Classification and Pay Plan," Article 11 "Classification Review and Professional Practice Scope," Article 12 "Personnel Records," Article 13 "Safety," Article 14 "Replacement of Personal Property," Article 15 "Drug Testing," Article 16 "Leaves of Absence, Hours of Work," Article 17 "Training and Education," Article 20 "Per Diem and Travel Expenses," Article 21 "Pay Plan and Classification of Work," Article 22 "Vacant," Article 23 "Management Rights," Article 24 "Entire Agreement," and Article 25 "Savings Clause" shall be resolved pursuant to the state's proposal dated December 5, 2011. Article 19 "Insurance Benefits" shall be resolved pursuant to the state's proposal dated March 2, 2012.

(9) Collective bargaining issues at impasse between the State of Florida and the Federation of Physicians and Dentists State Employees Attorneys Guild regarding Article 2 "Gender Reference," Article 3 "Vacant," Article 4 "No Discrimination," Article 5 "Employee Rights, Management and Union Communications," Article 6 "Grievance Procedure," Article 7 "Employee Standards of Conduct and Performance," Article 8 "Workforce Reduction," Article 9 "Employment Opportunities," Article 10 "Classification and Pay Plan," Article 11 "Classification Review and Professional Practice Scope," Article 12 "Personnel Records," Article 13 "Safety," Article 14 "Replacement of Personal Property," Article 16 "Hours of Work and Employee Leave," Article 17 "Training and Education," Article 20 "Per Diem and Travel Expenses," Article 21 "Employment Outside State Government," Article 22 "Vacant," Article 23 "Management Rights," Article 24 "Entire Agreement," and Article 25 "Savings Clause" shall be resolved pursuant to the state's proposal dated December 5, 2011. Article 19 "Insurance Benefits" shall be resolved pursuant to the state's proposal dated March 2, 2012.

(10) Collective bargaining issues at impasse between the Department of the Lottery and the Federation of Public Employees regarding Article 17 "Insurance and Benefits" shall be resolved pursuant to the state's proposal dated December 9, 2011.

All other mandatory collective bargaining issues at impasse for the 2012-2013 fiscal year that are not addressed by this act or the General Appropriations Act for the 2012-2013 fiscal year shall be resolved consistent with the personnel rules in effect on March 1, 2012, and by otherwise maintaining the status quo under the language of the applicable current collective bargaining agreements.

Section 2. This act shall take effect July 1, 2012.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to state employees; providing for the resolution of certain collective bargaining issues at impasse between the State of Florida and certified bargaining units of state employees; providing for all other mandatory collective bargaining issues that are at impasse and that are not addressed by the act or the General Appropriations Act to be resolved consistent with personnel rules or by otherwise maintaining the status quo; providing an effective date.

On motion by Senator Alexander, the Conference Committee Report on **HB 5007** was adopted. **HB 5007** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gaetz	Rich
Alexander	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Latvala	Siplin
Bullard	Lynn	Smith
Dean	Margolis	Sobel
Detert	Montford	Storms
Diaz de la Portilla	Negron	Thrasher
Dockery	Norman	Wise
Fasano	Oelrich	

Nays—1

Joyner

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5011, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5011

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5011, same being:

An act relating to state information technology.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff

At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Ben Albritton
s/ Gary Aubuchon, At Large
Leonard L. Bembry
Mack Bernard
Jim Boyd
s/ Jason T. Brodeur
Dwight M. Bullard
s/ Rachel V. Burgin
Charles S. "Chuck" Chestnut IV
At Large
Richard Corcoran
Steve Crisafulli
s/ Daniel Davis
Chris Dorworth, At Large
s/ Eric Eisnaugle
s/ James C. "Jim" Frishe, At Large
Joseph A. "Joe" Gibbons
Eduardo "Eddy" Gonzalez
s/ James W. "J.W." Grant
s/ Gayle B. Harrell
s/ Doug Holder, At Large
s/ Mike Horner
Dorothy L. Hukill, At Large
s/ John Patrick Julien
s/ John Legg, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Charles McBurney
s/ Larry Metz
s/ Bryan Nelson
s/ Jose R. Oliva
Mark S. Pafford
s/ Jimmy Patronis
Ray Pilon
s/ Stephen L. Precourt
Scott Randolph
Betty Reed
s/ Patrick Rooney, Jr.
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
s/ William D. Snyder, At Large
s/ Kelli Stargel
Dwayne L. Taylor
Perry E. Thurston, Jr.
James W. "Jim" Waldman
s/ Will W. Weatherford, At Large
Alan B. Williams
s/ John Wood
s/ Dana D. Young
s/ Janet H. Adkins
s/ Larry Ahern
s/ Frank Artiles
Dennis K. Baxley
Lori Berman
s/ Michael Bileca
s/ Jeffrey "Jeff" Brandes
s/ Douglas Vaughn "Doug" Broxson
s/ Matthew H. "Matt" Caldwell
Gwyndolen "Gwyn" Clarke-Reed
s/ Marti Coley
s/ Fredrick W. "Fred" Costello
Janet Cruz
s/ Jose Felix Diaz
s/ Brad Drake
s/ Erik Fresen
s/ Matt Gaetz
s/ Richard "Rich" Glorioso
s/ Tom Goodson
s/ Bill Hager
Shawn Harrison
s/ Ed Hooper
s/ Matt Hudson
Mia L. Jones, At Large
Martin David "Marty" Kiar
s/ Ana Rivas Logan
s/ Debbie Mayfield
s/ Seth McKeel, At Large
s/ Peter Nehr
s/ Jeanette M. Nunez
s/ H. Marlene O'Toole
s/ Kathleen C. Passidomo
s/ W. Keith Perry
s/ Elizabeth W. Porter
s/ William L. "Bill" Proctor
s/ Lake Ray
Hazelle P. "Hazel" Rogers
s/ Darryl Ervin Rouson
Ron Saunders, At Large
Elaine J. Schwartz
s/ Jimmie T. Smith
Darren Soto
W. Gregory "Greg" Steube
Geraldine F. "Geri" Thompson
s/ Carlos Trujillo
Barbara Watson
s/ Michael B. "Mike" Weinstein
s/ Trudi K. Williams
s/ Ritch Workman

Managers on the part of the House

The Conference Committee Amendment for HB 5011, State Information Technology, provides for the following:

- Creates the Agency for State Technology within the Executive Office of the Governor under the Governor and Cabinet.

- Eliminates the Agency for Enterprise Technology and transfers all resources and records to the newly created Agency for State Technology.

- Transfers the management oversight responsibility of the Northwood and Southwood Shared Resource Centers from a board of trustees to the Agency for State Technology.

- Repeals email as a state enterprise activity.

- Appropriates 16 positions and $1,847,866 in General Revenue to operate the newly created Agency for State Technology.

Conference Committee Amendment (226783)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *All of the records and property; funds, trust funds, and unexpended balances of appropriations, allocations, and other funds; administrative authority; the administrative rules in effect as of November 15, 2010, comprised only of Chapters 71-1, 71A-1, and 71A-2, Florida Administrative Code; pending issues; and existing contracts of the Agency for Enterprise Information Technology are transferred by a type two transfer, pursuant to s. 20.06(2), Florida Statutes, to the Agency for State Technology.*

Section 2. *(1) All notices published after November 15, 2010, by the Agency for Enterprise Information Technology pursuant to s. 120.54, Florida Statutes, are nullified and of no further force or effect.*

(2) All proceedings pursuant to s. 120.54, Florida Statutes, of the Agency for Enterprise Information Technology that are pending on the effective date of this act or were initiated after November 15, 2010, are nullified and of no further force or effect.

Section 3. *Section 14.204, Florida Statutes, is repealed.*

Section 4. Section 14.206, Florida Statutes, is created to read:

14.206 Agency for State Technology.—The Agency for State Technology is created within the Executive Office of the Governor.

(1) The head of the agency shall be the Governor and Cabinet.

(2) The agency is a separate budget entity and is not subject to control, supervision, or direction by the Executive Office of the Governor, including, but not limited to, purchasing, transactions involving real or personal property, personnel, or budgetary matters.

(3) The agency shall have an executive director who is the state's Chief Information Officer and who must:

(a) Have a degree in computer science or information technology, or a related field, from an accredited postsecondary institution.

(b) Have at least 10 years of executive-level experience in strategic information technology planning and project management in both the public and private sectors.

(c) Be appointed by the Governor, subject to confirmation by the Cabinet and the Senate, and serve at the pleasure of the Governor and Cabinet.

(d) Designate a state Chief Information Security Officer who shall report directly to the executive director.

(4) The Agency for State Technology shall have the following duties and responsibilities:

(a) Provide project management oversight of the agency data center consolidations authorized pursuant to s. 282.201. Such project management oversight shall include, but is not limited to:

1. Monitoring the activities of an agency in meeting the timetable and milestones included in the agency's consolidation transition plan required pursuant to s. 282.201(4).

2. Monitoring the activities of a primary data center in implementing the staffing plan and resolving any issues included in the primary data center's consolidation transition plan required pursuant to s. 282.201(4).

3. Reporting to the Governor and Cabinet, the President of the Senate, and the Speaker of the House of Representatives any recommended corrective actions necessary to resolve policy or fiscal issues identified as a result of the agency's project monitoring.

(b) Beginning October 1, 2013, and biennially thereafter, develop and submit to the President of the Senate and the Speaker of the House of Representatives an Information Technology Strategic Plan that establishes a statewide mission, goals, and objectives for the use of information technology in the provision of state government information and services. The plan shall include, but is not limited to:

1. An inventory of the information technology systems that are operated and maintained by executive branch agencies. At a minimum the inventory must include:

a. The name of each system, the number of users who must use the system to perform their job functions, the associated business processes, and a description of the system functionality that supports the system.

b. The total cost of operating and maintaining each system on a fiscal-year basis. The total cost must include staffing, hardware, software, contracted services, and external service provider costs.

2. Identification of strategies and opportunities to improve the delivery of each system identified in the inventory that would result in cost efficiencies or service level improvements.

3. An inventory of major information technology projects currently in progress within the executive branch agencies. For purposes of this inventory, "major information technology project" means a project that exceeds $1 million in total costs but the term does not include projects that involve renewing existing software licensing agreements or replacing desktop units with technology that is similar to the technology currently in use. For each project the inventory must include, but is not limited to:

a. The total projected costs versus actual costs to-date reported by the following cost categories: hardware, software, staffing, and contracted services.

b. The original project schedule and any changes made to the schedule including the reasons cited for each change.

c. The original scope of the project, any changes made to the original scope, and any fiscal impact resulting from such changes.

4. Identification of strategies and techniques for consolidating the purchase of information technology commodities and contractual services which result in cost savings for the state.

5. Recommendations of other information technology services that should be designed, delivered, and managed as enterprise information technology services as defined in s. 282.0041. For each information technology service recommended, the plan must include the specific business and functional requirements of the service, the projected costs and cost savings, and a proposed schedule for statewide implementation.

6. Recommendations for reducing energy consumption and improving the energy efficiency of the primary data centers.

(c) Assist the Division of Purchasing in the Department of Management Services in establishing best practices for the procurement of information technology products that include the use of aggregate buying methodologies whenever possible, and negotiating the procurement of information technology products in order to achieve cost reductions.

(d) Develop information technology standards for the efficient design, planning, acquisition, implementation, and delivery of information technology services and conduct periodic assessments of agencies for compliance with such standards.

(e) Perform duties related to enterprise information technology services as required pursuant to part I of chapter 282.

(f) Provide management oversight of the Northwood Shared Resource Center and the Southwood Shared Resource Center which shall include:

1. Establishing appropriate operating policies necessary for the centers to perform their duties pursuant to s. 282.203. Such policies shall include a process for creating workgroups within the centers for the purpose of reviewing and analyzing specific issues or activities and providing recommendations for addressing the issue or activity.

2. Monitoring the operation of the centers to ensure compliance by the director of each center with the laws and rules governing the centers and ensure that staff members are accountable for the performance of the centers.

(5) The agency shall operate in a manner that ensures the participation and representation of state agencies.

(6) The agency may adopt rules necessary to implement provisions of law conferring duties upon it.

Section 5. Section 282.0041, Florida Statutes, is amended to read:

282.0041 Definitions.—As used in this chapter, the term:

(1) "Agency" has the same meaning as in s. 216.011(1)(qq), except that for purposes of this chapter, "agency" does not include university boards of trustees or state universities *and, for purposes of part I, the term "agency" does not include state attorneys, public defenders, criminal conflict and civil regional counsel, capital collateral regional counsel, the Florida Clerks of Court Operations Corporation, or the Florida Housing Finance Corporation*.

~~(2) "Agency for Enterprise Information Technology" means the agency created in s. 14.204.~~

~~(3) "Agency information technology service" means a service that directly helps an agency fulfill its statutory or constitutional responsibilities and policy objectives and is usually associated with the agency's primary or core business functions.~~

~~(4) "Annual budget meeting" means a meeting of the board of trustees of a primary data center to review data center usage to determine the apportionment of board members for the following fiscal year, review rates for each service provided, and determine any other required changes.~~

(2)~~(5)~~ "Breach" has the same meaning as in s. 817.5681(4).

(3)~~(6)~~ "Business continuity plan" means a plan for disaster recovery which provides for the continued functioning of a primary data center during and after a disaster.

(4)~~(7)~~ "Computing facility" means agency space containing fewer than a total of 10 physical or logical servers, any of which supports a strategic or nonstrategic information technology service, as described in budget instructions developed pursuant to s. 216.023, but excluding single, logical-server installations that exclusively perform a utility function such as file and print servers.

(5)~~(8)~~ "Customer entity" means an entity that obtains services from a primary data center.

(6)~~(9)~~ "Data center" means agency space containing 10 or more physical or logical servers any of which supports a strategic or nonstrategic information technology service, as described in budget instructions developed pursuant to s. 216.023.

(7)~~(10)~~ "Department" means the Department of Management Services.

(8)~~(11)~~ "Enterprise information technology service" means an information technology service that is used in all agencies or a subset of agencies and is established in law to be designed, delivered, and managed at the enterprise level.

~~(12) "E-mail, messaging, and calendaring service" means the enterprise information technology service that enables users to send, receive, file, store, manage, and retrieve electronic messages, attachments, appointments, and addresses. The e-mail, messaging, and calendaring~~

~~service must include e-mail account management; help desk; technical support and user provisioning services; disaster recovery and backup and restore capabilities; antispam and antivirus capabilities; archiving and e-discovery; and remote access and mobile messaging capabilities.~~

(9)~~(13)~~ "Information-system utility" means a full-service information-processing facility offering hardware, software, operations, integration, networking, and consulting services.

(10)~~(14)~~ "Information technology" means equipment, hardware, software, firmware, programs, systems, networks, infrastructure, media, and related material used to automatically, electronically, and wirelessly collect, receive, access, transmit, display, store, record, retrieve, analyze, evaluate, process, classify, manipulate, manage, assimilate, control, communicate, exchange, convert, converge, interface, switch, or disseminate information of any kind or form.

~~(15) "Information technology policy" means statements that describe clear choices for how information technology will deliver effective and efficient government services to residents and improve state agency operations. A policy may relate to investments, business applications, architecture, or infrastructure. A policy describes its rationale, implications of compliance or noncompliance, the timeline for implementation, metrics for determining compliance, and the accountable structure responsible for its implementation.~~

(11)~~(16)~~ "Performance metrics" means the measures of an organization's activities and performance.

(12)~~(17)~~ "Primary data center" means a data center that is a recipient entity for consolidation of *agency* ~~nonprimary~~ data centers and computing facilities and that is established by law.

(13)~~(18)~~ "Project" means an endeavor that has a defined start and end point; is undertaken to create or modify a unique product, service, or result; and has specific objectives that, when attained, signify completion.

(14)~~(19)~~ "Risk analysis" means the process of identifying security risks, determining their magnitude, and identifying areas needing safeguards.

(15)~~(20)~~ "Service level" means the key performance indicators (KPI) of an organization or service which must be regularly performed, monitored, and achieved.

(16)~~(21)~~ "Service-level agreement" means a written contract between a data center and a customer entity which specifies the scope of services provided, service level, the duration of the agreement, the responsible parties, and service costs. A service-level agreement is not a rule pursuant to chapter 120.

(17)~~(22)~~ "Standards" means required practices, controls, components, or configurations established by an authority.

(18)~~(23)~~ "SUNCOM Network" means the state enterprise telecommunications system that provides all methods of electronic or optical telecommunications beyond a single building or contiguous building complex and used by entities authorized as network users under this part.

(19)~~(24)~~ "Telecommunications" means the science and technology of communication at a distance, including electronic systems used in the transmission or reception of information.

~~(25) "Threat" means any circumstance or event that may cause harm to the integrity, availability, or confidentiality of information technology resources.~~

(20)~~(26)~~ "Total cost" means all costs associated with information technology projects or initiatives, including, but not limited to, value of hardware, software, service, maintenance, incremental personnel, and facilities. Total cost of a loan or gift of information technology resources to an agency includes the fair market value of the resources.

(21)~~(27)~~ "Usage" means the billing amount charged by the primary data center, less any pass-through charges, to the customer entity.

(22)~~(28)~~ "Usage rate" means a customer entity's usage or billing amount as a percentage of total usage.

Section 6. *Section 282.0055, Florida Statutes, is repealed.*

Section 7. *Section 282.0056, Florida Statutes, is repealed.*

Section 8. Subsections (2) and (3), paragraphs (f) through (o) of subsection (4), and subsections (5) and (6) of section 282.201, Florida Statutes, are amended to read:

282.201 State data center system; agency duties and limitations.—A state data center system that includes all primary data centers~~, other nonprimary data centers, and computing facilities,~~ and that provides an enterprise information technology service as defined in s. 282.0041, is established.

(2) AGENCY FOR *STATE* ~~ENTERPRISE INFORMATION~~ TECHNOLOGY DUTIES.— The Agency for *State* ~~Enterprise Information~~ Technology shall:

~~(a) Collect and maintain information necessary for developing policies relating to the data center system, including, but not limited to, an inventory of facilities.~~

(a)~~(b)~~ Annually approve *the* cost-recovery *methodologies* ~~mechanisms~~ and rate structures for *the* primary data centers ~~which recover costs through charges to customer entities~~.

(b)~~(c)~~ By September 30*, 2012, and* ~~of~~ each year *thereafter*, submit to the Legislature, the Executive Office of the Governor, and the primary data centers recommendations to improve the efficiency and cost-effectiveness of computing services provided by *the primary data centers* ~~state data center system facilities~~. Such recommendations must include, but *are* ~~need~~ not ~~be~~ limited to:

1. *A plan, to include projected cost savings, for reducing the number of discrete servers, storage systems, network devices, and other data center components within each primary data center while maintaining or reducing the workload performed by the primary data center* ~~Policies for improving the cost-effectiveness and efficiency of the state data center system, which includes the primary data centers being transferred to a shared, virtualized server environment, and the associated cost savings resulting from the implementation of such policies~~.

~~2. Infrastructure improvements supporting the consolidation of facilities or preempting the need to create additional data centers or computing facilities.~~

2.~~3.~~ Uniform disaster recovery standards.

3.~~4.~~ Standards for primary data centers which provide cost-effective services and transparent financial data to user agencies.

4.~~5.~~ Consolidation of contract practices or coordination of software, hardware, or other technology-related procurements and the associated cost savings.

5.~~6.~~ *Changes to the* ~~Improvements to data center~~ governance *structure of the primary data centers* ~~structures~~.

~~(d) By October 1 of each year beginning in 2011, provide recommendations to the Governor and Legislature relating to changes to the schedule for the consolidations of state agency data centers as provided in subsection (4).~~

~~1. The recommendations must be based on the goal of maximizing current and future cost savings by:~~

~~a. Consolidating purchase decisions;~~

~~b. Leveraging expertise and other resources to gain economies of scale;~~

~~c. Implementing state information technology policies more effectively; and~~

~~d. Maintaining or improving the level of service provision to customer entities.~~

~~2. The agency shall establish workgroups as necessary to ensure participation by affected agencies in the development of recommendations related to consolidations.~~

(c)~~(c)~~ Develop and establish rules relating to the operation of the *primary data centers* ~~state data center system~~ which comply with applicable federal regulations, including 2 C.F.R. part 225 and 45 C.F.R. ~~The agency shall publish notice of rule development in the Florida Administrative Weekly by October 1, 2011.~~ The rules must address:

1. Ensuring that financial information is captured and reported consistently and accurately.

2. Identifying standards for hardware, including standards for a shared, virtualized server environment, and operations system software and other operational software, including security and network infrastructure, for the primary data centers; requiring compliance with such standards in order to enable the efficient consolidation of the agency data centers or computing facilities; and providing an exemption process from compliance with such standards, which must be consistent with paragraph (5)(b).

3. Requiring annual full cost recovery on an equitable rational basis. The cost-recovery methodology must ensure that no service is subsidizing another service and may include adjusting the subsequent year's rates as a means to recover deficits or refund surpluses from a prior year.

~~4. Requiring that any special assessment imposed to fund expansion is based on a methodology that apportions the assessment according to the proportional benefit to each customer entity.~~

4.~~5.~~ Requiring that rebates be given when revenues have exceeded costs, that rebates be applied to offset charges to those customer entities that have subsidized the costs of other customer entities, and that such rebates may be in the form of credits against future billings.

5.~~6.~~ Requiring that all service-level agreements have a contract term of up to 3 years, but may include an option to renew for up to 3 additional years ~~contingent on approval by the board~~, and require at least a 180-day notice of termination.

(d) By October 1, 2012, and each year thereafter, provide recommendations to the Governor and Legislature relating to changes to the schedule for the consolidations of state agency data centers as provided in subsection (4).

(3) STATE AGENCY DUTIES.—

(a) For the purpose of completing *the* ~~its~~ work activities as described in *subsections* ~~subsection~~ (1) *and (2)*, each state agency shall provide to the Agency for *State* ~~Enterprise Information~~ Technology all requested information *relating to its data centers and computing facilities* and any other information relevant to the agency's ability to effectively transition its computer services into a primary data center. The agency shall also participate as required in workgroups relating to specific consolidation planning and implementation tasks as assigned by the Agency for *State* ~~Enterprise Information~~ Technology and determined necessary to accomplish consolidation goals.

~~(b) Each state agency shall submit to the Agency for Enterprise Information Technology information relating to its data centers and computing facilities as required in instructions issued by July 1 of each year by the Agency for Enterprise Information Technology. The information required may include:~~

~~1. Amount of floor space used and available.~~

~~2. Numbers and capacities of mainframes and servers.~~

~~3. Storage and network capacity.~~

~~4. Amount of power used and the available capacity.~~

~~5. Estimated expenditures by service area, including hardware and software, numbers of full time equivalent positions, personnel turnover, and position reclassifications.~~

~~6. A list of contracts in effect for the fiscal year, including, but not limited to, contracts for hardware, software and maintenance, including the expiration date, the contract parties, and the cost of the contract.~~

~~7. Service level agreements by customer entity.~~

(b)~~(c)~~ Each state agency customer of a primary data center shall notify the data center *and the Agency for State Technology*, by May 31 and November 30 of each year, of any significant changes in anticipated *use* ~~utilization~~ of data center services pursuant to requirements established by the *Agency for State Technology* ~~boards of trustees of each primary data center~~.

(4) SCHEDULE FOR CONSOLIDATIONS OF AGENCY DATA CENTERS.—

(f) During the 2012-2013 fiscal year, the following shall be consolidated into the Northwood Shared Resource Center:

1. By July 1, 2012, the Agency for Health Care Administration.

2. By August 31, 2012, the Department of Highway Safety and Motor Vehicles.

3.~~2.~~ By December 31, 2012, the Department of Environmental Protection's Palmetto Commons.

4.~~3.~~ By *December 31, 2012, the Department of Health's Test and Development Lab and all remaining data center resources located at the Capital Circle Office Complex* ~~March 30, 2013, the Department of Law Enforcement's headquarters location~~.

(g) During the 2013-2014 fiscal year, the following agencies shall work with the Agency for *State* ~~Enterprise Information~~ Technology to begin preliminary planning for consolidation into a primary data center:

~~1. The Department of the Lottery's headquarters location.~~

1.~~2.~~ The Department of Legal Affairs.

2.~~3.~~ The Fish and Wildlife Conservation Commission, except for the commission's Fish and Wildlife Research Institute in St. Petersburg.

3.~~4.~~ The Executive Office of the Governor.

4.~~5.~~ The Department of Veterans' Affairs.

5.~~6.~~ The Department of Elderly Affairs.

6.~~7.~~ The Department of Financial Services' Hartman, Larson, and Fletcher Building Data Centers.

7.~~8.~~ The Department of Agriculture and Consumer Services' Agriculture Management Information Center in the Mayo Building and Division of Licensing.

(h) During the 2014-2015 fiscal year, the following agencies shall work with the Agency for *State* ~~Enterprise Information~~ Technology to begin preliminary planning for consolidation into a primary data center:

1. The Department of Health's Jacksonville Lab Data Center.

2. The Department of Transportation's district offices, toll offices, and the District Materials Office.

3. The Department of Military Affairs' Camp Blanding Joint Training Center in Starke.

4. The Department of Community Affairs' Camp Blanding Emergency Operations Center in Starke.

5. The Department of Education's Division of Blind Services disaster recovery site in Daytona Beach.

6. The Department of Education's disaster recovery site at Santa Fe College.

~~7. The Department of the Lottery's Disaster Recovery Backup Data Center in Orlando.~~

7.~~8.~~ The Fish and Wildlife Conservation Commission's Fish and Wildlife Research Institute in St. Petersburg.

8.~~9.~~ The Department of Children and Family Services' Suncoast Data Center in Tampa.

9.~~10.~~ The Department of Children and Family Services' Florida State Hospital in Chattahoochee.

(i) During the 2015-2016 fiscal year, all computing resources remaining within an agency ~~nonprimary~~ data center or computing facility shall be transferred to a primary data center for consolidation unless otherwise required to remain in the agency for specified financial, technical, or business reasons that must be justified in writing and approved by the *Legislature* ~~Agency for Enterprise Information Technology. Such data centers, computing facilities, and resources must be identified by the Agency for Enterprise Information Technology by October 1, 2014~~.

(j) The Department of Law Enforcement, the Department of the Lottery's Gaming System, Systems Design and Development in the Office of Policy and Budget, and the State Board of Administration are exempt from data center consolidation under this section.

(k)~~(j)~~ Any agency that is consolidating agency data centers into a primary data center must execute a new or update an existing service-level agreement within 60 days after the specified consolidation date, as required by s. 282.203, in order to specify the services and levels of service it is to receive from the primary data center as a result of the consolidation. If an agency is unable to execute a service-level agreement by that date, the agency shall submit a report to the Executive Office of the Governor and to the chairs of the legislative appropriations committees within 5 working days after that date which explains the specific issues preventing execution and describing its plan and schedule for resolving those issues.

(l)~~(k)~~ Beginning September 1, 2011, and every 6 months thereafter until data center consolidations are complete, the Agency for *State* ~~Enterprise Information~~ Technology shall provide a status report on the implementation of the consolidations that must be completed during the fiscal year. The report shall be submitted to the Executive Office of the Governor and the chairs of the legislative appropriations committees. The report must, at a minimum, describe:

1. Whether the consolidation is on schedule, including progress on achieving the milestones necessary for successful and timely consolidation of scheduled agency data centers and computing facilities; and

2. The risks that may affect the progress or outcome of the consolidation and how these risks are being addressed, mitigated, or managed.

(m)~~(l)~~ Each agency identified in this subsection for consolidation into a primary data center shall submit a transition plan to the *appropriate primary data center* ~~Agency for Enterprise Information Technology~~ by *July* ~~September~~ 1 of the fiscal year before the fiscal year in which the scheduled consolidation will occur. Transition plans shall be developed in consultation with the appropriate primary data *center* ~~centers~~ and the Agency for *State* ~~Enterprise Information~~ Technology, and must include:

1. An inventory of the agency data center's resources being consolidated, including all hardware, software, staff, and contracted services, and the facility resources performing data center management and operations, security, backup and recovery, disaster recovery, system administration, database administration, system programming, job control, production control, print, storage, technical support, help desk, and managed services, but excluding application development;

2. A description of the level of services needed to meet the technical and operational requirements of the platforms being consolidated and an estimate of the primary data center's cost for the provision of such services;

3. A description of resources for computing services proposed to remain in the department;

4. A timetable with significant milestones for the completion of the consolidation; and

5. The specific recurring and nonrecurring budget adjustments of budget resources by appropriation category into the appropriate data processing category pursuant to the legislative budget instructions in s. 216.023 necessary to support agency costs for the transfer.

(n)~~(m)~~ Each primary data center shall develop a transition plan for absorbing the transfer of agency data center resources based upon the timetables for transition as provided in this subsection. The plan shall be submitted to the Agency for *State* ~~Enterprise Information~~ Technology, the Executive Office of the Governor, and the chairs of the legislative appropriations committees by September *1* ~~30~~ of the fiscal year before the fiscal year in which the scheduled consolidations will occur. Each plan must include:

1. An estimate of the cost to provide data center services for each agency scheduled for consolidation.~~;~~

2. A staffing plan that identifies the projected staffing needs and requirements based on the estimated workload identified in the agency transition plan.~~;~~

3. The fiscal year adjustments to budget categories in order to absorb the transfer of agency data center resources pursuant to the legislative budget request instructions provided in s. 216.023.~~;~~

4. An analysis of the cost effects resulting from the planned consolidations on existing agency customers.~~; and~~

5. A description of any issues that must be resolved in order to accomplish as efficiently and effectively as possible all consolidations required during the fiscal year.

~~(n) The Agency for Enterprise Information Technology shall develop a comprehensive transition plan, which shall be submitted by October 15th of the fiscal year before the fiscal year in which the scheduled consolidations will occur to each primary data center, to the Executive Office of the Governor, and the chairs of the legislative appropriations committees. The transition plan shall be developed in consultation with agencies submitting agency transition plans and with the affected primary data centers. The comprehensive transition plan must include:~~

~~1. Recommendations for accomplishing the proposed transitions as efficiently and effectively as possible with minimal disruption to customer agency business processes;~~

~~2. Strategies to minimize risks associated with any of the proposed consolidations;~~

~~3. A compilation of the agency transition plans submitted by agencies scheduled for consolidation for the following fiscal year; and~~

~~4. Revisions to any budget adjustments provided in the agency or primary data center transition plans.~~

~~(o) Any agency data center scheduled for consolidation after the 2011-2012 fiscal year may consolidate into a primary data center before its scheduled date contingent upon the approval of the Agency for Enterprise Information Technology.~~

(5) AGENCY LIMITATIONS.—

(a) Unless *exempt from data center consolidation pursuant to this section or* authorized by the Legislature or as provided in paragraphs (b) and (c), a state agency may not:

1. Create a new computing facility or data center, or expand the capability to support additional computer equipment in an existing *agency* computing facility or ~~nonprimary~~ data center;

2. Spend funds before the agency's scheduled consolidation into a primary data center to purchase or modify hardware or operations software that does not comply with hardware and software standards established by the Agency for *State* ~~Enterprise Information~~ Technology pursuant to paragraph *(2)(c)* ~~(2)(e)~~ for the efficient consolidation of the agency data centers or computing facilities;

3. Transfer existing computer services to any data center other than a primary data center;

4. Terminate services with a primary data center or transfer services between primary data centers without giving written notice of intent to terminate or transfer services 180 days before such termination or transfer; or

5. Initiate a new computer service ~~if it does not currently have an internal data center~~ except with a primary data center.

(b) Exceptions to the limitations in subparagraphs (a)1., 2., 3., and 5. may be granted by the Agency for *State* ~~Enterprise Information~~ Technology if there is insufficient capacity in a primary data center to absorb the workload associated with agency computing services, if expenditures are compatible with the scheduled consolidation and the standards established pursuant to paragraph *(2)(c)* ~~(2)(c)~~, or if the equipment or resources are needed to meet a critical agency business need that cannot be satisfied from surplus equipment or resources of the primary data center until the agency data center is consolidated.

1. A request for an exception must be submitted in writing to the Agency for *State* ~~Enterprise Information~~ Technology. The agency must accept, accept with conditions, or deny the request within 60 days after receipt of the written request. The agency's decision is not subject to chapter 120.

2. At a minimum, the agency may not approve a request unless it includes:

a. Documentation approved by the primary data *center* ~~center's board of trustees~~ which confirms that the center cannot meet the capacity requirements of the agency requesting the exception within the current fiscal year.

b. A description of the capacity requirements of the agency requesting the exception.

c. Documentation from the agency demonstrating why it is critical to the agency's mission that the expansion or transfer must be completed within the fiscal year rather than when capacity is established at a primary data center.

(c) Exceptions to subparagraph (a)4. may be granted by the *Agency for State Technology* ~~board of trustees of the primary data center~~ if the termination or transfer of services can be absorbed within the current cost-allocation plan.

(d) Upon the termination of or transfer of agency computing services from the primary data center, the primary data center shall require information sufficient to determine compliance with this section. If a primary data center determines that an agency is in violation of this section, it shall report the violation to the Agency for *State* ~~Enterprise Information~~ Technology.

~~(6) RULES. The Agency for Enterprise Information Technology may adopt rules to administer this part relating to the state data center system including the primary data centers.~~

Section 9. Section 282.203, Florida Statutes, is amended to read:

282.203 Primary data centers.—

(1) DATA CENTER DUTIES.—Each primary data center shall:

(a) Serve customer entities as an information-system utility.

(b) Cooperate with customer entities to offer, develop, and support the services and applications as defined *within the service level agreement executed pursuant to this section* ~~and provided by the center's board of trustees and customer entities~~.

(c) Comply with *all policies and* rules adopted by the Agency for *State* ~~Enterprise Information~~ Technology *for the operation of a primary data center*~~, pursuant to this section,~~ and coordinate with the agency in the *implementation of the schedule for consolidations of agency data centers pursuant to s. 282.201* ~~consolidation of data centers~~.

(d) Provide to each agency head by September 1 of the fiscal year before the fiscal year in which the agency's consolidation is scheduled to occur the projected costs to provide data center services. Each agency head shall use the projected cost for inclusion in his or her respective legislative budget request for budget adjustments necessary to fund the agency's data center services.

(e)~~(d)~~ Provide transparent financial statements to customer entities~~, the center's board of trustees,~~ and the Agency for *State* ~~Enterprise Information~~ Technology. The financial statements shall be provided as follows:

1. Annually, by July 30 for the current fiscal year and by December 1 for the subsequent fiscal year, the data center must provide the total annual budgeted costs by major expenditure category, including, but not limited to, salaries, expense, operating capital outlay, contracted services, or other personnel services, which directly relate to the provision of each service and which separately indicate the administrative overhead allocated to each service.

2. Annually, by July 30 for the current fiscal year and by December 1 for the subsequent fiscal year, the data center must provide total projected billings for each customer entity which are required to recover the costs of the data center.

3. Annually, by January 31, the data center must provide updates of the financial statements required under subparagraphs 1. and 2. for the current fiscal year.

~~4. By February 15, for proposed legislative budget increases, the data center must provide updates of the financial statements required under subparagraphs 1. and 2. for the subsequent fiscal year.~~

The financial information required under subparagraphs 1., 2., and 3. must be based on current law and current appropriations.

~~(e) Annually, by October 1, submit to the board of trustees cost reduction proposals, including strategies and timetables for lowering customer entities' costs without reducing the level of services.~~

(f) Maintain the performance of the facility, which includes ensuring proper data backup~~, data backup~~ recovery, an effective disaster recovery plan, and appropriate security, power, *and* cooling and fire suppression~~, and capacity~~.

(g) Develop a business continuity plan and conduct a live exercise of the plan at least annually. The plan must be approved by ~~the board and~~ the Agency for *State* ~~Enterprise Information~~ Technology.

(h) Enter into a service-level agreement with each customer entity to provide *data center* services ~~as defined and approved by the board~~. A service-level agreement may not have a term exceeding 3 years but may include an option to renew for up to 3 years ~~contingent on approval by the board~~.

1. A service-level agreement, at a minimum, must:

a. Identify the parties and their roles, duties, and responsibilities under the agreement.~~;~~

b. Identify the legal authority under which the service-level agreement was negotiated and entered into by the parties.~~;~~

c. State the duration of the contractual term and specify the conditions for contract renewal.~~;~~

d. Prohibit the transfer of computing services between primary data *centers* ~~center facilities~~ without at least 180 days' notice of service cancellation.~~;~~

e. Identify the scope of work.~~;~~

f. Identify the products or services to be delivered with sufficient specificity to permit an external financial or performance audit.~~;~~

g. Establish the services to be provided, the business standards that must be met for each service, the cost of each service, and the process by which the business standards for each service are to be objectively measured and reported.~~;~~

h. Identify applicable funds and funding *sources* ~~streams~~ for the services or products under contract.~~;~~

i. Provide a timely billing methodology for recovering the cost of services provided to the customer entity.~~;~~

j. Provide a procedure for modifying the service-level agreement to address changes in projected costs of service.~~;~~

k. Provide that a service-level agreement may be terminated by either party for cause only after giving the other party and the Agency for *State* ~~Enterprise Information~~ Technology notice in writing of the cause for termination and an opportunity for the other party to resolve the identified cause within a reasonable period.~~; and~~

l. Provide for mediation of disputes by the Division of Administrative Hearings pursuant to s. 120.573.

2. A service-level agreement may include:

a. A dispute resolution mechanism, including alternatives to administrative or judicial proceedings;

b. The setting of a surety or performance bond for service-level agreements entered into with ~~agency~~ primary data centers established by law; or

c. Additional terms and conditions as determined advisable by the parties if such additional terms and conditions do not conflict with the requirements of this section or rules adopted by the Agency for *State* ~~Enterprise Information~~ Technology.

3. The failure to execute a service-level agreement within 60 days after service commencement shall, in the case of an existing customer entity, result in a continuation of the terms of the service-level agreement from the prior fiscal year, including any amendments that were formally proposed to the customer entity by the primary data center within the 3 months before service commencement, and a revised cost-of-service estimate. If a new customer entity fails to execute an agreement within 60 days after service commencement, the data center may cease services.

(i) Plan, design, establish pilot projects for, and conduct experiments with information technology resources, and implement enhancements in services if such implementation is cost-effective and approved by the *Agency for State Technology* ~~board~~.

(j) Enter into a memorandum of understanding with the agency where the data center is administratively located if the data center requires the agency to provide any administrative services to the data center and the cost of such services. *Any administrative overhead costs charged shall require a specific appropriation in the General Appropriation Act.*

(k) Be the custodian of resources and equipment that are located, operated, supported, and managed by the center for the purposes of chapter 273.

(l) Assume administrative access rights to the resources and equipment, such as servers, network components, and other devices that are consolidated into the primary data center.

1. Upon the date of each consolidation specified in s. 282.201, the General Appropriations Act, or the Laws of Florida, each agency shall relinquish all administrative access rights to such resources and equipment. *Agencies required to comply with federal and state criminal justice information security rules and policies shall retain administrative access rights sufficient to comply with the management control provisions of those rules and policies; however, the primary data center shall have the appropriate type and level of rights to allow the center to comply with its duties pursuant to this section.*

2. Each primary data center shall provide its customer agencies with the appropriate level of access to applications, servers, network components, and other devices necessary for agencies to perform their core business activities and functions.

~~(2) BOARD OF TRUSTEES. Each primary data center shall be headed by a board of trustees as defined in s. 20.03.~~

~~(a) The members of the board shall be appointed by the agency head or chief executive officer of the representative customer entities of the primary data center and serve at the pleasure of the appointing customer entity. Each agency head or chief executive officer may appoint an alternate member for each board member appointed pursuant to this subsection.~~

~~1. During the first fiscal year that a state agency is to consolidate its data center operations to a primary data center and for the following full fiscal year, the agency shall have a single trustee having one vote on the board of the state primary data center where it is to consolidate, unless it is entitled in the second year to a greater number of votes as provided in subparagraph 3.~~

~~2. Board membership shall be as provided in subparagraph 3. based on the most recent estimate of customer entity usage rates for the prior year and a projection of usage rates for the first 9 months of the next fiscal year. Such calculation must be completed before the annual budget meeting held before the beginning of the next fiscal year so that any decision to add or remove board members can be voted on at the budget meeting and become effective on July 1 of the subsequent fiscal year.~~

~~3. Each customer entity that has a projected usage rate of 4 percent or greater during the fiscal operating year of the primary data center shall have one trustee on the board.~~

~~4. The total number of votes for each trustee shall be apportioned as follows:~~

~~a. Customer entities of a primary data center whose usage rate represents 4 but less than 15 percent of total usage shall have one vote.~~

~~b. Customer entities of a primary data center whose usage rate represents 15 but less than 30 percent of total usage shall have two votes.~~

~~c. Customer entities of a primary data center whose usage rate represents 30 but less than 50 percent of total usage shall have three votes.~~

~~d. A customer entity of a primary data center whose usage rate represents 50 percent or more of total usage shall have four votes.~~

~~e. A single trustee having one vote shall represent those customer entities that represent less than 4 percent of the total usage. The trustee shall be selected by a process determined by the board.~~

~~(b) Before July 1 of each year, each board of trustees of a primary data center shall elect a chair and a vice chair to a term of 1 year or until a successor is elected. The vice chair shall serve in the absence of the chair. The chair may be elected to serve one additional successive term.~~

~~(c) Members of the board representing customer entities who fail to timely pay for data center services do not have voting rights.~~

~~(d) A majority of the members constitutes a quorum. The board shall take action by a majority vote of the members if a quorum is present. If there is a tie, the chair shall be on the prevailing side.~~

~~(e) The executive director of the Agency for Enterprise Information Technology shall be the advisor to the board.~~

~~(f) To facilitate planned data center consolidations, board membership may be adjusted as provided in the General Appropriations Act.~~

(2)~~(3)~~ *PRIMARY DATA CENTER DIRECTOR* ~~BOARD~~ DUTIES.—Each ~~board of trustees of a~~ primary data center shall *be headed by a director who shall*:

~~(a) Employ an executive director, pursuant to s. 20.05, who serves at the pleasure of the board. The executive director is responsible for the daily operation of the primary data center, ensuring compliance with all laws and rules regulating the primary data center, managing primary data center employees, and the performance of the primary data center. The board shall establish an annual performance evaluation process for the executive director. The appointment of the executive director must be reconfirmed by the board biennially.~~

(a)~~(b)~~ Establish procedures for the primary data center to ensure that budgeting and accounting procedures, cost-recovery methodologies, and operating procedures are in compliance with laws governing the ~~state~~ data center ~~system~~, rules adopted by the Agency for *State* ~~En-~~

~~terprise Information~~ Technology, and applicable federal regulations, including 2 C.F.R. part 225 and 45 C.F.R.

~~(c) Monitor the operation of the primary data center to ensure compliance by the executive director and employees with laws and rules governing the primary data center, and ensure that staff members are accountable for the performance of the primary data center.~~

(b)~~(d)~~ Provide each customer entity with full disclosure concerning plans for new, additional, or reduced service requirements, including expected achievable service levels and performance metrics.

(c)~~(e)~~ Ensure the sufficiency and transparency of the primary data center financial information by:

1. Establishing policies that ensure that cost-recovery methodologies, billings, receivables, expenditure, budgeting, and accounting data are captured and reported timely, consistently, accurately, and transparently and, upon adoption of rules by the Agency for *State* ~~Enterprise Information~~ Technology, are in compliance with such rules.

2. Requiring execution of service-level agreements by the data center and each customer entity for services provided by the data center to the customer entity.

3. Requiring cost recovery for the full cost of services, including direct and indirect costs. The cost-recovery methodology must ensure that no service is subsidizing another service without an affirmative vote of approval by the customer entity providing the subsidy.

~~4. Establishing special assessments to fund expansions based on a methodology that apportions the assessment according to the proportional benefit to each customer entity.~~

4.~~5.~~ Providing rebates to customer entities when revenues exceed costs and offsetting charges to those who have subsidized other customer entity costs based on actual prior year final expenditures. Rebates may be credited against future billings.

~~6. Approving all expenditures committing over $50,000 in a fiscal year.~~

5.~~7.~~ Projecting costs and revenues at the beginning of the third quarter of each fiscal year through the end of the fiscal year. If in any given fiscal year the primary data center is projected to earn revenues that are below costs for that fiscal year*, the data center director must submit a plan for consideration by the Legislative Budget Commission that* ~~after first reducing operating costs where possible, the board shall implement any combination of the following remedies to cover the shortfall~~:

a. *Identifies the cause or causes for the revenue shortfall.* ~~The board may direct the primary data center to adjust current year chargeback rates through the end of the fiscal year to cover the shortfall. The rate adjustments shall be implemented using actual usage rate and billing data from the first three quarters of the fiscal year and the same principles used to set rates for the fiscal year.~~

b. *Recommends options for addressing the shortfall to include reducing the primary data center's operating costs where possible. If an option includes increasing the rates through the end of the fiscal year to cover the shortfall, the plan must identify the fund source or sources that the agency will use to pay for the increase* ~~The board may direct the primary data center to levy one-time charges on all customer entities to cover the shortfall. The one-time charges shall be implemented using actual usage rate and billing data from the first three quarters of the fiscal year and the same principles used to set rates for the fiscal year~~.

~~c. The customer entities represented by each board member may provide payments to cover the shortfall in proportion to the amounts each entity paid in the prior fiscal year.~~

6. Providing a plan for consideration by the Legislative Budget Commission if a billing rate schedule is used after the start of the fiscal year that increases any agency's costs for that fiscal year.

~~(f) Meet as often as necessary, but not less than once per quarter, and hold the annual budget meeting between April 1 and June 30 of each year.~~

(d)~~(g)~~ Approve the portfolio of services offered by the data center.

(e)~~(h)~~ By July 1 of each year, submit to the Agency for *State* ~~Enterprise Information~~ Technology proposed cost-recovery mechanisms and rate structures for all customer entities for the fiscal year including the cost-allocation methodology for administrative expenditures and the calculation of administrative expenditures as a percent of total costs.

(f)~~(i)~~ Consider energy-efficient products and their total cost of ownership when replacing, upgrading, or expanding:

1. Data center facilities, including, but not limited to, environmental, power, and control systems; and

2. Data center network, storage, and computer equipment. If the total cost of ownership, including initial acquisition cost, is estimated to be equal to or lower than existing infrastructure, technical specifications for energy-efficient products should be incorporated into the replacement, upgrade, or expansion planning and acquisition process.

(g)~~(j)~~ Maintain the capabilities of the primary data center's facilities. Maintenance responsibilities include, but are not limited to, ensuring that adequate conditioned floor space, fire suppression, cooling, and power is in place; replacing aging equipment when necessary; and making decisions related to data center ~~expansion and~~ renovation, periodic upgrades, and improvements that are required to ensure the ongoing suitability of the facility as *a primary* ~~an enterprise~~ data center ~~consolidation site in the state data center system. To the extent possible, the board shall ensure that its approved annual cost allocation plan recovers sufficient funds from its customers to provide for these needs~~.

(h)~~(k)~~ Coordinate with other primary data centers and the Agency for *State* ~~Enterprise Information~~ Technology in order to consolidate purchases of goods and services and lower the cost of providing services to customer entities.

(i)~~(l)~~ Contract with other primary data centers for the provision of administrative services or with the agency within which the primary data center is housed, whichever is most cost-effective. *Any administrative overhead costs charged shall require a specific appropriation in the General Appropriation Act.*

Section 10. Section 282.204, Florida Statutes, is amended to read:

282.204 Northwood Shared Resource Center.—The Northwood Shared Resource Center is an agency established within the Department of Management Services for administrative purposes only.

(1) The center is a primary data center and is a separate budget entity that is not subject to control, supervision, or direction of the department in any manner, including, but not limited to, purchasing, transactions involving real or personal property, personnel, or budgetary matters.

(2) The center shall be headed by a *director who shall be appointed by the executive director of the Agency for State Technology. The director of the center shall be responsible for its daily operation, ensuring its compliance with all laws and rules governing the center, and managing its performance and employees* ~~board of trustees as provided in s. 282.203, who shall comply with all requirements of that section related to the operation of the center and with the rules of the Agency for Enterprise Information Technology related to the design and delivery of enterprise information technology services~~.

Section 11. Section 282.205, Florida Statutes, is amended to read:

282.205 Southwood Shared Resource Center.—The Southwood Shared Resource Center is an agency established within the department for administrative purposes only.

(1) The center is designated as a primary data center and shall be a separate budget entity that is not subject to control, supervision, or direction of the department in any manner, including, but not limited to, purchasing, transactions involving real or personal property, personnel, or budgetary matters.

(2) The center shall be headed by a *director who shall be appointed by the executive director of the Agency for State Technology. The director of the center shall be responsible for its daily operation, ensuring its com-*

pliance with all laws and rules governing the center, and managing its performance and employees ~~board of trustees as provided in s. 282.203, who shall comply with all requirements of that section related to the operation of the center and with the rules of the Agency for Enterprise Information Technology related to the design and delivery of enterprise information technology services~~.

Section 12. *Section 282.33, Florida Statutes, is repealed.*

Section 13. *Effective upon this act becoming a law, section 282.34, Florida Statutes, is repealed.*

Section 14. Subsection (1) and paragraph (g) of subsection (2) of section 17.0315, Florida Statutes, are amended to read:

17.0315 Financial and cash management system; task force.—

(1) The Chief Financial Officer, as the constitutional officer responsible for settling and approving accounts against the state and keeping all state funds pursuant to s. 4, Art. IV of the State Constitution, shall be the head of and appoint members to a task force established to develop a strategic business plan for a successor financial and cash management system. The task force shall include the executive director of the Agency for *State* ~~Enterprise Information~~ Technology and the director of the Office of Policy and Budget in the Executive Office of the Governor. Any member of the task force may appoint a designee.

(2) The strategic business plan for a successor financial and cash management system must:

(g) Be coordinated with the information technology strategy development efforts of the Agency for *State* ~~Enterprise Information~~ Technology;

Section 15. Paragraph (e) of subsection (2) of section 110.205, Florida Statutes, is amended to read:

110.205 Career service; exemptions.—

(2) EXEMPT POSITIONS.—The exempt positions that are not covered by this part include the following:

(e) The Chief Information Officer in the Agency for *State* ~~Enterprise Information~~ Technology. Unless otherwise fixed by law, the Agency for *State* ~~Enterprise Information~~ Technology shall set the salary and benefits of this position in accordance with the rules of the Senior Management Service.

Section 16. Subsections (2) and (9) of section 215.322, Florida Statutes, are amended to read:

215.322 Acceptance of credit cards, charge cards, debit cards, or electronic funds transfers by state agencies, units of local government, and the judicial branch.—

(2) A state agency as defined in s. 216.011, or the judicial branch, may accept credit cards, charge cards, debit cards, or electronic funds transfers in payment for goods and services with the prior approval of the Chief Financial Officer. If the Internet or other related electronic methods are to be used as the collection medium, the Agency for *State* ~~Enterprise Information~~ Technology shall review and recommend to the Chief Financial Officer whether to approve the request with regard to the process or procedure to be used.

(9) For payment programs in which credit cards, charge cards, or debit cards are accepted by state agencies, the judicial branch, or units of local government, the Chief Financial Officer, in consultation with the Agency for *State* ~~Enterprise Information~~ Technology, may adopt rules to establish uniform security safeguards for cardholder data and to ensure compliance with the Payment Card Industry Data Security Standards.

Section 17. Subsections (3), (4), (5), and (6) of section 282.318, Florida Statutes, are amended to read:

282.318 Enterprise security of data and information technology.—

(3) The Agency for *State* ~~Enterprise Information~~ Technology is responsible for establishing rules and publishing guidelines for ensuring an appropriate level of security for all data and information technology resources for executive branch agencies. The agency shall also perform the following duties and responsibilities:

(a) Develop, and annually update by February 1, an enterprise information security strategic plan that includes security goals and objectives for the strategic issues of information security policy, risk management, training, incident management, and survivability planning.

(b) Develop enterprise security rules and published guidelines for:

1. Comprehensive risk analyses and information security audits conducted by state agencies.

2. Responding to suspected or confirmed information security incidents, including suspected or confirmed breaches of personal information or exempt data.

3. Agency security plans, including strategic security plans and security program plans.

4. The recovery of information technology and data following a disaster.

5. The managerial, operational, and technical safeguards for protecting state government data and information technology resources.

(c) Assist agencies in complying with the provisions of this section.

(d) Pursue appropriate funding for the purpose of enhancing domestic security.

(e) Provide training for agency information security managers.

(f) Annually review the strategic and operational information security plans of executive branch agencies.

(4) To assist the Agency for *State* ~~Enterprise Information~~ Technology in carrying out its responsibilities, each agency head shall, at a minimum:

(a) Designate an information security manager to administer the security program of the agency for its data and information technology resources. This designation must be provided annually in writing to the Agency for *State* ~~Enterprise Information~~ Technology by January 1.

(b) Submit to the Agency for *State* ~~Enterprise Information~~ Technology annually by July 31, the agency's strategic and operational information security plans developed pursuant to the rules and guidelines established by the Agency for *State* ~~Enterprise Information~~ Technology.

1. The agency strategic information security plan must cover a 3-year period and define security goals, intermediate objectives, and projected agency costs for the strategic issues of agency information security policy, risk management, security training, security incident response, and survivability. The plan must be based on the enterprise strategic information security plan created by the Agency for *State* ~~Enterprise Information~~ Technology. Additional issues may be included.

2. The agency operational information security plan must include a progress report for the prior operational information security plan and a project plan that includes activities, timelines, and deliverables for security objectives that, subject to current resources, the agency will implement during the current fiscal year. The cost of implementing the portions of the plan which cannot be funded from current resources must be identified in the plan.

(c) Conduct, and update every 3 years, a comprehensive risk analysis to determine the security threats to the data, information, and information technology resources of the agency. The risk analysis information is confidential and exempt from the provisions of s. 119.07(1), except that such information shall be available to the Auditor General and the Agency for *State* ~~Enterprise Information~~ Technology for performing postauditing duties.

(d) Develop, and periodically update, written internal policies and procedures, which include procedures for notifying the Agency for *State* ~~Enterprise Information~~ Technology when a suspected or confirmed breach, or an information security incident, occurs. Such policies and

procedures must be consistent with the rules and guidelines established by the Agency for *State* ~~Enterprise Information~~ Technology to ensure the security of the data, information, and information technology resources of the agency. The internal policies and procedures that, if disclosed, could facilitate the unauthorized modification, disclosure, or destruction of data or information technology resources are confidential information and exempt from s. 119.07(1), except that such information shall be available to the Auditor General and the Agency for *State* ~~Enterprise Information~~ Technology for performing postauditing duties.

(e) Implement appropriate cost-effective safeguards to address identified risks to the data, information, and information technology resources of the agency.

(f) Ensure that periodic internal audits and evaluations of the agency's security program for the data, information, and information technology resources of the agency are conducted. The results of such audits and evaluations are confidential information and exempt from s. 119.07(1), except that such information shall be available to the Auditor General and the Agency for *State* ~~Enterprise Information~~ Technology for performing postauditing duties.

(g) Include appropriate security requirements in the written specifications for the solicitation of information technology and information technology resources and services, which are consistent with the rules and guidelines established by the Agency for *State* ~~Enterprise Information~~ Technology.

(h) Provide security awareness training to employees and users of the agency's communication and information resources concerning information security risks and the responsibility of employees and users to comply with policies, standards, guidelines, and operating procedures adopted by the agency to reduce those risks.

(i) Develop a process for detecting, reporting, and responding to suspected or confirmed security incidents, including suspected or confirmed breaches consistent with the security rules and guidelines established by the Agency for *State* ~~Enterprise Information~~ Technology.

1. Suspected or confirmed information security incidents and breaches must be immediately reported to the Agency for *State* ~~Enterprise Information~~ Technology.

2. For incidents involving breaches, agencies shall provide notice in accordance with s. 817.5681 and to the Agency for *State* ~~Enterprise Information~~ Technology in accordance with this subsection.

(5) Each state agency shall include appropriate security requirements in the specifications for the solicitation of contracts for procuring information technology or information technology resources or services which are consistent with the rules and guidelines established by the Agency for *State* ~~Enterprise Information~~ Technology.

(6) The Agency for *State* ~~Enterprise Information~~ Technology may adopt rules relating to information security and to administer the provisions of this section.

Section 18. Subsection (22) of section 287.057, Florida Statutes, is amended to read:

287.057 Procurement of commodities or contractual services.—

(22) The department, in consultation with the Agency for *State* ~~Enterprise Information~~ Technology and the *Chief Financial Officer* ~~Comptroller~~, shall develop a program for online procurement of commodities and contractual services. To enable the state to promote open competition and to leverage its buying power, agencies shall participate in the online procurement program, and eligible users may participate in the program. Only vendors prequalified as meeting mandatory requirements and qualifications criteria may participate in online procurement.

(a) The department, in consultation with the agency, may contract for equipment and services necessary to develop and implement online procurement.

(b) The department, in consultation with the agency, shall adopt rules, pursuant to ss. 120.536(1) and 120.54, to administer the program for online procurement. The rules shall include, but not be limited to:

1. Determining the requirements and qualification criteria for prequalifying vendors.

2. Establishing the procedures for conducting online procurement.

3. Establishing the criteria for eligible commodities and contractual services.

4. Establishing the procedures for providing access to online procurement.

5. Determining the criteria warranting any exceptions to participation in the online procurement program.

(c) The department may impose and shall collect all fees for the use of the online procurement systems.

1. The fees may be imposed on an individual transaction basis or as a fixed percentage of the cost savings generated. At a minimum, the fees must be set in an amount sufficient to cover the projected costs of the services, including administrative and project service costs in accordance with the policies of the department.

2. If the department contracts with a provider for online procurement, the department, pursuant to appropriation, shall compensate the provider from the fees after the department has satisfied all ongoing costs. The provider shall report transaction data to the department each month so that the department may determine the amount due and payable to the department from each vendor.

3. All fees that are due and payable to the state on a transactional basis or as a fixed percentage of the cost savings generated are subject to s. 215.31 and must be remitted within 40 days after receipt of payment for which the fees are due. For fees that are not remitted within 40 days, the vendor shall pay interest at the rate established under s. 55.03(1) on the unpaid balance from the expiration of the 40-day period until the fees are remitted.

4. All fees and surcharges collected under this paragraph shall be deposited in the Operating Trust Fund as provided by law.

Section 19. Subsection (4) of section 445.011, Florida Statutes, is amended to read:

445.011 Workforce information systems.—

(4) Workforce Florida, Inc., shall coordinate development and implementation of workforce information systems with the executive director of the Agency for *State* ~~Enterprise Information~~ Technology to ensure compatibility with the state's information system strategy and enterprise architecture.

Section 20. Subsections (2) and (4) of section 445.045, Florida Statutes, are amended to read:

445.045 Development of an Internet-based system for information technology industry promotion and workforce recruitment.—

(2) Workforce Florida, Inc., shall coordinate with the Agency for *State* ~~Enterprise Information~~ Technology and the Department of Economic Opportunity to ensure links, where feasible and appropriate, to existing job information websites maintained by the state and state agencies and to ensure that information technology positions offered by the state and state agencies are posted on the information technology website.

(4)(a) Workforce Florida, Inc., shall coordinate development and maintenance of the website under this section with the executive director of the Agency for *State* ~~Enterprise Information~~ Technology to ensure compatibility with the state's information system strategy and enterprise architecture.

(b) Workforce Florida, Inc., may enter into an agreement with the Agency for *State* ~~Enterprise Information~~ Technology, the Department of Economic Opportunity, or any other public agency with the requisite information technology expertise for the provision of design, operating, or other technological services necessary to develop and maintain the website.

(c) Workforce Florida, Inc., may procure services necessary to implement the provisions of this section, if it employs competitive processes, including requests for proposals, competitive negotiation, and other competitive processes to ensure that the procurement results in the most cost-effective investment of state funds.

Section 21. Subsection (18) of section 668.50, Florida Statutes, is amended to read:

668.50 Uniform Electronic Transaction Act.—

(18) ACCEPTANCE AND DISTRIBUTION OF ELECTRONIC RECORDS BY GOVERNMENTAL AGENCIES.—

(a) Except as otherwise provided in paragraph (12)(f), each governmental agency shall determine whether, and the extent to which, such agency will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures.

(b) To the extent that a governmental agency uses electronic records and electronic signatures under paragraph (a), the Agency for *State* ~~Enterprise Information~~ Technology, in consultation with the governmental agency, giving due consideration to security, may specify:

1. The manner and format in which the electronic records must be created, generated, sent, communicated, received, and stored and the systems established for those purposes.

2. If electronic records must be signed by electronic means, the type of electronic signature required, the manner and format in which the electronic signature must be affixed to the electronic record, and the identity of, or criteria that must be met by, any third party used by a person filing a document to facilitate the process.

3. Control processes and procedures as appropriate to ensure adequate preservation, disposition, integrity, security, confidentiality, and auditability of electronic records.

4. Any other required attributes for electronic records which are specified for corresponding nonelectronic records or reasonably necessary under the circumstances.

(c) Except as otherwise provided in paragraph (12)(f), this section does not require a governmental agency of this state to use or permit the use of electronic records or electronic signatures.

(d) Service charges and fees otherwise established by law applicable to the filing of nonelectronic records shall apply in kind to the filing of electronic records.

Section 22. *For the 2012-2013 fiscal year, there is appropriated to the Agency for State Technology the sum of $1,847,866 in recurring general revenue funds, and 16 full-time equivalent positions and associated salary rate of 1,415,386 are authorized for the purpose of implementing this act.*

Section 23. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2012.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to state information technology; transferring records, property, funds, trust funds, administrative authority and rules, pending issues, and existing contracts of the Agency for Enterprise Information Technology to the Agency for State Technology; nullifying certain notices and proceedings of the Agency for Enterprise Information Technology; repealing s. 14.204, F.S., relating to the Agency for Enterprise Information Technology, to abolish the agency; creating s. 14.206, F.S.; creating the Agency for State Technology; providing for the head of the agency; providing that the agency is a separate budget entity; providing for the appointment of an executive director who shall be the state's Chief Information Officer; providing for the appointment of a state Chief Information Security Officer; providing duties and responsibilities of the agency; providing for an Information Technology Strategic Plan; defining the term "major information technology project" for purposes of a provision of the plan; authorizing the agency to adopt rules; amending s. 282.0041, F.S.; revising definitions for purposes of provisions relating to information technology services and accessibility of information and technology; repealing ss. 282.0055 and 282.0056, F.S., relating to assignment of information technology and development of work and implementation plans, respectively, to remove provisions that assign certain responsibilities and duties to the Agency for Enterprise Information Technology; amending s. 282.201, F.S., relating to the state data center system; providing duties of the Agency for State Technology; directing the agency to develop and establish rules for certain purposes; revising certain duties of state agencies; revising provisions for consolidation of computing facilities into primary data centers; revising provisions for transition plans; requiring resources required to remain in an agency center or computing facility be justified in writing and approved by the Legislature; revising agency limitations with respect to changing or adding computer services; revising procedures for exceptions to the limitations; removing a provision relating to rulemaking; amending s. 282.203, F.S., relating to primary data centers; revising duties of the centers; revising provisions for data center services provided to agencies; directing each agency head to include certain projected costs of data center services in his or her legislative budget request; providing for access rights for agencies required to comply with federal and state criminal justice information security rules and policies; removing provisions for each primary data center to be headed by a board of trustees; providing that each center shall be headed by a director; providing duties of the director; providing that certain administrative costs charged to an agency or other center by a primary data center require a specific appropriation; amending s. 282.204, F.S.; providing for the Northwood Shared Resource Center to be headed by a director appointed by the executive director of the Agency for State Technology; removing provisions for that center to be headed by a board of trustees; amending s. 282.205, F.S.; providing for the Southwood Shared Resource Center to be headed by a director appointed by the executive director of the Agency for State Technology; removing provisions for that center to be headed by a board of trustees; repealing s. 282.33, F.S., relating to standards for data center energy efficiency; repealing s. 282.34, F.S., relating to a statewide e-mail service; amending ss. 17.0315, 110.205, 215.322, 282.318, 287.057, 445.011, 445.045, and 668.50, F.S., relating to a task force established to develop a strategic business plan, career service exemptions, acceptance of electronic payments, enterprise security of data and information technology, procurement of commodities or contractual services, workforce information systems, information technology industry promotion and workforce recruitment, and acceptance and distribution of electronic records by governmental agencies; conforming provisions to changes made by the act; providing an appropriation; providing effective dates.

On motion by Senator Alexander, the Conference Committee Report on **HB 5011** was adopted. **HB 5011** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Rich
Bennett	Gardiner	Richter
Bogdanoff	Gibson	Sachs
Braynon	Hays	Simmons
Bullard	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise

Nays—1

Ring

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5101, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5101

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5101, 1st Eng., same being:

An act relating to prekindergarten through grade 12 education funding.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Janet H. Adkins
Charles S. "Chuck" Chestnut IV
At Large
s/ Erik Fresen
s/ Matt Gaetz
s/ Doug Holder, At Large
Mia L. Jones, At Large
John Legg, At Large
s/ Carlos Lopez-Cantera, At Large
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
Geraldine F. "Geri" Thompson

s/ Marti Coley
Lead Manager
s/ Gary Aubuchon, At Large
Gwyndolen "Gwyn" Clarke-Reed
Chris Dorworth, At Large
s/ James C. "Jim" Frishe, At Large
s/ Bill Hager
Dorothy L. Hukill, At Large
Martin David "Marty" Kiar
s/ Ana Rivas Logan
s/ Seth McKeel, At Large
Ron Saunders, At Large
s/ Jimmie T. Smith
s/ William D. Snyder, At Large
s/ Will W. Weatherford, At Large

Managers on the part of the House

The Conference Committee Amendment for HB 5101, PreK-12 Education Appropriations Issues, provides for the following:

- Modifies the FEFP Supplemental Academic Instruction allocation for 2012-2013 and 2013-2014 to require districts with the 100 lowest performing elementary schools to provide intensive reading instruction by effective teachers for the students in these schools for an additional hour a day beyond the normal school day for the entire school year.

- Modifies the FEFP Reading allocation for 2012-2013 and 2013-2014 to provide intensive reading instruction for students in the 100 lowest performing elementary schools during an additional one hour of instruction beyond the normal school day for the entire school year. Limits the use of these funds for reading coaches.

- Limits flexibility for the use of Reading and Supplemental Academic Instruction allocations to first require the additional hour of instruction for students in the 100 lowest performing elementary schools.

- Delays the increased class size penalty (from 50% to the full amount of the base student allocation) until 2014-2015, including a retroactive adjustment of the 2011-2012 penalty calculation.

- Provides school districts with flexibility for instructional materials purchases, which are required to be made during the first two years of the adoption, for the 2012-2013 mathematics adoption if the districts meet certain requirements.

- Requires providers and schools to implement pre and post assessments for students in the voluntary prekindergarten program.

- Limits the amendatory period for the reporting of FTE for payment to providers and schools by early learning coalitions for the voluntary prekindergarten program.

- Requires districts to provide Discretionary Local Effort funds up to the state average and/or state compression funding for juvenile justice education students.

- Requires school districts to participate in a School District Consortium to maximize purchasing power for goods and services.

- Creates the K-12 Public School Facility Funding Task Force to make recommendations for funding equity among charter schools and school district schools.

- Creates the Digital Instructional Materials Work Group to plan and monitor the transition to digital instructional materials.

- Limits the 5% charter school administrative charge for schools with exceptional student enrollment that is 75% or greater of the total school enrollment.

- Conforms severance package language for district superintendents and employees to s. 215.425, F.S. (from a maximum of one year's salary to a maximum of 20 weeks compensation).

- Limits the use of public broadcasting funds to TV stations to reflect budget allocations.

- Clarifies that the Sheriff is an eligible juvenile justice education provider.

- Repeals the Manatee County School District compulsory school attendance age pilot project.

- Authorizes the Commissioner of Education to waive certain school district facilities construction requirements if justified by the district.

- Clarifies that Auditor General audits satisfy the independent audit requirement for the educational facilities plan of school districts.

- Provides technical clarification of FEFP reporting requirements and audit adjustments.

- Maintains the waiver of the three-fourths limit for the use of school district discretionary capital outlay millage funds for payments required by lease-purchase agreements.

This bill substantially amends sections 496.404, 1001.25, 1001.26, 1001.42, 1001.50, 1002.33, 1002.67, 1002.69, 1002.71, 1003.01, 1003.03, 1003.52, 1006.40, 1011.61, 1011.62, 1011.71, 1013.03, 1013.35, and repeals section 1003.61 of the Florida Statutes.

Conference Committee Amendment (555457)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (8) of section 496.404, Florida Statutes, is amended to read:

496.404 Definitions.—As used in ss. 496.401-496.424:

(8) "Educational institutions" means those institutions and organizations described in s. 212.08(7)(cc)8.a. The term includes private nonprofit organizations, the purpose of which is to raise funds for schools teaching grades kindergarten through grade 12, colleges, and universities, including any nonprofit newspaper of free or paid circulation primarily on university or college campuses which holds a current exemption from federal income tax under s. 501(c)(3) of the Internal Revenue Code, any educational television ~~or radio~~ network or system established pursuant to s. 1001.25 or s. 1001.26, and any nonprofit television or radio station that is a part of such network or system and that holds a current exemption from federal income tax under s. 501(c)(3) of the Internal Revenue Code. The term also includes a nonprofit educational cable consortium that holds a current exemption from federal income tax under s. 501(c)(3) of the Internal Revenue Code, whose primary purpose is the delivery of educational and instructional cable television programming and whose members are composed exclusively of educational organizations that hold a valid consumer certificate of exemption and that are either an educational institution as defined in this subsection or qualified as a nonprofit organization pursuant to s. 501(c)(3) of the Internal Revenue Code.

Section 2. Paragraph (c) of subsection (2) of section 1001.25, Florida Statutes, is amended to read:

1001.25 Educational television.—

(2) POWERS OF DEPARTMENT.—

(c) The department may provide equipment, funds, and other services to extend and update both the existing and the proposed educational television ~~and radio~~ systems of tax-supported and nonprofit, corporate-owned facilities. All stations funded must be qualified by the Corporation for Public Broadcasting. New stations eligible for funding shall provide a first service to an audience that is not currently receiving a broadcast signal or provide a significant new program service as defined by State Board of Education rules. Funds appropriated to the department for educational television ~~and funds appropriated to the department for educational radio~~ may be used by the department for ~~either~~ educational television *only* ~~or educational radio, or both~~.

Section 3. Paragraphs (a), (d), and (e) of subsection (1) and paragraph (c) of subsection (2) of section 1001.26, Florida Statutes, are amended to read:

1001.26 Public broadcasting program system.—

(1) There is created a public broadcasting program system for the state. The department shall administer this program system pursuant to rules adopted by the State Board of Education. This program system must complement and share resources with the instructional programming service of the Department of Education and educational UHF, VHF, *EBS* ~~ITFS~~, and FM stations in the state. The program system must include:

(a) Support for existing Corporation for Public Broadcasting qualified program system educational ~~radio and~~ television stations and new stations meeting Corporation for Public Broadcasting qualifications and providing a first service to an audience that does not currently receive a broadcast signal or providing a significant new program service as defined by rule by the State Board of Education.

(d) Establishment and maintenance of a capability for statewide program distribution with facilities and staff, provided such facilities and staff complement and strengthen existing or future educational television ~~and radio~~ stations in accordance with paragraph (a) and s. 1001.25(2)(c).

(e) Provision of both statewide programming funds and station programming support for educational television ~~and educational radio~~ to meet statewide priorities. Priorities for station programming need not be the same as priorities for programming to be used statewide. Station programming may include, but shall not be limited to, citizens' participation programs, music and fine arts programs, coverage of public hearings and governmental meetings, equal air time for political candidates, and other public interest programming.

(2)

(c) The department is authorized to provide equipment, funds, and other services to extend and update both the existing and the proposed educational television ~~and radio~~ systems of tax-supported and nonprofit, corporate-owned facilities. All stations funded must be qualified by the Corporation for Public Broadcasting. New stations eligible for funding shall provide a first service to an audience that is not currently receiving a broadcast signal or provide a significant new program service as defined by State Board of Education rules. Funds appropriated to the department for educational television ~~and funds appropriated to the department for educational radio~~ may be used by the department for ~~either~~ educational television *only* ~~or educational radio, or for both~~.

Section 4. Subsection (24) of section 1001.42, Florida Statutes, is amended, subsection (25) is renumbered as subsection (26), and a new subsection (25) is added to that section, to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(24) EMPLOYMENT CONTRACTS.—*If a school district enters into a contract or employment agreement, or renewal or renegotiation of an existing contract or employment agreement, with an officer, agent, employee, or contractor which contains a provision for severance pay, the contract or employment agreement must include the provisions of s. 215.425.* ~~A district school board may not enter into an employment contract that requires the district to pay from state funds an employee an amount in excess of 1 year of the employee's annual salary for termination, buyout, or any other type of contract settlement. This subsection does not prohibit the payment of earned leave and benefits in accordance with the district's leave and benefits policies which were accrued by the employee before the contract terminates.~~

(25) INTERLOCAL AGREEMENTS.—Each district school board shall enter into an interlocal agreement as provided in s. 163.01 for the purpose of establishing the School District Consortium and maximizing the purchasing power for goods and services. A consortium may be statewide or regional, as appropriate to achieve the lowest cost. This subsection does not prohibit a district school board from utilizing a state contract.

(26)~~(25)~~ ADOPT RULES.—Adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section.

Section 5. Subsection (2) of section 1001.50, Florida Statutes, is amended to read:

1001.50 Superintendents employed under Art. IX of the State Constitution.—

(2) *Each* ~~The~~ district school board ~~of each of such districts~~ shall enter into *an employment contract* ~~contracts of employment~~ with the district school superintendent and shall adopt rules relating to his or her appointment; however, *if the employment contract contains a provision for severance pay, it must include the provisions required by s. 215.425* ~~the district school board may not enter into an employment contract that requires the district to pay from state funds a superintendent an amount in excess of 1 year of the superintendent's annual salary for termination, buyout, or any other type of contract settlement. This subsection does not prohibit the payment of earned leave and benefits in accordance with the district's leave and benefits policies which were accrued by the superintendent before the contract terminates.~~

Section 6. Paragraph (a) of subsection (20) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(20) SERVICES.—

(a)1. A sponsor shall provide certain administrative and educational services to charter schools. These services shall include contract management services; full-time equivalent and data reporting services; exceptional student education administration services; services related to eligibility and reporting duties required to ensure that school lunch services under the federal lunch program, consistent with the needs of the charter school, are provided by the school district at the request of the charter school, that any funds due to the charter school under the federal lunch program be paid to the charter school as soon as the charter school begins serving food under the federal lunch program, and that the charter school is paid at the same time and in the same manner under the federal lunch program as other public schools serviced by the sponsor or the school district; test administration services, including payment of the costs of state-required or district-required student assessments; processing of teacher certificate data services; and information services, including equal access to student information systems that are used by public schools in the district in which the charter school is located. Student performance data for each student in a charter school, including, but not limited to, FCAT scores, standardized test scores, previous public school student report cards, and student performance measures, shall be provided by the sponsor to a charter school in the same manner provided to other public schools in the district.

2. A total administrative fee for the provision of such services shall be calculated based upon up to 5 percent of the available funds defined in paragraph (17)(b) for all students*, except that when 75 percent or more of the students enrolled in the charter school are exceptional students as defined in s. 1003.01(3), the 5 percent of those available funds shall be calculated based on unweighted full-time equivalent students*. However, a sponsor may only withhold up to a 5-percent administrative fee for enrollment for up to and including 250 students. For charter schools with a population of 251 or more students, the difference between the total administrative fee calculation and the amount of the administrative fee withheld may only be used for capital outlay purposes specified in s. 1013.62(2).

3. For high-performing charter schools, as defined in ch. 2011-232, a sponsor may withhold a total administrative fee of up to 2 percent for enrollment up to and including 250 students per school.

4. In addition, a sponsor may withhold only up to a 5-percent administrative fee for enrollment for up to and including 500 students within a system of charter schools which meets all of the following:

a. Includes both conversion charter schools and nonconversion charter schools;

b. Has all schools located in the same county;

c. Has a total enrollment exceeding the total enrollment of at least one school district in the state;

d. Has the same governing board; and

e. Does not contract with a for-profit service provider for management of school operations.

5. The difference between the total administrative fee calculation and the amount of the administrative fee withheld pursuant to subparagraph 4. may be used for instructional and administrative purposes as well as for capital outlay purposes specified in s. 1013.62(2).

6. For a high-performing charter school system that also meets the requirements in subparagraph 4., a sponsor may withhold a 2-percent administrative fee for enrollments up to and including 500 students per system.

7. Sponsors shall not charge charter schools any additional fees or surcharges for administrative and educational services in addition to the maximum 5-percent administrative fee withheld pursuant to this paragraph.

8. The sponsor of a virtual charter school may withhold a fee of up to 5 percent. The funds shall be used to cover the cost of services provided under subparagraph 1. and for the school district's local instructional improvement system pursuant to s. 1006.281 or other technological tools that are required to access electronic and digital instructional materials.

Section 7. Paragraphs (a) and (c) of subsection (2) of section 1002.67, Florida Statutes, are amended, subsection (3) is renumbered as subsection (4), and a new subsection (3) is added to that section, to read:

1002.67 Performance standards; curricula and accountability.—

(2)(a) Each private prekindergarten provider and public school may select or design the curriculum that the provider or school uses to implement the Voluntary Prekindergarten Education Program, except as otherwise required for a provider or school that is placed on probation under paragraph *(4)(c)* ~~(3)(c)~~.

(c) The department shall review and approve curricula for use by private prekindergarten providers and public schools that are placed on probation under paragraph *(4)(c)* ~~(3)(c)~~. The department shall maintain a list of the curricula approved under this paragraph. Each approved curriculum must meet the requirements of paragraph (b).

(3)(a) Contingent upon legislative appropriation, each private prekindergarten provider and public school in the Voluntary Prekindergarten Education Program must implement an evidence-based pre- and post-assessment that has been approved by rule of the State Board of Education.

(b) In order to be approved, the assessment must be valid, reliable, developmentally appropriate, and designed to measure student progress on domains which must include, but are not limited to, early literacy, numeracy, and language.

(c) The pre- and post-assessment must be administered by individuals meeting requirements established by rule of the State Board of Education.

Section 8. Subsection (5) and paragraphs (a), (c), (e), and (f) of subsection (7) of section 1002.69, Florida Statutes, are amended to read:

1002.69 Statewide kindergarten screening; kindergarten readiness rates; state-approved prekindergarten enrollment screening; good cause exemption.—

(5) The State Board of Education shall adopt procedures for the department to annually calculate each private prekindergarten provider's and public school's kindergarten readiness rate, which must be expressed as the percentage of the provider's or school's students who are assessed as ready for kindergarten. ~~The kindergarten readiness rates must be based exclusively upon the results of the statewide kindergarten screening for students completing the Voluntary Prekindergarten Education Program, beginning with students completing the program during the 2005-2006 school year who are administered the statewide kindergarten screening during the 2006-2007 school year.~~ The methodology for calculating each provider's kindergarten readiness rate must include *student learning gains when available and* the percentage of students who meet all state readiness measures. The rates must not include students who are not administered the statewide kindergarten screening. *The state board shall determine learning gains using a value-added measure based on growth demonstrated by the results of the pre- and post-assessment from at least 2 successive years of administration of the pre- and post-assessment.*

(7)(a) Notwithstanding s. *1002.67(4)(c)4.* ~~1002.67(3)(c)4.~~, the State Board of Education, upon the request of a private prekindergarten provider or public school that remains on probation for 2 consecutive years or more and subsequently fails to meet the minimum rate adopted under subsection (6) and for good cause shown, may grant to the provider or school an exemption from being determined ineligible to deliver the Voluntary Prekindergarten Education Program and receive state funds for the program. Such exemption is valid for 1 year and, upon the request of the private prekindergarten provider or public school and for good cause shown, may be renewed.

(c) The State Board of Education shall adopt criteria for granting good cause exemptions. Such criteria shall include, but are not limited to:

1. Learning gains of children served in the Voluntary Prekindergarten Education Program by the private prekindergarten provider or public school. ~~A provider seeking a good cause exemption shall have the early learning coalition or a department approved second party administer the state approved prekindergarten enrollment screening to each child in the prekindergarten provider's program within the first 30~~

~~days of each school year for which a good cause exemption is sought, and the provider shall administer the standardized postassessment approved by the department to measure the student's learning gains for the year or summer, as appropriate. All data must be submitted to the department within 30 days after the administration of each assessment. Each parent who enrolls his or her child in a Voluntary Prekindergarten Education Program offered by a provider seeking a good cause exemption must submit the child for the state-approved prekindergarten enrollment screening.~~

2. Verification that local and state health and safety requirements are met.

(e) A private prekindergarten provider or public school granted a good cause exemption shall continue to implement its improvement plan and continue the corrective actions required under s. *1002.67(4)(c)2.* ~~1002.67(3)(e)2.~~, including the use of a curriculum approved by the department, until the provider or school meets the minimum rate adopted under subsection (6).

(f) The State Board of Education shall notify the Office of Early Learning of any good cause exemption granted to a private prekindergarten provider under this subsection. If a good cause exemption is granted to a private prekindergarten provider who remains on probation for 2 consecutive years, the Office of Early Learning shall notify the early learning coalition of the good cause exemption and direct that the coalition, notwithstanding s. *1002.67(4)(c)4.* ~~1002.67(3)(e)4.~~, not remove the provider from eligibility to deliver the Voluntary Prekindergarten Education Program or to receive state funds for the program, if the provider meets all other applicable requirements of this part.

Section 9. Paragraph (c) of subsection (3) of section 1002.71, Florida Statutes, is amended to read:

1002.71 Funding; financial and attendance reporting.—

(3)

(c) The initial allocation shall be based on estimated student enrollment in each coalition service area. The Office of Early Learning shall reallocate funds among the coalitions based on actual full-time equivalent student enrollment in each coalition service area. *Each coalition shall report student enrollment pursuant to subsection (2) on a monthly basis. A student enrollment count for the prior fiscal year may not be amended after December 31 of the subsequent fiscal year.*

Section 10. Paragraph (b) of subsection (11) of section 1003.01, Florida Statutes, is amended to read:

1003.01 Definitions.—As used in this chapter, the term:

(11)

(b) "Juvenile justice provider" means the Department of Juvenile Justice*, the sheriff,* or a private, public, or other governmental organization under contract with the Department of Juvenile Justice *or the sheriff* that provides treatment, care and custody, or educational programs for youth in juvenile justice intervention, detention, or commitment programs.

Section 11. Paragraphs (a) and (e) of subsection (4) of section 1003.03, Florida Statutes, are amended to read:

1003.03 Maximum class size.—

(4) ACCOUNTABILITY.—

(a) If the department determines that the number of students assigned to any individual class exceeds the class size maximum, as required in subsection (1), based upon the October student membership survey, the department shall:

1. Identify, for each grade group, the number of classes in which the number of students exceeds the maximum and the total number of students which exceeds the maximum for all classes.

2. Determine the number of FTE students which exceeds the maximum for each grade group.

3. Multiply the total number of FTE students which exceeds the maximum for each grade group by the district's FTE dollar amount of the class size categorical allocation for that year and calculate the total for all three grade groups.

4. Multiply the total number of FTE students which exceeds the maximum for all classes by an amount equal to 50 percent of the base student allocation adjusted by the district cost differential for *each of* the 2010-2011 *through 2013-2014* fiscal *years* ~~year~~ and by an amount equal to the base student allocation adjusted by the district cost differential ~~beginning~~ in the *2014-2015* ~~2011-2012~~ fiscal year and thereafter.

5. Reduce the district's class size categorical allocation by an amount equal to the sum of the calculations in subparagraphs 3. and 4.

(e) Each district that has not complied with the requirements in subsection (1) shall submit to the commissioner by February *1* ~~15~~ a plan certified by the district school board that describes the specific actions the district will take in order to fully comply with the requirements in subsection (1) by October of the following school year. If a district submits the certified plan by the required deadline, the funds remaining after the reallocation calculation in paragraph (d) shall be added back to the district's class size categorical allocation based on each qualifying district's proportion of the total reduction for all qualifying districts for which a reduction was calculated in paragraphs (a)-(c). However, no district shall have an amount added back that is greater than the amount that was reduced.

Section 12. Subsection (12) of section 1003.52, Florida Statutes, is amended to read:

1003.52 Educational services in Department of Juvenile Justice programs.—

(12)*(a) Funding for eligible students enrolled in juvenile justice education programs shall be provided through the Florida Education Finance Program as provided in s. 1011.62 and the General Appropriations Act. Funding shall include, at a minimum:*

1. Weighted program funding or the basic amount for current operation multiplied by the district cost differential as provided in s. 1011.62(1)(r) and (2);

2. The supplemental allocation for juvenile justice education as provided in s. 1011.62(10);

3. A proportionate share of the district's exceptional student education guaranteed allocation, the supplemental academic instruction allocation, and the instructional materials allocation;

4. An amount equivalent to the proportionate share of the state average potential discretionary local effort for operations, which shall be determined as follows:

a. If the district levies the maximum discretionary local effort and the district's discretionary local effort per FTE is less than the state average potential discretionary local effort per FTE, the proportionate share shall include both the discretionary local effort and the compression supplement per FTE. If the district's discretionary local effort per FTE is greater than the state average per FTE, the proportionate share shall be equal to the state average; or

b. If the district does not levy the maximum discretionary local effort and the district's actual discretionary local effort per FTE is less than the state average potential discretionary local effort per FTE, the proportionate share shall be equal to the district's actual discretionary local effort per FTE. If the district's actual discretionary local effort per FTE is greater than the state average per FTE, the proportionate share shall be equal to the state average potential local effort per FTE; and

5. A proportionate share of the district's proration to funds available, if necessary. ~~The district school board shall fund the educational program in a Department of Juvenile Justice facility at the same or higher level of funding for equivalent students in the district school system based on the funds generated by state funding through the Florida Education Finance Program for such students. It is the intent of the Legislature that the school district maximize its available local, state, and federal funding to a juvenile justice program.~~

~~(a) Juvenile justice educational programs shall be funded in the appropriate FEFP program based on the educational services needed by the student for Department of Juvenile Justice programs in accordance with s. 1011.62.~~

(b) Juvenile justice educational programs to receive the appropriate FEFP funding for Department of Juvenile Justice programs shall include those operated through a contract with the Department of Juvenile Justice and which are under purview of the Department of Juvenile Justice quality assurance standards for education.

(c) Consistent with the rules of the State Board of Education, district school boards are required to request an alternative FTE survey for Department of Juvenile Justice programs experiencing fluctuations in student enrollment.

(d) FTE count periods shall be prescribed in rules of the State Board of Education and shall be the same for programs of the Department of Juvenile Justice as for other public school programs. The summer school period for students in Department of Juvenile Justice programs shall begin on the day immediately following the end of the regular school year and end on the day immediately preceding the subsequent regular school year. Students shall be funded for no more than 25 hours per week of direct instruction.

(e) Each juvenile justice education program must receive all federal funds for which the program is eligible.

Section 13. *Section 1003.61, Florida Statutes, is repealed.*

Section 14. Subsection (2) of section 1006.40, Florida Statutes, is amended to read:

1006.40 Use of instructional materials allocation; instructional materials, library books, and reference books; repair of books.—

(2) Each district school board must purchase current instructional materials to provide each student with a major tool of instruction in core courses of the subject areas of mathematics, language arts, science, social studies, reading, and literature for kindergarten through grade 12. Such purchase must be made within the first 2 years after the effective date of the adoption cycle. *For the 2012-2013 mathematics adoption, a district using a comprehensive mathematics instructional materials program adopted in the 2009-2010 adoption shall be deemed in compliance with this subsection if it provides each student with such additional state-adopted materials as may be necessary to align the previously adopted comprehensive program to common core standards and the other criteria of the 2012-2013 mathematics adoption.*

Section 15. Paragraph (c) of subsection (1) and subsection (4) of section 1011.61, Florida Statutes, are amended to read:

1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(1) A "full-time equivalent student" in each program of the district is defined in terms of full-time students and part-time students as follows:

(c)1. A "full-time equivalent student" is:

a. A full-time student in any one of the programs listed in s. 1011.62(1)(c); or

b. A combination of full-time or part-time students in any one of the programs listed in s. 1011.62(1)(c) which is the equivalent of one full-time student based on the following calculations:

(I) A full-time student in a combination of programs listed in s. 1011.62(1)(c) shall be a fraction of a full-time equivalent membership in each ~~special~~ program equal to the number of net hours per school year for which he or she is a member, divided by the appropriate number of hours set forth in subparagraph (a)1. or subparagraph (a)2. *The sum of the fractions for each program may not exceed the maximum value set forth in subsection (4).* ~~The difference between that fraction or sum of fractions and the maximum value as set forth in subsection (4) for each full-time student is presumed to be the balance of the student's time not spent in such special education programs and shall be recorded as time in the appropriate basic program.~~

(II) A prekindergarten handicapped student shall meet the requirements specified for kindergarten students.

(III) A full-time equivalent student for students in kindergarten through grade 5 in a virtual instruction program under s. 1002.45 or a virtual charter school under s. 1002.33 shall consist of a student who has successfully completed a basic program listed in s. 1011.62(1)(c)1.a. or b., and who is promoted to a higher grade level.

(IV) A full-time equivalent student for students in grades 6 through 12 in a virtual instruction program under s. 1002.45(1)(b)1., 2., or 3. or a virtual charter school under s. 1002.33 shall consist of six full credit completions in programs listed in s. 1011.62(1)(c)1.b. or c. and 3. Credit completions may be a combination of full-credit courses or half-credit courses. Beginning in the 2014-2015 fiscal year, when s. 1008.22(3)(g) is implemented, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment shall be adjusted after the student completes the end-of-course assessment.

(V) A Florida Virtual School full-time equivalent student shall consist of six full credit completions or the prescribed level of content that counts toward promotion to the next grade in the programs listed in s. 1011.62(1)(c)1.a. and b. for kindergarten through grade 8 and the programs listed in s. 1011.62(1)(c)1.c. for grades 9 through 12. Credit completions may be a combination of full-credit courses or half-credit courses. Beginning in the 2014-2015 fiscal year, when s. 1008.22(3)(g) is implemented, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment shall be adjusted after the student completes the end-of-course assessment.

(VI) Each successfully completed full-credit course earned through an online course delivered by a district other than the one in which the student resides shall be calculated as 1/6 FTE.

(VII) Each successfully completed credit earned under the alternative high school course credit requirements authorized in s. 1002.375, which is not reported as a portion of the 900 net hours of instruction pursuant to subparagraph (1)(a)1., shall be calculated as 1/6 FTE.

2. A student in membership in a program scheduled for more or less than 180 school days or the equivalent on an hourly basis as specified by rules of the State Board of Education is a fraction of a full-time equivalent membership equal to the number of instructional hours in membership divided by the appropriate number of hours set forth in subparagraph (a)1.; however, for the purposes of this subparagraph, membership in programs scheduled for more than 180 days is limited to students enrolled in juvenile justice education programs and the Florida Virtual School.

The department shall determine and implement an equitable method of equivalent funding for experimental schools and for schools operating under emergency conditions, which schools have been approved by the department to operate for less than the minimum school day.

(4) The maximum value for funding a student in kindergarten through grade 12 or in a prekindergarten program for exceptional children as provided in s. 1003.21(1)(e)~~, except for a student as set forth in sub-sub-subparagraph (1)(c)1.b.(I),~~ is one full-time equivalent student membership for a school year or equivalent.

Section 16. Paragraph (f) of subsection (1), paragraph (b) of subsection (6), subsection (9), and paragraph (b) of subsection (13) of section 1011.62, Florida Statutes, are amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(f) Supplemental academic instruction; categorical fund.—

1. There is created a categorical fund to provide supplemental academic instruction to students in kindergarten through grade 12. This paragraph may be cited as the "Supplemental Academic Instruction Categorical Fund."

2. Categorical funds for supplemental academic instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. These funds shall be in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. These funds shall be used to provide supplemental academic instruction to students enrolled in the K-12 program.

For the 2012-2013 and 2013-2014 fiscal years, each school district that has one or more of the 100 lowest-performing elementary schools based on the state reading assessment shall use these funds, together with the funds provided in the district's research-based reading instruction allocation and other available funds, to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for intensive reading instruction for the students in each of these schools. This additional hour of instruction must be provided only by teachers or reading specialists who are effective in teaching reading. Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers shall not be included in the 100 schools. After this requirement has been met, supplemental instruction strategies may include, but are not limited to: modified curriculum, reading instruction, after-school instruction, tutoring, mentoring, class size reduction, extended school year, intensive skills development in summer school, and other methods for improving student achievement. Supplemental instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.

3. Effective with the 1999-2000 fiscal year, funding on the basis of FTE membership beyond the 180-day regular term shall be provided in the FEFP only for students enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities or programs under s. 985.19. Funding for instruction beyond the regular 180-day school year for all other K-12 students shall be provided through the supplemental academic instruction categorical fund and other state, federal, and local fund sources with ample flexibility for schools to provide supplemental instruction to assist students in progressing from grade to grade and graduating.

4. The Florida State University School, as a lab school, is authorized to expend from its FEFP or Lottery Enhancement Trust Fund allocation the cost to the student of remediation in reading, writing, or mathematics for any graduate who requires remediation at a postsecondary educational institution.

5. Beginning in the 1999-2000 school year, dropout prevention programs as defined in ss. 1003.52, 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in group 1 programs under subparagraph (d)3.

(6) CATEGORICAL FUNDS.—

(b) If a district school board finds and declares in a resolution adopted at a regular meeting of the school board that the funds received for any of the following categorical appropriations are urgently needed to maintain school board specified academic classroom instruction, the school board may consider and approve an amendment to the school district operating budget transferring the identified amount of the categorical funds to the appropriate account for expenditure:

1. Funds for student transportation.

2. Funds for safe schools.

3. Funds for supplemental academic instruction *if the required additional hour of instruction beyond the normal school day for each day of the entire school year has been provided for the students in each low-performing elementary school in the district pursuant to paragraph (1)(f).*

4. Funds for research-based reading instruction *if the required additional hour of instruction beyond the normal school day for each day of the entire school year has been provided for the students in each low-performing elementary school in the district pursuant to paragraph (9)(a).*

5. Funds for instructional materials if all instructional material purchases necessary to provide updated materials aligned to Next Generation Sunshine State Standards and benchmarks and that meet statutory requirements of content and learning have been completed for that fiscal year, but no sooner than March 1. Funds available after March 1 may be used to purchase hardware for student instruction.

(9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

(a) The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12. *For the 2012-2013 and 2013-2014 fiscal years, in each school district that has one or more of the 100 lowest-performing elementary schools based on the state reading assessment, priority shall be given to providing an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year for the students in each school. Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers shall not be included in the 100 schools. The intensive reading instruction delivered in this additional hour and for other students shall include: research-based reading instruction that has been proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on student assessment data to meet students' specific reading needs; explicit and systematic reading development in phonemic awareness, phonics, fluency, vocabulary, and comprehension, with more extensive opportunities for guided practice, error correction, and feedback; and the integration of social studies, science, and mathematics-text reading, text discussion, and writing in response to reading. For the 2012-2013 and 2013-2014 fiscal years, a school district may not hire more reading coaches than were hired during the 2011-2012 fiscal year unless all students in kindergarten through grade 5 who demonstrate a reading deficiency, as determined by district and state assessments, including students scoring Level 1 or Level 2 on FCAT Reading, are provided an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year.*

(b) Funds for comprehensive, research-based reading instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. Each eligible school district shall receive the same minimum amount as specified in the General Appropriations Act, and any remaining funds shall be distributed to eligible school districts based on each school district's proportionate share of K-12 base funding.

(c) Funds allocated under this subsection must be used to provide a system of comprehensive reading instruction to students enrolled in the K-12 programs, which may include the following:

1. The provision of an additional hour per day of intensive reading instruction to students in the 100 lowest-performing elementary schools by teachers and reading specialists who are effective in teaching reading.

2. Kindergarten through grade 5 reading intervention teachers to provide intensive intervention during the school day and in the required extra hour for students identified as having a reading deficiency.

3.~~1.~~ The provision of highly qualified reading coaches *to specifically support teachers in making instructional decisions based on student data, and improve teacher delivery of effective reading instruction, intervention, and reading in the content areas based on student need.*

4.~~2.~~ Professional development for school district teachers in scientifically based reading instruction, including strategies to teach reading in content areas and with an emphasis on technical and informational text.

5.~~3.~~ The provision of summer reading camps for *all students in kindergarten through grade 2 who demonstrate a reading deficiency as determined by district and state assessments, and* students *in grades 3 through 5* who score at Level 1 on FCAT Reading.

6.~~4.~~ The provision of supplemental instructional materials that are grounded in scientifically based reading research.

7.~~5.~~ The provision of intensive interventions for ~~middle and high school~~ students *in kindergarten through grade 12 who have been identified as having a reading deficiency or who are* reading below grade level *as determined by the FCAT.*

(d) Annually, by a date determined by the Department of Education but before May 1, school districts shall submit a K-12 comprehensive reading plan for the specific use of the research-based reading instruction allocation in the format prescribed by the department for review and approval by the Just Read, Florida! Office created pursuant to s. 1001.215. The plan annually submitted by school districts shall be deemed approved unless the department rejects the plan on or before June 1. If a school district and the Just Read, Florida! Office cannot reach agreement on the contents of the plan, the school district may appeal to the State Board of Education for resolution. School districts shall be allowed reasonable flexibility in designing their plans and shall be encouraged to offer reading *intervention* ~~remediation~~ through innovative methods, including career academies. The plan format shall be developed with input from school district personnel, including teachers and principals, and shall allow courses in core, career, and alternative programs that deliver intensive reading remediation through integrated curricula, provided that the teacher is deemed highly qualified to teach reading or working toward that status. No later than July 1 annually, the department shall release the school district's allocation of appropriated funds to those districts having approved plans. A school district that spends 100 percent of this allocation on its approved plan shall be deemed to have been in compliance with the plan. The department may withhold funds upon a determination that reading instruction allocation funds are not being used to implement the approved plan. *The department shall monitor and track the implementation of each district plan, including conducting site visits and collecting specific data on expenditures and reading improvement results. By February 1 of each year, the department shall report its findings to the Legislature.*

(13) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR CURRENT OPERATION.—The total annual state allocation to each district for current operation for the FEFP shall be distributed periodically in the manner prescribed in the General Appropriations Act.

(b) The amount thus obtained shall be the net annual allocation to each school district. However, if it is determined that any school district received an underallocation or overallocation for any prior year because of an arithmetical error, assessment roll change required by final judicial decision, full-time equivalent student membership error, or any allocation error revealed in an audit report, the allocation to that district shall be appropriately adjusted. Beginning with audits for the 2001-2002 fiscal year, if the adjustment is the result of an audit finding in which group 2 FTE are reclassified to the basic program and the district weighted FTE are over the weighted enrollment ceiling for group 2 programs, the adjustment shall not result in a gain of state funds to the district. *Beginning with the 2011-2012 fiscal year, if a special program cost factor is less than the basic program cost factor, an audit adjustment may not result in the reclassification of the special program FTE to the basic program FTE.* If the Department of Education audit adjustment recommendation is based upon controverted findings of fact, the Commissioner of Education is authorized to establish the amount of the adjustment based on the best interests of the state.

Section 17. Paragraph (e) of subsection (2) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(2) In addition to the maximum millage levy as provided in subsection (1), each school board may levy not more than 1.5 mills against the taxable value for school purposes for district schools, including charter schools at the discretion of the school board, to fund:

(e) Payments for educational facilities and sites due under a lease-purchase agreement entered into by a district school board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not exceeding, in the aggregate, an amount equal to three-fourths of the proceeds from the millage levied by a district school board pursuant to this subsection. ~~For the 2009-2010 fiscal year,~~ The three-fourths limit is waived for lease-purchase agreements entered into before June 30, 2009, by a district school board pursuant to this paragraph.

Section 18. Paragraph (a) of subsection (10) of section 1013.03, Florida Statutes, is amended to read:

1013.03 Functions of the department and the Board of Governors.—The functions of the Department of Education as it pertains to educational facilities of school districts and Florida College System institutions and of the Board of Governors as it pertains to educational facilities of state universities shall include, but not be limited to, the following:

(10)(a) Review and validate surveys proposed or amended by the boards and recommend to the Commissioner of Education, or the Chancellor of the State University System, as appropriate, for approval, surveys that meet the requirements of this chapter.

1. The term "validate" as applied to surveys by school districts means to review inventory data as submitted to the department by district school boards; provide for review and inspection, where required, of student stations and aggregate square feet of inventory changed from satisfactory to unsatisfactory or changed from unsatisfactory to satisfactory; compare new school inventory to allocation limits provided by this chapter; review cost projections for conformity with cost limits set by s. 1013.64(6); compare total capital outlay full-time equivalent enrollment projections in the survey with the department's projections; review facilities lists to verify that student station and auxiliary facility space allocations do not exceed the limits provided by this chapter and related rules; review and confirm the application of uniform facility utilization factors, where provided by this chapter or related rules; utilize the documentation of programs offered per site, as submitted by the board, to analyze facility needs; confirm that need projections for career and adult educational programs comply with needs documented by the Department of Education; and confirm the assignment of full-time student stations to all space except auxiliary facilities, which, for purposes of exemption from student station assignment, include the following:

a. Cafeterias.

b. Multipurpose dining areas.

c. Media centers.

d. Auditoriums.

e. Administration.

f. Elementary, middle, and high school resource rooms, up to the number of such rooms recommended for the applicable occupant and space design capacity of the educational plant in the State Requirements for Educational Facilities, beyond which student stations must be assigned.

g. Elementary school skills labs, up to the number of such rooms recommended for the applicable occupant and space design capacity of the educational plant in the State Requirements for Educational Facilities, beyond which student stations must be assigned.

h. Elementary school art and music rooms.

The Commissioner of Education may grant a waiver from the requirements of this subparagraph if a district school board determines that such waiver will make possible a substantial savings of funds or will be advantageous to the welfare of the educational system. The district school board shall present a full statement to the commissioner which sets forth the facts that warrant the waiver. If the commissioner denies a request for a waiver, the district school board may appeal such decision to the State Board of Education.

2. The term "validate" as applied to surveys by Florida College System institutions and universities means to review and document the approval of each new site and official designation, where applicable; review the inventory database as submitted by each board to the department, including noncareer, and total capital outlay full-time equivalent enrollment projections per site and per college; provide for the review and inspection, where required, of student stations and aggregate square feet of space changed from satisfactory to unsatisfactory; utilize and review the documentation of programs offered per site submitted by the boards as accurate for analysis of space requirements and needs; confirm that needs projected for career and adult educational programs comply with needs documented by the Department of Education; compare new facility inventory to allocations limits as provided in

this chapter; review cost projections for conformity with state averages or limits designated by this chapter; compare student enrollment projections in the survey to the department's projections; review facilities lists to verify that area allocations and space factors for generating space needs do not exceed the limits as provided by this chapter and related rules; confirm the application of facility utilization factors as provided by this chapter and related rules; and review, as submitted, documentation of how survey recommendations will implement the detail of current campus master plans and integrate with local comprehensive plans and development regulations.

Section 19. Paragraph (f) of subsection (2) of section 1013.35, Florida Statutes, is amended to read:

1013.35 School district educational facilities plan; definitions; preparation, adoption, and amendment; long-term work programs.—

(2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL FACILITIES PLAN.—

(f) ~~Commencing on October 1, 2002, and~~ Not less than once every 5 years ~~thereafter~~, the district school board shall *have* ~~contract with a qualified, independent third party to conduct~~ a financial management and performance audit *conducted* of the educational planning and construction activities of the district. An audit conducted by the Office of Program Policy Analysis and Government Accountability and the Auditor General pursuant to s. 1008.35 satisfies this requirement.

Section 20. *(1) For the 2012-2013 fiscal year, there is established the K-12 Public School Facility Funding Task Force. The Department of Education shall provide staff and administrative support to the task force. All appointments must be made by July 15, 2012. The task force shall convene no later than July 31, 2012, for the purpose of examining all relevant factors in order to make recommendations to the Legislature for more equitable facility funding for charter schools and schools operated by a school district, including, but not limited to:*

(a) Charter school facility funding needs.

(b) Existing funding and revenue sources available for fixed capital outlay needs of charter schools and schools operated by a school district.

(c) Long-term debt for school facilities.

(d) Class size requirements and the impacts of such requirements on facilities funding needs.

(e) District facilities utilization.

(2) The task force shall be composed of the following 11 members:

(a) The Deputy Commissioner of Finance and Operations of the Department of Education or his or her designee, who shall be the chair of the task force.

(b) The following members appointed by the Governor:

1. The parent of a student attending a charter school.

2. The parent of a student attending a school operated by a school district.

(c) The following members appointed by the President of the Senate:

1. The superintendent from a small to medium sized school district based on student population.

2. A member of the district school board from a large sized school district based on student population.

3. A member of the governing board of a charter school that does not operate another charter school and is a member of the Florida Consortium of Public Charter Schools.

4. An operator of a charter school that manages multiple charter schools.

(d) The following members appointed by the Speaker of the House of Representatives:

1. The superintendent from a large sized school district based on student population.

2. A member of the district school board from a small to medium sized school district based on student population.

3. A member of the governing board of a charter school that operates multiple charter schools and is a member of the Florida Consortium of Public Charter Schools.

4. An operator of a charter school that does not manage more than one charter school.

Except for the Deputy Commissioner of Finance and Operations or his or her designee, no member of the task force may be qualified as a lobbyist under s. 11.045 or s. 112.3215, Florida Statutes.

(3) The Department of Education shall coordinate with the task force to compile the necessary data for the task force to make recommendations.

(4) The task force shall complete its work and submit its recommendations by December 1, 2012, to the chair of the Senate Budget Committee, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor.

(5) The task force is abolished June 30, 2013.

Section 21. *(1) The Digital Instructional Materials Work Group is created to plan and monitor the implementation of the transition to digital instructional materials as required in ss. 1006.29(3) and 1006.40(3)(a), Florida Statutes.*

(2) The Commissioner of Education, or his or her designee, shall serve as the ex officio, nonvoting executive director of the work group.

(3) The work group shall be comprised of the following: one school district instructional technology expert, one school district instructional content expert with experience in digital learning initiatives, one representative from an institution of postsecondary education, one high school principal with experience in digital learning initiatives, one middle school principal with experience in digital learning initiatives, one business representative, and one parent.

(4) A member may not represent a company that has a business interest in education content or technology.

(5) The chair shall schedule and conduct the first meeting of the work group by October 1, 2012. The work group shall conduct a majority of its meetings virtually.

(6) The work group shall submit a report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and State Board of Education by March 1, 2013. The report shall include an implementation plan for meeting the deadline of transition to digital instructional materials as provided in ss. 1006.29(3) and 1006.40(3)(a), Florida Statutes. The plan must specify options for the provision of access devices for students, options for providing content by subject area, provisions for training and professional development for preservice and inservice teachers, and a detailed review of options for funding, including the reprioritization of existing resources and recommendations for new funding.

Section 22. *Notwithstanding the amendments made by this act to s. 1003.03(4)(a)4., Florida Statutes, for the 2011-2012 fiscal year, the calculation required by that subparagraph shall be an amount equal to 50 percent of the base student allocation adjusted by the district cost differential. This section shall take effect upon this act becoming a law.*

Section 23. *Notwithstanding the required review by the Legislative Budget Commission pursuant to s. 1003.03(4)(c), Florida Statutes, and s. 41 of chapter 2011-55, Laws of Florida, for the 2011-2012 fiscal year, the alternate compliance calculation amounts to the class size operating categorical fund authorized by s. 1003.03(4)(c), Florida Statutes, shall be the reduction calculation required by s. 1003.03(4), Florida Statutes. The Commissioner of Education shall modify payments to districts as required by s. 1003.03(4), Florida Statutes, for the 2011-2012 fiscal year. This section shall take effect upon this act becoming a law.*

Section 24. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2012.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to prekindergarten through grade 12 education funding; amending s. 496.404, F.S.; conforming provisions to changes made by the act; amending s. 1001.25, F.S.; deleting provisions that authorize the Department of Education to provide equipment, funds, and other services to extend and update existing and proposed educational radio systems; amending s. 1001.26, F.S.; deleting provisions that authorize department support and funding for public broadcasting program system educational radio stations; amending s. 1001.42, F.S.; requiring that any contract or employment agreement, or renewal or renegotiation of an existing contract or employment agreement, entered into by a school district with an officer, agent, employee, or contractor which contains a provision for severance pay include provisions in s. 215.425, F.S., relating to limitations on extra compensation, bonuses, and severance pay; requiring that each district school board enter into an interlocal agreement for the purpose of establishing the School District Consortium; amending s. 1001.50, F.S.; requiring that any employment contract entered into by a district school board with a district school superintendent which contains a provision for severance pay include provisions in s. 215.425, F.S., relating to limitations on extra compensation, bonuses, and severance pay; amending s. 1002.33, F.S.; revising provisions relating to the calculation of the total administrative fee for providing administrative and educational services to charter schools; amending s. 1002.67, F.S.; providing for Voluntary Prekindergarten Education Program assessments; amending s. 1002.69, F.S.; revising provisions for calculating the kindergarten readiness rate and criteria for certain good cause exemptions; conforming cross-references; amending s. 1002.71, F.S.; providing requirements relating to student enrollment reporting and funding under the Voluntary Prekindergarten Education Program; amending s. 1003.01, F.S.; revising the definition of the term "juvenile justice provider"; amending s. 1003.03, F.S.; revising provisions relating to calculations for reducing a school district's class size categorical allocation when class size requirements are not met; revising a compliance plan submission date; amending s. 1003.52, F.S.; revising the funding of juvenile justice education programs; repealing s. 1003.61, F.S., relating to the pilot attendance project; amending s. 1006.40, F.S.; revising provisions relating to the purchase of certain current instructional materials by school districts; amending s. 1011.61, F.S.; revising the definition of the term "full-time equivalent student" for full-time students enrolled in a combination of certain programs; revising provisions relating to the funding of students in kindergarten through grade 12 or exceptional children in a prekindergarten program to conform to changes made by the act; amending s. 1011.62, F.S.; requiring that each school district having low-performing elementary schools use funds from the supplemental academic instruction categorical fund, along with the school district's research-based reading instruction allocation, to provide an additional hour of instruction per day for intensive reading instruction; requiring that the department monitor and track the implementation of each school district's comprehensive reading plan and report its findings to the Legislature; revising provisions relating to the total allocation of state funds to each district for current operations; amending s. 1011.71, F.S.; deleting a restriction relating to the amount of capital outlay millage that may be used to fund payments for educational facilities and sites due under certain lease-purchase agreements; amending s. 1013.03, F.S.; authorizing the Commissioner of Education to grant waivers to district school boards from certain requirements relating to the validation of surveys and inventory of data under certain circumstances; amending s. 1013.35, F.S.; requiring that each district school board have a financial management and performance audit conducted of the district's educational planning and construction activities; creating the K-12 Public School Facility Funding Task Force and providing duties; creating the Digital Instructional Materials Work Group and providing duties; requiring that the calculation required in s. 1003.03(4)(a) 4., F.S., be an amount equal to 50 percent of the base student allocation adjusted by the district cost differential for a specified fiscal year; specifying the formula to be used for the 2011-2012 fiscal year in calculating the alternate compliance calculation amounts to the class size operating categorical fund, notwithstanding certain other provisions of law; requiring that the Commissioner of Education modify payments to school districts; providing effective dates.

On motion by Senator Simmons, the Conference Committee Report on **HB 5101** was adopted. **HB 5101** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—35

Mr. President	Evers	Norman
Alexander	Fasano	Oelrich
Altman	Flores	Richter
Benacquisto	Gaetz	Ring
Bennett	Gardiner	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Latvala	Sobel
Dean	Lynn	Storms
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	Wise
Dockery	Negron	

Nays—4

Gibson	Joyner	Rich
Smith		

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed CS for HB 5203, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON CS for HB 5203

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for HB 5203, same being:

An act relating to reemployment services.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
s/ Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons

s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Eduardo "Eddy" Gonzalez
Acting Co-Chair
s/ Larry Ahern
Dwight M. Bullard
Chris Dorworth, At Large
s/ James C. "Jim" Frishe, At Large
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Jeanette M. Nunez, At Large
s/ Kathleen C. Passidomo
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
Dwayne L. Taylor
s/ Will W. Weatherford, At Large
s/ H. Marlene O'Toole
Chair
s/ William L. "Bill" Proctor
Acting Co-Chair
s/ Gary Aubuchon, At Large
Charles S. "Chuck" Chestnut IV
At Large
s/ Shawn Harrison
Dorothy L. Hukill, At Large
s/ John Legg, At Large
s/ Seth McKeel, At Large
s/ Jose R. Oliva
Betty Reed
Ron Saunders, At Large
s/ William D. Snyder, At Large
s/ Kelli Stargel
s/ Carlos Trujillo
Alan B. Williams

Managers on the part of the House

The Conference Committee Amendment for HB 5203, Reemployment Services, provides for the following:

- Repeals and terminates the Workers' Compensation Administration Trust Fund within the Department of Education.
- Amends s. 440.491, Florida Statutes, as follows.
  - Removes the Department of Education from the definition of "Department", which transfers responsibilities for training and education of injured workers to the Department of Financial Services;
  - Authorizes the Department of Financial Services to contract with one or more third parties to administer functions of training and education.
  - Requires that persons or firms selected to administer reemployment services may not have a conflict of interest.
  - Prohibits a rehabilitation provider who contracts with the department to provide injured employees reemployment assessments and other services from providing training or education to the injured employee.
- Appropriates $350,000 in recurring funds from the Workers' Compensation Administration Trust Fund and 5 full-time positions and associated salary rate of 260,000 to the Department of Financial Services.
- Provides an effective date

Conference Committee Amendment (955423)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *Effective June 30, 2013, section 1010.87, Florida Statutes, is repealed.*

Section 2. *(1) The Workers' Compensation Administration Trust Fund, FLAIR number 48-2-795, within the Department of Education is terminated.*

(2) The balance remaining in, and all revenues of, the trust fund shall be transferred to the Workers' Compensation Administration Trust Fund within the Department of Financial Services.

(3) The Division of Vocational Rehabilitation within the Department of Education shall pay any outstanding debts or obligations of the terminated trust fund as soon as practicable, and the Chief Financial Officer shall close out and remove the terminated trust fund from the various state accounting systems using generally accepted accounting principles concerning warrants outstanding, assets, and liabilities.

Section 3. Section 440.015, Florida Statutes, is amended to read:

440.015 Legislative intent.—It is the intent of the Legislature that the Workers' Compensation Law be interpreted so as to assure the quick and efficient delivery of disability and medical benefits to an injured worker and to facilitate the worker's return to gainful reemployment at a reasonable cost to the employer. It is the specific intent of the Legislature that workers' compensation cases shall be decided on their merits. The workers' compensation system in Florida is based on a mutual renunciation of common-law rights and defenses by employers and employees alike. In addition, it is the intent of the Legislature that the facts in a workers' compensation case are not to be interpreted liberally in favor of either the rights of the injured worker or the rights of the employer. Additionally, the Legislature hereby declares that disputes concerning the facts in workers' compensation cases are not to be given a broad liberal construction in favor of the employee on the one hand or of the employer on the other hand, and the laws pertaining to workers' compensation are to be construed in accordance with the basic principles of statutory construction and not liberally in favor of either employee or employer. It is the intent of the Legislature to ensure the prompt delivery of benefits to the injured worker. Therefore, an efficient and self-executing system must be created which is not an economic or administrative burden. The department, agency, the Office of Insurance Regulation, ~~the Department of Education,~~ and the Division of Administrative Hearings shall administer the Workers' Compensation Law in a manner which facilitates the self-execution of the system and the process of ensuring a prompt and cost-effective delivery of payments.

Section 4. Section 440.125, Florida Statutes, is amended to read:

440.125 Medical records and reports; identifying information in employee medical bills; confidentiality.—Any medical records and medical reports of an injured employee and any information identifying an injured employee in medical bills which are provided to the department, pursuant to s. 440.13, are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except as otherwise provided by this chapter. The department may share any such confidential and exempt records, reports, or information received pursuant to s. 440.13 with the Agency for Health Care Administration ~~and the Department of Education~~ in furtherance of their official duties under ss. 440.13 and 440.134. The agency and the department shall maintain the confidential and exempt status of such records, reports, and information received.

Section 5. Subsections (2), (3), (4), and (5) of section 440.44, Florida Statutes, are amended to read:

440.44 Workers' compensation; staff organization.—

(2) INTENT.—It is the intent of the Legislature that the department, the agency, ~~the Department of Education,~~ and the Division of Administrative Hearings assume an active and forceful role in its administration of this act, so as to ensure that the system operates efficiently and with maximum benefit to both employers and employees.

(3) EXPENDITURES.—The department, the agency, the office, ~~the Department of Education,~~ and the director of the Division of Administrative Hearings shall make such expenditures, including expenditures for personal services and rent at the seat of government and elsewhere, for law books; for telephone services and WATS lines; for books of reference, periodicals, equipment, and supplies; and for printing and binding as may be necessary in the administration of this chapter. All expenditures in the administration of this chapter shall be allowed and paid as provided in s. 440.50 upon the presentation of itemized vouchers therefor approved by the department, the agency, the office, ~~the Department of Education,~~ or the director of the Division of Administrative Hearings.

(4) PERSONNEL ADMINISTRATION.—Subject to the other provisions of this chapter, the department, the agency, the office, ~~the Department of Education,~~ and the Division of Administrative Hearings may appoint, and prescribe the duties and powers of, bureau chiefs, attorneys, accountants, medical advisers, technical assistants, inspectors, claims examiners, and such other employees as may be necessary in the performance of their duties under this chapter.

(5) OFFICE.—The department, the agency, ~~the Department of Education,~~ and the Deputy Chief Judge shall maintain and keep open

during reasonable business hours an office, which shall be provided in the Capitol or some other suitable building in the City of Tallahassee, for the transaction of business under this chapter, at which office the official records and papers shall be kept. The office shall be furnished and equipped. The department, the agency, any judge of compensation claims, or the Deputy Chief Judge may hold sessions and conduct hearings at any place within the state. The Office of the Judges of Compensation Claims shall maintain the 17 district offices, 31 judges of compensation claims, and 31 mediators as they exist on June 30, 2001.

Section 6. Subsection (1) of section 440.491, Florida Statutes, is amended, and subsection (8) is added to that section, to read:

440.491 Reemployment of injured workers; rehabilitation.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Carrier" means group self-insurance funds or individual self-insureds authorized under this chapter and commercial funds or insurance entities authorized to write workers' compensation insurance under chapter 624.

~~(b) "Department" means the Department of Education.~~

(b)~~(c)~~ "Medical care coordination" includes, but is not limited to, coordinating physical rehabilitation services such as medical, psychiatric, or therapeutic treatment for the injured employee, providing health training to the employee and family, and monitoring the employee's recovery. The purposes of medical care coordination are to minimize the disability and recovery period without jeopardizing medical stability, to assure that proper medical treatment and other restorative services are timely provided in a logical sequence, and to contain medical costs.

(c)~~(d)~~ " Rehabilitation provider" means a rehabilitation nurse, rehabilitation counselor, or vocational evaluator providing reemployment assessments, medical care coordination, reemployment services, or vocational evaluations under this section, possessing one or more of the following nationally recognized rehabilitation provider credentials:

1. Certified Rehabilitation Registered Nurse, C.R.R.N., certified by the Association of Rehab Professionals.

2. Certified Rehabilitation Counselor, C.R.C., certified by the Commission of Rehabilitation Counselor Certifications.

3. Certified Case Manager, C.C.M., certified by the Commission for Case Management Certification.

4. Certified Disability Management Specialist, C.D.M.S., certified by the Certified Disability Management Specialist Commission.

5. Certified Vocational Evaluator, C.V.E., certified by the Commission of Rehabilitation Counselor Certification.

6. Certified Occupational Health Nurse, C.O.H.N., certified by the American Board of Occupational Health Nurses.

(d)~~(e)~~ "Reemployment assessment" means a written assessment performed by a rehabilitation provider which provides a comprehensive review of the medical diagnosis, treatment, and prognosis; includes conferences with the employer, physician, and claimant; and recommends a cost-effective physical and vocational rehabilitation plan to assist the employee in returning to suitable gainful employment.

(e)~~(f)~~ "Reemployment services" means services that include, but are not limited to, vocational counseling, job-seeking skills training, ergonomic job analysis, transferable skills analysis, selective job placement, labor market surveys, and arranging other services such as education or training, vocational and on-the-job, which may be needed by the employee to secure suitable gainful employment.

(f)~~(g)~~ "Reemployment status review" means a review to determine whether an injured employee is at risk of not returning to work.

(g)~~(h)~~ "Suitable gainful employment" means employment or self-employment that is reasonably attainable in light of the employee's age, education, work history, transferable skills, previous occupation, and injury, and which offers an opportunity to restore the individual as soon as practicable and as nearly as possible to his or her average weekly earnings at the time of injury.

(h)~~(i)~~ "Vocational evaluation" means a review of the employee's physical and intellectual capabilities, his or her aptitudes and achievements, and his or her work-related behaviors to identify the most cost-effective means toward the employee's return to suitable gainful employment.

(8) DEPARTMENT CONTRACTS.—The department may contract with one or more third parties including, but not limited to, rehabilitation providers, to administer training and education screenings, reemployment assessments, vocational evaluations, and reemployment services authorized under this section. Any person or firm selected by the department may not have a conflict of interest that might affect its ability to independently perform its responsibilities with respect to administering the provisions of this subsection. A rehabilitation provider who contracts with the department to provide screenings or evaluations may not provide training or education to the injured employee.

Section 7. Subsection (5) of section 440.50, Florida Statutes, is amended to read:

440.50 Workers' Compensation Administration Trust Fund.—

(5) Funds appropriated by an operating appropriation or a nonoperating transfer from the Workers' Compensation Administration Trust Fund to ~~the Department of Education,~~ the Agency for Health Care Administration, the Department of Business and Professional Regulation, the Department of Management Services, the First District Court of Appeal, and the Justice Administrative Commission remaining unencumbered as of June 30 or undisbursed as of September 30 each year shall revert to the Workers' Compensation Administration Trust Fund.

Section 8. Section 440.591, Florida Statutes, is amended to read:

440.591 Administrative procedure; rulemaking authority.—The department, the Financial Services Commission, *and* the agency~~, and the Department of Education~~ may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter conferring duties upon them.

Section 9. *The sum of $350,000 in recurring funds from the Workers' Compensation Administration Trust Fund and five full-time equivalent positions and associated salary rate of 260,000 are appropriated to the Department of Financial Services for the 2012-2013 fiscal year to implement the provisions of this act.*

Section 10. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2012.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to reemployment services; repealing s. 1010.87, F.S., relating to the Workers' Compensation Administration Trust Fund within the Department of Education; terminating the trust fund and transferring the balance remaining in, and all revenues of, the terminated fund; requiring the Division of Vocational Rehabilitation within the Department of Education to pay any outstanding debts or obligations of the terminated fund; amending s. 440.015, F.S.; revising legislative intent to remove the Department of Education's duty to administer the Workers' Compensation Law; amending s. 440.125, F.S.; removing the authorization of the Department of Financial Services to share confidential and exempt records, reports, or information with the Department of Education; amending s. 440.44, F.S.; revising legislative intent; deleting certain powers and duties of the Department of Education relating to workers' compensation; amending s. 440.491, F.S., relating to reemployment of injured workers and rehabilitation; removing the definition of the term "department"; authorizing the Department of Financial Services to contract with third parties to administer training and education screenings, reemployment assessments, vocational evaluations, and reemployment services; providing requirements of the third parties; amending s. 440.50, F.S.; deleting a reference to conform; amending s. 440.591, F.S.; removing rulemaking authority of the Department of Education with respect to the Workers' Compensation Law; providing an appropriation and authorizing additional positions for the Department of Financial Services; providing effective dates.

On motion by Senator Lynn, the Conference Committee Report on **CS for HB 5203** was adopted. **CS for HB 5203** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fasano	Norman
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bogdanoff	Gibson	Sachs
Braynon	Jones	Simmons
Bullard	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise

Nays—1

Oelrich

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5303, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5303

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5303, same being:

An act relating to Department of Children and Family Services.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
s/ Michael Bileca
Richard Corcoran
Janet Cruz
s/ Jose Felix Diaz
s/ James C. "Jim" Frishe, At Large
Dorothy L. Hukill, At Large
s/ John Legg, At Large
s/ Seth McKeel, At Large
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
s/ Will W. Weatherford, At Large
s/ Dana D. Young
s/ Matt Hudson
Lead Manager
s/ Dennis K. Baxley
Charles S. "Chuck" Chestnut IV
At Large
s/ Daniel Davis
Chris Dorworth, At Large
s/ Doug Holder, At Large
Mia L. Jones, At Large
Carlos Lopez-Cantera, At Large
Mark S. Pafford
Ron Saunders, At Large
Elaine J. Schwartz
s/ William D. Snyder, At Large
s/ John Wood

Managers on the part of the House

Conference Committee Amendment (296771)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *Notwithstanding the first two paragraphs of proviso language following Specific Appropriation 350 of the 2012-2013 General Appropriations Act, the Department of Children and Family Services shall consider whether the savings required in the 2012-2013 General Appropriations Act can be achieved without outsourcing housekeeping functions and environmental functions at the Florida State Hospital and housekeeping functions at the Northeast Florida State Hospital. If the department determines that these savings can be achieved without outsourcing these functions, the department shall submit a detailed plan describing how the budget savings will be achieved and a budget amendment to the Legislative Budget Commission pursuant to chapter 216, Florida Statutes, to realign the department's budget accordingly. Notwithstanding section 216.262, Florida Statutes, the budget amendment may include a request for an increase in authorized positions.*

Section 2. This act shall take effect upon becoming a law.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the Department of Children and Family Services; providing conditions for the department to outsource certain housekeeping and environmental functions at specified hospitals; requiring submission of a budget amendment to the Legislative Budget Commission if certain savings can be achieved without outsourcing such functions; providing an effective date.

On motion by Senator Negron, the Conference Committee Report on **HB 5303** was adopted. **HB 5303** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Latvala	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Negron	Wise
Evers	Norman	

Nays—2

Fasano Joyner

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5401, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5401

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5401, same being:

An act relating to juvenile detention.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
Chris Dorworth, At Large
s/ Eric Eisnaugle
s/ James W. "J.W." Grant
Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Seth McKeel, At Large
s/ W. Keith Perry
Darryl Ervin Rouson
Ron Saunders, At Large
s/ William D. Snyder, At Large
Darren Soto
s/ Will W. Weatherford, At Large

s/ Richard "Rich" Glorioso
Lead Manager
Charles S. "Chuck" Chestnut IV
At Large
s/ James C. "Jim" Frishe, At Large
s/ Gayle B. Harrell
Dorothy L. Hukill, At Large
John Legg, At Large
s/ Charles McBurney
s/ Larry Metz
s/ Ray Pilon
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
James W. "Jim" Waldman

Managers on the part of the House

The Conference Committee Amendment for HB 5401, Juvenile Detention, provides for the following:

Modifies the definition of the term "detention care" to include respite beds for juveniles charged with a domestic violence crime.

Conference Committee Amendment (636287)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (a) of subsection (2) of section 985.686, Florida Statutes, is amended to read:

985.686 Shared county and state responsibility for juvenile detention.—

(2) As used in this section, the term:

(a) "Detention care" means secure detention *and respite beds for juveniles charged with a domestic violence crime*.

Section 2. This act shall take effect upon becoming a law.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to shared county and state responsibility for juvenile detention; amending s. 985.686, F.S.; redefining the term "detention care" to include respite beds for juveniles charged with domestic violence; providing an effective date.

On motion by Senator Bogdanoff, the Conference Committee Report on **HB 5401** was adopted. **HB 5401** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Norman
Alexander	Flores	Oelrich
Altman	Gaetz	Rich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Gibson	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	

Nays—1

Sachs

Vote after roll call:

Yea—Hays

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5403, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5403

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5403, same being:

An act relating to state court revenues.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
Chris Dorworth, At Large
s/ Eric Eisnaugle
s/ James W. "J.W." Grant
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Seth McKeel, At Large
s/ W. Keith Perry
Darryl Ervin Rouson
Ron Saunders, At Large
s/ William D. Snyder, At Large
Darren Soto
s/ Will W. Weatherford, At Large

s/ Richard "Rich" Glorioso
Lead Manager
Charles S. "Chuck" Chestnut IV
At Large
s/ James C. "Jim" Frishe, At Large
s/ Gayle B. Harrell
Dorothy L. Hukill, At Large
John Legg, At Large
s/ Charles McBurney
s/ Larry Metz
s/ Ray Pilon
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
James W. "Jim" Waldman

Managers on the part of the House

Conference Committee Amendment (534585)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraphs (a) and (c) of subsection (1) of section 28.241, Florida Statutes, are amended to read:

28.241 Filing fees for trial and appellate proceedings.—

(1)(a)1.a. Except as provided in sub-subparagraph b. and subparagraph 2., the party instituting any civil action, suit, or proceeding in the circuit court shall pay to the clerk of that court a filing fee of up to $395 in all cases in which there are not more than five defendants and an additional filing fee of up to $2.50 for each defendant in excess of five. Of the first $280 in filing fees, $80 must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, $195 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, $3.50 must be remitted to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission and used to fund the Florida Clerks of Court Operations Corporation created in s. 28.35, and $1.50 *must* ~~shall~~ be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund clerk budget reviews conducted by the Department of Financial Services. One third of any filing fees collected by the clerk of the circuit court in excess of $100 *must* ~~shall~~ be remitted to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission.

b. The party instituting any civil action, suit, or proceeding in the circuit court under chapter 39, chapter 61, chapter 741, chapter 742, chapter 747, chapter 752, or chapter 753 shall pay to the clerk of that court a filing fee of up to $295 in all cases in which there are not more than five defendants and an additional filing fee of up to $2.50 for each defendant in excess of five. Of the first $180 in filing fees, $80 must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, $95 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, $3.50 must be remitted to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission and used to fund the Florida Clerks of Court Operations Corporation created in s. 28.35, and $1.50 *must* ~~shall~~ be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund clerk budget reviews conducted by the Department of Financial Services.

c. An additional filing fee of $4 shall be paid to the clerk. The clerk shall remit $3.50 to the Department of Revenue for deposit into the Court Education Trust Fund and shall remit 50 cents to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission to fund clerk education. An additional filing fee of up to $18 shall be paid by the party seeking each severance that is granted. The clerk may impose an additional filing fee of up to $85 for all proceedings of garnishment, attachment, replevin, and distress. Postal charges incurred by the clerk of the circuit court in making service by certified or registered mail on defendants or other parties shall be paid by the party at whose instance service is made. ~~No~~ Additional fees, charges, or costs *may not* ~~shall~~ be added to the filing fees imposed under this section, except as authorized in this section or by general law.

2.a. Notwithstanding the fees prescribed in subparagraph 1., a party instituting a civil action in circuit court relating to real property or mortgage foreclosure shall pay a graduated filing fee based on the value of the claim.

b. A party shall estimate in writing the amount in controversy of the claim upon filing the action. For purposes of this subparagraph, the value of a mortgage foreclosure action is based upon the principal due on the note secured by the mortgage, plus interest owed on the note and any moneys advanced by the lender for property taxes, insurance, and other advances secured by the mortgage, at the time of filing the foreclosure. The value shall also include the value of any tax certificates related to the property. In stating the value of a mortgage foreclosure claim, a party shall declare in writing the total value of the claim, as well as the individual elements of the value as prescribed in this sub-subparagraph.

c. In its order providing for the final disposition of the matter, the court shall identify the actual value of the claim. The clerk shall adjust the filing fee if there is a difference between the estimated amount in controversy and the actual value of the claim and collect any additional filing fee owed or provide a refund of excess filing fee paid.

d. The party shall pay a filing fee of:

(I) Three hundred and ninety-five dollars in all cases in which the value of the claim is $50,000 or less and in which there are not more than five defendants. The party shall pay an additional filing fee of up to $2.50 for each defendant in excess of five. Of the first $280 in filing fees, *$275* ~~$80~~ must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, ~~$195 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund,~~ $3.50 must be remitted to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission and used to fund the Florida Clerks of Court Operations Corporation created in s. 28.35, and $1.50 *must* ~~shall~~ be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund clerk budget reviews conducted by the Department of Financial Services;

(II) Nine hundred dollars in all cases in which the value of the claim is more than $50,000 but less than $250,000 and in which there are not more than five defendants. The party shall pay an additional filing fee of up to $2.50 for each defendant in excess of five. Of the first $785 in filing fees, *$780* ~~$80~~ must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, ~~$700 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund,~~ $3.50 must be remitted to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission and used to fund the Florida Clerks of Court Operations Corporation described in s. 28.35, and $1.50 *must* ~~shall~~ be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund clerk budget reviews conducted by the Department of Financial Services; or

(III) One thousand nine hundred dollars in all cases in which the value of the claim is $250,000 or more and in which there are not more than five defendants. The party shall pay an additional filing fee of up to $2.50 for each defendant in excess of five. Of the first $1,785 in filing fees, *$1,010* ~~$80~~ must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, *$770* ~~$1,700~~ must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, $3.50 must be remitted to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission to fund the Florida Clerks of Court Operations Corporation created in s. 28.35, and $1.50 *must* ~~shall~~ be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund clerk budget reviews conducted by the Department of Financial Services.

e. An additional filing fee of $4 shall be paid to the clerk. The clerk shall remit $3.50 to the Department of Revenue for deposit into the Court Education Trust Fund and shall remit 50 cents to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission to fund clerk education. An additional filing fee of up to $18 shall be paid by the party seeking each severance that is granted. The clerk may impose an additional filing fee of up to $85 for all proceedings of garnishment, attachment, replevin, and distress. Postal charges incurred by the clerk of the circuit court in making service by certified or registered mail on defendants or other parties shall be paid by the party at whose instance service is made. ~~No~~ Additional fees, charges, or costs *may not* ~~shall~~ be added to the filing fees imposed under this section, except as authorized in this section or by general law.

(c)1. A party in addition to a party described in sub-subparagraph (a) 1.a. who files a pleading in an original civil action in circuit court for affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint shall pay the clerk of court a fee of $395. A party in addition to a party described in sub-subparagraph (a)1.b. who files a pleading in an original civil action in circuit court for affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint shall pay the clerk of court a fee of $295. The clerk shall remit the fee to the Department of Revenue for deposit into the General Revenue Fund.

2. A party in addition to a party described in subparagraph (a)2. who files a pleading in an original civil action in circuit court for affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint shall pay the clerk of court a graduated fee of:

a. Three hundred and ninety-five dollars in all cases in which the value of the pleading is $50,000 or less;

b. Nine hundred dollars in all cases in which the value of the pleading is more than $50,000 but less than $250,000; or

c. One thousand nine hundred dollars in all cases in which the value of the pleading is $250,000 or more.

The clerk shall remit the fees collected under this subparagraph to the Department of Revenue for deposit into the General Revenue Fund~~, except that the clerk shall remit $100 of the fee collected under sub-subparagraph a., $605 of the fee collected under sub-subparagraph b., and $1,605 of the fee collected under sub-subparagraph c. to the Department of Revenue for deposit into the State Courts Revenue Trust Fund~~.

Section 2. This act shall take effect June 1, 2012.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to state court revenues; amending s. 28.241, F.S.; redirecting revenue from filing fees for certain civil actions in circuit court relating to real property or mortgage foreclosure from the State Courts Revenue Trust Fund to the General Revenue Fund; revising the distribution of a portion of the filing fees received for certain civil actions in circuit court relating to real property or mortgage foreclosure; conforming provisions; providing an effective date.

On motion by Senator Bogdanoff, the Conference Committee Report on **HB 5403** was adopted. **HB 5403** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5501, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5501

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5501, same being:

An act relating to One-Stop Business Registration Portal.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla

Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
Charles S. "Chuck" Chestnut IV
At Large
Joseph A. "Joe" Gibbons
Dorothy L. Hukill, At Large
s/ John Legg, At Large
s/ Debbie Mayfield
s/ Bryan Nelson
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
s/ Will W. Weatherford, At Large
s/ Ed Hooper
Lead Manager
Lori Berman
Chris Dorworth, At Large
s/ James C. "Jim" Frishe, At Large
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Seth McKeel, At Large
s/ Jimmy Patronis
Ron Saunders, At Large
s/ William D. Snyder, At Large
Barbara Watson
s/ Michael B. "Mike" Weinstein

Managers on the part of the House

The Conference Committee Amendment for HB 5501, One-Stop Business Registration Portal, provides for the following:

- Directs the Department of Revenue (DOR) to establish and implement a One-Stop Business Registration Portal, through an internet website, to provide individuals and businesses with a single point of entry for transacting business in the state.

- Provides that the One-Stop Business Registration Portal must provide businesses and individuals a single point-of-entry for:

  - Completing and submitting applications for various licenses, registrations or permits that are issued by state agencies or departments to do business in the state.

  - Filing of documents that must be submitted to state agencies or departments to transact business in the state.

  - Remitting of payments for the various fees that must be paid to state agencies or departments to obtain licensure, registration or a permit.

- Authorizes the DOR to competitively procure and contract for services to develop and maintain the portal, and directs the Departments of Business and Professional Regulation, Economic Opportunity, Financial Services, Lottery, Management Services and State to cooperate with the DOR in the development and implementation of the portal.

- Provides an effective date of July 1, 2012.

Conference Committee Amendment (174537)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 288.109, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 288.109, F.S., for present text.)

288.109 One-Stop Business Registration Portal.—

(1) By January 1, 2013, the Department of Revenue shall establish and implement the One-Stop Business Registration Portal that, through an Internet website, provides individuals and businesses with a single point of entry for:

(a) Completing and submitting applications for various licenses, registrations, or permits that must be issued by a state department or agency in order for the applicants to transact business in the state.

(b) Filing various documents that must be filed with a state department or agency in order for the filers to transact business in the state.

(c) Remitting payment for various fees that must be paid to a state department or agency, including, but not limited to, application fees, license fees, registration fees, permit fees, and filing fees.

(2) The Department of Revenue, after establishment of the Internet website for the One-Stop Business Registration Portal, shall implement, in the most timely manner practicable, the capabilities described in subsection (1).

(3) The Department of Revenue may competitively procure and contract for services to develop and maintain the Internet website for the One-Stop Business Registration Portal.

(4) The following departments shall cooperate with the Department of Revenue in the development and implementation of the One-Stop Business Registration Portal:

(a) The Department of Business and Professional Regulation.

(b) The Department of Economic Opportunity.

(c) The Department of Financial Services.

(d) The Department of the Lottery.

(e) The Department of Management Services.

(f) The Department of State.

(5) By January 1 of each year, beginning in 2013, the Department of Revenue shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the implementation of the One-Stop Business Registration Portal. The report must include a complete and detailed description of the department's activities and accomplishments related to implementation of the One-Stop Business Registration Portal during the previous calendar year. The report must also include a plan for expansion of the One-Stop Business Registration Portal to allow individuals and businesses to submit applications through the portal for various licenses, registrations, or permits issued by local governments. The report may also include recommendations for improving the effectiveness of the One-Stop Business Registration Portal and increasing participation by state departments and agencies and local governments.

(6) The Department of Revenue may provide information relative to this section to each state department or agency and local government that, in the conduct of its official duties, participates in the One-Stop Business Registration Portal. However, to the extent that such information is not otherwise confidential, information collected from an individual or business by a state department or agency or local government does not become confidential solely because the information is collected through the One-Stop Business Registration Portal.

(7) The Department of Revenue may adopt rules to administer this section.

Section 2. *Sections 288.1092, 288.1093, and 288.1095, Florida Statutes, are repealed.*

Section 3. This act shall take effect July 1, 2012.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the One-Stop Business Registration Portal; amending s. 288.109, F.S.; directing the Department of Revenue to establish the One-Stop Business Registration Portal through which individuals and businesses may submit applications for various licenses, registrations, or permits, file various documents, or remit payment for various fees to a state department or agency; authorizing the department to contract for the development and maintenance of the portal's Internet website; requiring certain state departments to cooperate with the department in

the development and implementation of the portal; requiring the department to submit an annual report to the Governor and the Legislature on the portal's implementation and expansion; authorizing the department to provide certain information relative to the One-Stop Business Registration Portal to certain state departments and agencies and local governments; authorizing the department to adopt rules; deleting provisions relating to the One-Stop Permitting System of the former State Technology Office, including provisions authorizing individuals and businesses to apply for certain state, regional, and local development permits through an Internet site developed by the office; repealing ss. 288.1092, 288.1093, and 288.1095, F.S., relating to the One-Stop Permitting System Grant Program and the award of grants to counties that participate in the One-Stop Permitting System, the Quick Permitting County Designation Program and the designation of a county as a Quick Permitting County, and the distribution of literature explaining the One-Stop Permitting System and the Quick Permitting County designations; providing an effective date.

On motion by Senator Hays, the Conference Committee Report on **HB 5501** was adopted. **HB 5501** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5503, as amended by the Conference Committee Report by the required constitutional three-fifths vote of the membership, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5503

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5503, same being:

An act relating to one-stop business registration clearing trust fund.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
Charles S. "Chuck" Chestnut IV
At Large
Joseph A. "Joe" Gibbons
Dorothy L. Hukill, At Large
s/ John Legg, At Large
s/ Debbie Mayfield
s/ Bryan Nelson
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
s/ Will W. Weatherford, At Large

s/ Ed Hooper
Lead Manager
Lori Berman
Chris Dorworth, At Large
s/ James C. "Jim" Frishe, At Large
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Seth McKeel, At Large
s/ Jimmy Patronis
Ron Saunders, At Large
s/ William D. Snyder, At Large
Barbara Watson
s/ Michael B. "Mike" Weinstein

Managers on the part of the House

The Conference Committee Amendment for HB 5503, One-Stop Business Registration Clearing Trust Fund, provides for the following:

- Creates the One-Stop Business Registration Portal Clearing Trust Fund within the Department of Revenue. The trust fund is to be used as a depository for receipts generated through the utilization of the One-Stop Business Registration Portal to be established in section 288.109, F.S.
- Requires the department to distribute the moneys collected in the trust fund to the appropriate agencies and accounts by the 25th day of each month.
- Provides an effective date of July 1, 2012.

Conference Committee Amendment (269701)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 215.1995, Florida Statutes, is created to read:

215.1995 One-Stop Business Registration Portal Clearing Trust Fund.—

(1) The One-Stop Business Registration Portal Clearing Trust Fund is created within the Department of Revenue.

(2) The trust fund is established for use as a depository for receipts generated through utilization of the One-Stop Business Registration Portal established by s. 288.109, and for subsequent transfer or distribution of such funds to appropriate agencies and accounts.

(3) The Department of Revenue shall transfer or distribute monthly all the moneys in the trust fund by the 25th day of each month to the appropriate agencies and accounts.

(4) In accordance with s. 19(f)(2), Art. III of the State Constitution, the trust fund shall, unless terminated sooner, be terminated on July 1, 2016.

Before its scheduled termination, the trust fund shall be reviewed as provided in s. 215.3206(1) and (2).

Section 2. This act shall take effect July 1, 2012, if HB 5501 or similar legislation is adopted in the same legislative session or an extension thereof and becomes law.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to trust funds; creating s. 215.1995, F.S.; creating the One-Stop Business Registration Portal Clearing Trust Fund within the Department of Revenue; providing for the purpose of the trust fund and sources of funds; providing a requirement with respect to transfer and distribution of funds; providing for future review and termination or recreation of the trust fund; providing a contingent effective date.

On motion by Senator Hays, the Conference Committee Report on **HB 5503** was adopted. **HB 5503** passed by the required constitutional three-fifths vote of the membership as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Gibson	Ring
Bogdanoff	Hays	Sachs
Braynon	Jones	Simmons
Bullard	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5507, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5507

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5507, same being:

An act relating to the Department of Management Services.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
Charles S. "Chuck" Chestnut IV
At Large
Joseph A. "Joe" Gibbons
Dorothy L. Hukill, At Large
s/ John Legg, At Large
s/ Debbie Mayfield
s/ Bryan Nelson
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
s/ Will W. Weatherford, At Large

s/ Ed Hooper
Lead Manager
Lori Berman
Chris Dorworth, At Large
s/ James C. "Jim" Frishe, At Large
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Seth McKeel, At Large
s/ Jimmy Patronis
Ron Saunders, At Large
s/ William D. Snyder, At Large
Barbara Watson
s/ Michael B. "Mike" Weinstein

Managers on the part of the House

The Conference Committee Amendment for HB 5507, Department of Management Services, provides for the following:

- Eliminates the Executive Aircraft Program and transfers the cash balance of the Bureau of Aircraft Trust Fund to the General Revenue Fund.

- Removes the one-percent reimbursement limit for administration of the Florida State Employee Charitable Campaign. This allows the state to be fully reimbursed for costs to administer the program.

- Provides for the transfer of funds from Operating Trust Fund in the Department of Management Services to the Department of Financial Services to support statewide purchasing operations.

- Extends the $3 surcharge on certain criminal offenses and noncriminal moving traffic violations to July 1, 2021. The surcharge annually provides $5.2 million to enhance the Statewide Law Enforcement Radio System.

Conference Committee Amendment (238751)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (2) of section 110.181, Florida Statutes, is amended to read:

110.181 Florida State Employees' Charitable Campaign.—

(2) SELECTION OF FISCAL AGENTS; COST.—

(b) The fiscal agent shall withhold the reasonable costs for conducting the campaign and for accounting and distribution to the participating organizations and shall reimburse the department the actual cost~~, not to exceed 1 percent of gross pledges,~~ for coordinating the campaign in accordance with the rules of the department. In any fiscal year in which the Legislature specifically appropriates to the department its total costs for coordinating the campaign from the General Revenue Fund, the fiscal agent is not required to reimburse such costs to the department under this subsection. Otherwise, reimbursement will be the difference between actual costs and the amount appropriated.

Section 2. Paragraph (h) of subsection (1) of section 287.042, Florida Statutes, is amended to read:

287.042 Powers, duties, and functions.—The department shall have the following powers, duties, and functions:

(1)

(h)*1.* The department may collect fees for the use of its electronic information services. The fees may be imposed on an individual transaction basis or as a fixed subscription for a designated period of time. At a minimum, the fees shall be determined in an amount sufficient to cover the department's projected costs of the services, including overhead in accordance with the policies of the department ~~of Management Services~~ for computing its administrative assessment. All fees collected under this paragraph shall be deposited in the Operating Trust Fund for disbursement as provided by law.

2. The department shall transfer funds generated by fees collected for the use of the department's electronic information services from the Purchasing Oversight Account in the Operating Trust Fund to the Administrative Trust Fund in the Department of Financial Services to support statewide purchasing operations. Unless provided for in the General Appropriations Act, the amount of transfer shall be established each year in the department's nonoperating budget based upon the estimated cost of statewide purchasing operations provided by the Department of Financial Services and may not exceed $500,000.

Section 3. Subsection (10) of section 287.16, Florida Statutes, is amended, and subsections (11) and (12) of that section are renumbered as subsections (10) and (11), respectively, to read:

287.16 Powers and duties of department.—The Department of Management Services shall have the following powers, duties, and responsibilities:

~~(10) To provide the Legislature annual reports at the end of each calendar year concerning the utilization of all aircraft in the executive pool.~~

Section 4. *Section 287.161, Florida Statutes, is repealed.*

Section 5. *(1) The Bureau of Aircraft Trust Fund within the Department of Management Services, FLAIR number 72-2-066, is terminated.*

(2) All current balances remaining in, and all revenues of, the Bureau of Aircraft Trust Fund by July 1, 2012, shall be transferred to the General Revenue Fund.

(3) The Department of Management Services shall pay any outstanding debts and obligations of the terminated fund as soon as practicable, and the Chief Financial Officer shall close out and remove the terminated fund from various state accounting systems using generally accepted accounting principles concerning warrants outstanding, assets, and liabilities.

Section 6. Subsection (17) of section 318.18, Florida Statutes, is amended to read:

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(17) In addition to any penalties imposed, a surcharge of $3 must be paid for all criminal offenses listed in s. 318.17 and for all noncriminal moving traffic violations under chapter 316. Revenue from the surcharge shall be remitted to the Department of Revenue and deposited quarterly into the State Agency Law Enforcement Radio System Trust Fund of the Department of Management Services for the state agency law enforcement radio system, as described in s. 282.709, and to provide technical assistance to state agencies and local law enforcement agencies with their statewide systems of regional law enforcement communications, as described in s. 282.7101. This subsection expires July 1, *2021* ~~2012~~. The Department of Management Services may retain funds sufficient to recover the costs and expenses incurred for managing, administering, and overseeing the Statewide Law Enforcement Radio System, and providing technical assistance to state agencies and local law enforcement agencies with their statewide systems of regional law enforcement communications. The Department of Management Services working in conjunction with the Joint Task Force on State Agency Law Enforcement Communications shall determine and direct the purposes for which these funds are used to enhance and improve the radio system.

Section 7. Subsection (17) of section 318.21, Florida Statutes, is amended to read:

318.21 Disposition of civil penalties by county courts.—All civil penalties received by a county court pursuant to the provisions of this chapter shall be distributed and paid monthly as follows:

(17) Notwithstanding subsections (1) and (2), the proceeds from the surcharge imposed under s. 318.18(17) shall be distributed as provided in that subsection. This subsection expires July 1, *2021* ~~2012~~.

Section 8. This act shall take effect July 1, 2012.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the Department of Management Services; amending s. 110.181, F.S.; revising provisions relating to reimbursement of the department for actual costs of coordinating the Florida State Employees' Charitable Campaign; amending s. 287.042, F.S.; providing for the transfer of funds generated by fees collected for the use of the department's electronic information services from the department to the Department of Financial Services to support statewide purchasing operations; establishing the amount of transfer; amending s. 287.16, F.S.; eliminating a duty of the department to provide an annual report concerning utilization of aircraft in the executive aircraft pool; repealing s. 287.161, F.S., which establishes the executive aircraft pool within the department and provides procedures and requirements with respect thereto; terminating the Bureau of Aircraft Trust Fund within the department; providing for the disposition of balances in and revenues of the trust fund; prescribing procedures for the termination of the trust fund; amending ss. 318.18 and 318.21, F.S.; revising the expiration date of provisions governing the remission of surcharges for specified criminal offenses and noncriminal moving traffic violations to the Department of Revenue to fund the state agency law enforcement radio system and to provide technical assistance with respect to statewide systems of regional law enforcement communications; providing an effective date.

On motion by Senator Hays, the Conference Committee Report on **HB 5507** was adopted. **HB 5507** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Rich
Bennett	Gardiner	Richter
Bogdanoff	Gibson	Ring
Braynon	Hays	Sachs
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise

Nays—None

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed CS for HB 5509, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON CS for HB 5509

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for HB 5509, same being:

An act relating to state data center system.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
Charles S. "Chuck" Chestnut IV
At Large
Joseph A. "Joe" Gibbons
Dorothy L. Hukill, At Large
s/ John Legg, At Large
s/ Debbie Mayfield
s/ Bryan Nelson
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
s/ Will W. Weatherford, At Large

s/ Ed Hooper
Lead Manager
Lori Berman
Chris Dorworth, At Large
s/ James C. "Jim" Frishe, At Large
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Seth McKeel, At Large
s/ Jimmy Patronis
Ron Saunders, At Large
s/ William D. Snyder, At Large
Barbara Watson
s/ Michael B. "Mike" Weinstein

Managers on the part of the House

The Conference Committee Amendment for HB 5509, State Data Center System, provides for the following:

- Amends the schedule for agency data center consolidations and exempts the Florida Department of Law Enforcement, Department of Lottery, Systems Design and Development in the Office of Policy and Budget, state attorneys, public defenders, criminal conflict and civil regional counsel, capital collateral regional counsel, Florida Clerks of Court Operations Corporation, Florida Housing Finance Corporation, and the State Board of Administration from consolidation to a primary data center.
- Deletes the requirement that agencies must submit information relating to their data centers and computing facilities to the Agency for Enterprise Information Technology (AEIT).
- Deletes the requirement for the AEIT to submit a comprehensive transition plan.
- Amends certain duties and responsibilities of a primary data center, to include the Northwest Regional Data Center.

Conference Committee Amendment (737523)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (1), paragraphs (d) and (e) of subsection (2), subsections (3) and (4), and paragraph (a) of subsection (5) of section 282.201, Florida Statutes, are amended to read:

282.201 State data center system; agency duties and limitations.—A state data center system that includes all primary data centers, other nonprimary data centers, and computing facilities, and that provides an enterprise information technology service as defined in s. 282.0041, is established.

(1) INTENT.—The Legislature finds that the most efficient and effective means of providing quality utility data processing services to state agencies requires that computing resources be concentrated in quality facilities that provide the proper security, infrastructure, and staff resources to ensure that the state's data is maintained reliably and safely, and is recoverable in the event of a disaster. Efficiencies resulting from such consolidation include the increased ability to leverage technological expertise and hardware and software capabilities; increased savings through consolidated purchasing decisions; and the enhanced ability to deploy technology improvements and implement new policies consistently throughout the consolidated organization. *Unless otherwise exempt by law,* ~~Therefore~~ it is the intent of the Legislature that *all* agency data centers and computing facilities be consolidated into *a* primary data *center* ~~centers to the maximum extent possible~~ by 2019.

(2) AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY DUTIES.—The Agency for Enterprise Information Technology shall:

(d) By October 1 of each year ~~beginning in 2011~~, provide recommendations to the Governor and Legislature relating to changes to the schedule for the consolidations of state agency data centers as provided in subsection (4).

1. The recommendations must be based on the goal of maximizing current and future cost savings by:

a. Consolidating purchase decisions.~~;~~

b. Leveraging expertise and other resources to gain economies of scale.~~;~~

c. Implementing state information technology policies more effectively.~~; and~~

d. Maintaining or improving the level of service provision to customer entities.

2. The agency shall establish workgroups as necessary to ensure participation by affected agencies in the development of recommendations related to consolidations.

(e) Develop and establish rules relating to the operation of the state data center system which comply with applicable federal regulations, including 2 C.F.R. part 225 and 45 C.F.R. ~~The agency shall publish notice of rule development in the Florida Administrative Weekly by October 1, 2011.~~ The rules must address:

1. Ensuring that financial information is captured and reported consistently and accurately.

2. Identifying standards for hardware, including standards for a shared, virtualized server environment, and operations system software and other operational software, including security and network infrastructure, for the primary data centers; requiring compliance with such standards in order to enable the efficient consolidation of the agency data centers or computing facilities; and providing an exemption process

from compliance with such standards, which must be consistent with paragraph (5)(b).

3. Requiring annual full cost recovery on an equitable rational basis. The cost-recovery methodology must ensure that no service is subsidizing another service and may include adjusting the subsequent year's rates as a means to recover deficits or refund surpluses from a prior year.

4. Requiring that any special assessment imposed to fund expansion is based on a methodology that apportions the assessment according to the proportional benefit to each customer entity.

5. Requiring that rebates be given when revenues have exceeded costs, that rebates be applied to offset charges to those customer entities that have subsidized the costs of other customer entities, and that such rebates may be in the form of credits against future billings.

6. Requiring that all service-level agreements have a contract term of up to 3 years, but may include an option to renew for up to 3 additional years contingent on approval by the board, and require at least a 180-day notice of termination.

(3) STATE AGENCY DUTIES.—

(a) For the purpose of completing *the* ~~its~~ work activities ~~as~~ described in *subsections* ~~subsection~~ (1) *and (2)*, each state agency shall provide to the Agency for Enterprise Information Technology all requested information *relating to its data centers and computing facilities* and any other information relevant to the agency's ability to effectively transition its computer services into a primary data center. The agency shall also participate as required in workgroups relating to specific consolidation planning and implementation tasks as assigned by the Agency for Enterprise Information Technology and determined necessary to accomplish consolidation goals.

~~(b) Each state agency shall submit to the Agency for Enterprise Information Technology information relating to its data centers and computing facilities as required in instructions issued by July 1 of each year by the Agency for Enterprise Information Technology. The information required may include:~~

~~1. Amount of floor space used and available.~~

~~2. Numbers and capacities of mainframes and servers.~~

~~3. Storage and network capacity.~~

~~4. Amount of power used and the available capacity.~~

~~5. Estimated expenditures by service area, including hardware and software, numbers of full time equivalent positions, personnel turnover, and position reclassifications.~~

~~6. A list of contracts in effect for the fiscal year, including, but not limited to, contracts for hardware, software and maintenance, including the expiration date, the contract parties, and the cost of the contract.~~

~~7. Service level agreements by customer entity.~~

(b)~~(c)~~ Each state agency customer of a primary data center shall notify the data center, by May 31 and November 30 of each year, of any significant changes in anticipated utilization of data center services pursuant to requirements established by the boards of trustees of each primary data center.

(4) SCHEDULE FOR CONSOLIDATIONS OF AGENCY DATA CENTERS.—

(a) Consolidations of agency data centers shall be made by the date and to the specified primary data center as provided in this section and in accordance with budget adjustments contained in the General Appropriations Act.

(b) By December 31, 2011, the following shall be consolidated into the Northwest Regional Data Center:

1. The Department of Education's Knott Data Center in the Turlington Building.

2. The Department of Education's Division of Vocational Rehabilitation.

3. The Department of Education's Division of Blind Services, except for the division's disaster recovery site in Daytona Beach.

4. The FCAT Explorer.

5. FACTS.org.

(c) During the 2011-2012 fiscal year, the following shall be consolidated into the Southwood Shared Resource Center:

1. By September 30, 2011, the Department of Corrections.

2. By March 31, 2012, the Department of Transportation's Burns Building.

3. By March 31, 2012, the Department of Transportation's Survey & Mapping Office.

(d) *By July 1, 2012, the Department of Highway Safety and Motor Vehicles' Office of Motor Carrier Compliance* ~~During the 2011-2012 fiscal year, the following~~ shall be consolidated into the Northwood Shared Resource Center~~:~~

~~1. By July 1, 2011, the Department of Transportation's Office of Motor Carrier Compliance.~~

~~2. By March 31, 2012, the Department of Highway Safety and Motor Vehicles~~.

(e) *By September 30, 2012, the Department of Revenue's Carlton Building and Imaging Center locations shall be consolidated into the Northwest Regional Data Center.* ~~During the 2012-2013 fiscal year, the following shall be consolidated into the Southwood Shared Resource Center:~~

~~1. By September 30, 2012, the Division of Emergency Management and the Department of Community Affairs, except for the Emergency Operation Center's management system in Tallahassee and the Camp Blanding Emergency Operations Center in Starke.~~

~~2. By September 30, 2012, the Department of Revenue's Carlton Building and Imaging Center locations.~~

~~3. By December 31, 2012, the Department of Health's Test and Development Lab and all remaining data center resources located at the Capital Circle Office Complex.~~

(f) During the 2012-2013 fiscal year, the following shall be consolidated into the Northwood Shared Resource Center:

1. By July 1, 2012, the Agency for Health Care Administration.

2. By August 31, 2012, the Department of Highway Safety and Motor Vehicles.

3.~~2.~~ By December 31, 2012, the Department of Environmental Protection's Palmetto Commons.

4.~~3.~~ By *December 31, 2012, the Department of Health's Test and Development Lab and all remaining data center resources located at the Capital Circle Office Complex* ~~March 30, 2013, the Department of Law Enforcement's headquarters location~~.

(g) During the 2013-2014 fiscal year, the following ~~agencies~~ shall *be consolidated into the Southwood Shared Resource Center* ~~work with the Agency for Enterprise Information Technology to begin preliminary planning for consolidation into a primary data center~~:

~~1. The Department of the Lottery's headquarters location.~~

~~2. The Department of Legal Affairs.~~

1.~~3.~~ *By July 1, 2013,* the Fish and Wildlife Conservation Commission, except for the commission's Fish and Wildlife Research Institute in St. Petersburg.

2. By October 31, 2013, the Department of Economic Opportunity.

3.~~4.~~ *By December 31, 2013,* the Executive Office of the Governor*, to include the Division of Emergency Management except for the Emergency Operation Center's management system in Tallahassee and the Camp Blanding Emergency Operations Center in Starke*.

~~5. The Department of Veterans' Affairs.~~

4.~~6.~~ *By March 31, 2014,* the Department of Elderly Affairs.

~~7. The Department of Financial Services' Hartman, Larson, and Fletcher Building Data Centers.~~

~~8. The Department of Agriculture and Consumer Services' Agriculture Management Information Center in the Mayo Building and Division of Licensing.~~

(h) During the 2013-2014 fiscal year, the following shall be consolidated into the Northwood Shared Resource Center:

1. By July 1, 2013, the Department of Veterans' Affairs.

2. By December 31, 2013, the Department of Legal Affairs.

3. By March 31, 2014, the Department of Agriculture and Consumer Services' Agriculture Management Information Center in the Mayo Building and the Division of Licensing.

(i)~~(h)~~ During the 2014-2015 fiscal year, the following agencies shall work with the Agency for Enterprise Information Technology to begin preliminary planning for consolidation into a primary data center:

1. The Department of Health's Jacksonville Lab Data Center.

2. The Department of Transportation's district offices, toll offices, and the District Materials Office.

3. The Department of Military Affairs' Camp Blanding Joint Training Center in Starke.

4. The Department of Community Affairs' Camp Blanding Emergency Operations Center in Starke.

5. The Department of Education's Division of Blind Services disaster recovery site in Daytona Beach.

6. The Department of Education's disaster recovery site at Santa Fe College.

~~7. The Department of the Lottery's Disaster Recovery Backup Data Center in Orlando.~~

7.~~8.~~ The Fish and Wildlife Conservation Commission's Fish and Wildlife Research Institute in St. Petersburg.

8.~~9.~~ The Department of Children and Family Services' Suncoast Data Center in Tampa.

9.~~10.~~ The Department of Children and Family Services' Florida State Hospital in Chattahoochee.

(j)~~(i)~~ During the 2015-2016 fiscal year, all computing resources remaining within an agency ~~nonprimary~~ data center or computing facility*, to include the Department of Financial Services' Hartman, Larson, and Fletcher Buildings data centers,* shall be transferred to a primary data center for consolidation unless otherwise required to remain in the agency for specified financial, technical, or business reasons that must be justified in writing and approved by the Agency for Enterprise Information Technology. Such data centers, computing facilities, and resources must be identified by the Agency for Enterprise Information Technology by October 1, 2014.

(k) The Department of Law Enforcement, the Department of the Lottery's Gaming System, Systems Design and Development in the Office of Policy and Budget, and the State Board of Administration, state attorneys, public defenders, criminal conflict and civil regional counsel, capital collateral regional counsel, the Florida Clerks of Court Operations Corporation, and the Florida Housing Finance Corporation are exempt from data center consolidation under this section.

(l)~~(j)~~ Any agency that is consolidating agency data centers into a primary data center must execute a new or update an existing service-level agreement within 60 days after the specified consolidation date, as required by s. 282.203, in order to specify the services and levels of service it is to receive from the primary data center as a result of the consolidation. If an agency *and primary data center are* ~~is~~ unable to execute a service-level agreement by that date, the agency *and the primary data center* shall submit a report to the Executive Office of the Governor and to the chairs of the legislative appropriations committees within 5 working days after that date which explains the specific issues preventing execution and describing *the* ~~its~~ plan and schedule for resolving those issues.

(m)~~(k)~~ Beginning September 1, 2011, and every 6 months thereafter until data center consolidations are complete, the Agency for Enterprise Information Technology shall provide a status report on the implementation of the consolidations that must be completed during the fiscal year. The report shall be submitted to the Executive Office of the Governor and the chairs of the legislative appropriations committees. The report must, at a minimum, describe:

1. Whether the consolidation is on schedule, including progress on achieving the milestones necessary for successful and timely consolidation of scheduled agency data centers and computing facilities.~~; and~~

2. The risks that may affect the progress or outcome of the consolidation and how these risks are being addressed, mitigated, or managed.

(n)~~(l)~~ Each agency identified in this subsection for consolidation into a primary data center shall submit a transition plan to the *appropriate primary data center* ~~Agency for Enterprise Information Technology~~ by *July* ~~September~~ 1 of the fiscal year before the fiscal year in which the scheduled consolidation will occur. Transition plans shall be developed in consultation with the appropriate primary data centers and the Agency for Enterprise Information Technology, and must include:

1. An inventory of the agency data center's resources being consolidated, including all hardware *and its associated life cycle replacement schedule*, software, staff, ~~and~~ contracted services, and ~~the~~ facility resources performing data center management and operations, security, backup and recovery, disaster recovery, system administration, database administration, system programming, job control, production control, print, storage, technical support, help desk, and managed services, but excluding application development*, and the agency's costs supporting these resources.*~~;~~

2. A list of contracts in effect, including, but not limited to, contracts for hardware, software, and maintenance, which identifies the expiration date, the contract parties, and the cost of each contract.

3.~~2.~~ A *detailed* description of the level of services needed to meet the technical and operational requirements of the platforms being consolidated. ~~and an estimate of the primary data center's cost for the provision of such services;~~

4.~~3.~~ A description of resources for computing services proposed to remain in the department.~~;~~

5.~~4.~~ A timetable with significant milestones for the completion of the consolidation.~~; and~~

~~5. The specific recurring and nonrecurring budget adjustments of budget resources by appropriation category into the appropriate data processing category pursuant to the legislative budget instructions in s. 216.023 necessary to support agency costs for the transfer.~~

(o)~~(m)~~ Each primary data center shall develop a transition plan for absorbing the transfer of agency data center resources based upon the timetables for transition as provided in this subsection. The plan shall be submitted to the Agency for Enterprise Information Technology, the Executive Office of the Governor, and the chairs of the legislative appropriations committees by September *1* ~~30~~ of the fiscal year before the fiscal year in which the scheduled consolidations will occur. Each plan must include:

1. ~~An estimate of~~ The *projected* cost to provide data center services for each agency scheduled for consolidation.~~;~~

2. A staffing plan that identifies the projected staffing needs and requirements based on the estimated workload identified in the agency transition plan.~~;~~

3. The fiscal year adjustments to budget categories in order to absorb the transfer of agency data center resources pursuant to the legislative budget request instructions provided in s. 216.023.~~;~~

4. An analysis of the cost effects resulting from the planned consolidations on existing agency customers.~~; and~~

5. A description of any issues that must be resolved in order to accomplish as efficiently and effectively as possible all consolidations required during the fiscal year.

(p) Each agency identified in this subsection for consolidation into a primary data center shall submit with its respective legislative budget request the specific recurring and nonrecurring budget adjustments of resources by appropriation category into the appropriate data processing category pursuant to the legislative budget request instructions in s. 216.023.

~~(n) The Agency for Enterprise Information Technology shall develop a comprehensive transition plan, which shall be submitted by October 15th of the fiscal year before the fiscal year in which the scheduled consolidations will occur to each primary data center, to the Executive Office of the Governor, and the chairs of the legislative appropriations committees. The transition plan shall be developed in consultation with agencies submitting agency transition plans and with the affected primary data centers. The comprehensive transition plan must include:~~

~~1. Recommendations for accomplishing the proposed transitions as efficiently and effectively as possible with minimal disruption to customer agency business processes;~~

~~2. Strategies to minimize risks associated with any of the proposed consolidations;~~

~~3. A compilation of the agency transition plans submitted by agencies scheduled for consolidation for the following fiscal year; and~~

~~4. Revisions to any budget adjustments provided in the agency or primary data center transition plans.~~

~~(o) Any agency data center scheduled for consolidation after the 2011-2012 fiscal year may consolidate into a primary data center before its scheduled date contingent upon the approval of the Agency for Enterprise Information Technology.~~

(5) AGENCY LIMITATIONS.—

(a) Unless authorized by the Legislature or as provided in paragraphs (b) and (c), a state agency may not:

1. Create a new computing facility or data center, or expand the capability to support additional computer equipment in an existing computing facility or nonprimary data center;

2. Spend funds before the agency's scheduled consolidation into a primary data center to purchase or modify hardware or operations software that does not comply with hardware and software standards established by the Agency for Enterprise Information Technology pursuant to paragraph (2)(e) for the efficient consolidation of the agency data centers or computing facilities;

3. Transfer existing computer services to any data center other than a primary data center;

4. Terminate services with a primary data center or transfer services between primary data centers without giving written notice of intent to terminate or transfer services 180 days before such termination or transfer; or

5. Initiate a new computer service ~~if it does not currently have an internal data center~~ except with a primary data center.

Section 2. Subsection (1) and paragraphs (e) and (l) of subsection (3) of section 282.203, Florida Statutes, are amended to read:

282.203 Primary data centers.—

(1) DATA CENTER DUTIES.—Each primary data center shall:

(a) Serve customer entities as an information-system utility.

(b) Cooperate with customer entities to offer, develop, and support the services and applications as defined and provided by the center's board of trustees and customer entities.

(c) Comply with rules adopted by the Agency for Enterprise Information Technology, pursuant to this section, and coordinate with the agency in the consolidation of data centers.

(d) Provide to each agency head by September 1 of the fiscal year before the fiscal year in which the agency's consolidation is scheduled to occur the projected costs to provide data center services. Each agency head shall use the projected cost for inclusion in his or her respective legislative budget request for budget adjustments necessary to fund the agency's data center services.

(e)~~(d)~~ Provide transparent financial statements to customer entities~~, the center's board of trustees,~~ and the Agency for Enterprise Information Technology. The financial statements shall be provided as follows:

1. Annually, by July 30 for the current fiscal year and by December 1 for the subsequent fiscal year, the data center must provide the total annual budgeted costs by major expenditure category, including, but not limited to, salaries, expense, operating capital outlay, contracted services, or other personnel services, which directly relate to the provision of each service and which separately indicate the administrative overhead allocated to each service.

2. Annually, by July 30 for the current fiscal year and by December 1 for the subsequent fiscal year, the data center must provide total projected billings for each customer entity which are required to recover the costs of the data center.

3. Annually, by January 31, the data center must provide updates of the financial statements required under subparagraphs 1. and 2. for the current fiscal year.

~~4. By February 15, for proposed legislative budget increases, the data center must provide updates of the financial statements required under subparagraphs 1. and 2. for the subsequent fiscal year.~~

The financial information required under subparagraphs 1., 2., and 3. must be based on current law and current appropriations.

(f)~~(e)~~ Annually, by October 1, submit to the board of trustees cost-reduction proposals, including strategies and timetables for lowering customer entities' costs without reducing the level of services.

(g)~~(f)~~ Maintain the performance of the facility, which includes ensuring proper data backup, data backup recovery, an effective disaster recovery plan, and appropriate security, power, cooling and fire suppression, and capacity.

(h)~~(g)~~ Develop a business continuity plan and conduct a live exercise of the plan at least annually. The plan must be approved by the board and the Agency for Enterprise Information Technology.

(i)~~(h)~~ Enter into a service-level agreement with each customer entity to provide services as defined and approved by the board. A service-level agreement may not have a term exceeding 3 years but may include an option to renew for up to 3 years contingent on approval by the board.

1. A service-level agreement, at a minimum, must:

a. Identify the parties and their roles, duties, and responsibilities under the agreement.~~;~~

b. Identify the legal authority under which the service-level agreement was negotiated and entered into by the parties.~~;~~

c. State the duration of the contractual term and specify the conditions for contract renewal.~~;~~

d. Prohibit the transfer of computing services between primary data center facilities without at least 180 days' notice of service cancellation.~~;~~

e. Identify the scope of work.~~;~~

f. Identify the products or services to be delivered with sufficient specificity to permit an external financial or performance audit.~~;~~

g. Establish the services to be provided, the business standards that must be met for each service, the cost of each service, and the process by which the business standards for each service are to be objectively measured and reported.~~;~~

h. Identify applicable funds and funding streams for the services or products under contract.~~;~~

i. Provide a timely billing methodology for recovering the cost of services provided to the customer entity.~~;~~

j. Provide a procedure for modifying the service-level agreement to address changes in projected costs of service.~~;~~

k. Provide that a service-level agreement may be terminated by either party for cause only after giving the other party and the Agency for Enterprise Information Technology notice in writing of the cause for termination and an opportunity for the other party to resolve the identified cause within a reasonable period.~~; and~~

l. Provide for mediation of disputes by the Division of Administrative Hearings pursuant to s. 120.573.

2. A service-level agreement may include:

a. A dispute resolution mechanism, including alternatives to administrative or judicial proceedings;

b. The setting of a surety or performance bond for service-level agreements entered into with agency primary data centers established by law; or

c. Additional terms and conditions as determined advisable by the parties if such additional terms and conditions do not conflict with the requirements of this section or rules adopted by the Agency for Enterprise Information Technology.

3. The failure to execute a service-level agreement within 60 days after service commencement shall, in the case of an existing customer entity, result in a continuation of the terms of the service-level agreement from the prior fiscal year, including any amendments that were formally proposed to the customer entity by the primary data center within the 3 months before service commencement, and a revised cost-of-service estimate. If a new customer entity fails to execute an agreement within 60 days after service commencement, the data center may cease services.

(j)~~(i)~~ Plan, design, establish pilot projects for, and conduct experiments with information technology resources, and implement enhancements in services if such implementation is cost-effective and approved by the board.

(k)~~(j)~~ Enter into a memorandum of understanding with the agency where the data center is administratively located if the data center requires the agency to provide any administrative services to the data center and the cost of such services. *Any administrative overhead costs charged shall require a specific appropriation in the General Appropriation Act.*

(l)~~(k)~~ Be the custodian of resources and equipment that are located, operated, supported, and managed by the center for the purposes of chapter 273.

(m)~~(l)~~ Assume administrative access rights to the resources and equipment, such as servers, network components, and other devices that are consolidated into the primary data center.

1. Upon the date of each consolidation specified in s. 282.201, the General Appropriations Act, or the Laws of Florida, each agency shall relinquish all administrative access rights to such resources and equipment.

2. Each primary data center shall provide its customer agencies with the appropriate level of access to applications, servers, network components, and other devices necessary for agencies to perform their core business activities and functions.

(3) BOARD DUTIES.—Each board of trustees of a primary data center shall:

(e) Ensure the sufficiency and transparency of the primary data center financial information by:

1. Establishing policies that ensure that cost-recovery methodologies, billings, receivables, expenditure, budgeting, and accounting data are captured and reported timely, consistently, accurately, and transparently and, upon adoption of rules by the Agency for Enterprise Information Technology, are in compliance with such rules.

2. Requiring execution of service-level agreements by the data center and each customer entity for services provided by the data center to the customer entity.

3. Requiring cost recovery for the full cost of services, including direct and indirect costs. The cost-recovery methodology must ensure that no service is subsidizing another service without an affirmative vote of approval by the customer entity providing the subsidy.

4. Establishing special assessments to fund expansions based on a methodology that apportions the assessment according to the proportional benefit to each customer entity.

5. Providing rebates to customer entities when revenues exceed costs and offsetting charges to those who have subsidized other customer entity costs based on actual prior year final expenditures. Rebates may be credited against future billings.

6. Approving all expenditures committing over $50,000 in a fiscal year.

7. Projecting costs and revenues at the beginning of the third quarter of each fiscal year through the end of the fiscal year. If in any given fiscal year the primary data center is projected to earn revenues that are below costs for that fiscal year after first reducing operating costs where possible, the board shall implement any combination of the following remedies to cover the shortfall:

a. The board may direct the primary data center to adjust current year chargeback rates through the end of the fiscal year to cover the shortfall. The rate adjustments shall be implemented using actual usage rate and billing data from the first three quarters of the fiscal year and the same principles used to set rates for the fiscal year.

b. The board may direct the primary data center to levy one-time charges on all customer entities to cover the shortfall. The one-time charges shall be implemented using actual usage rate and billing data from the first three quarters of the fiscal year and the same principles used to set rates for the fiscal year.

c. The customer entities represented by each board member may provide payments to cover the shortfall in proportion to the amounts each entity paid in the prior fiscal year.

8. Providing a plan for consideration by the Legislative Budget Commission if a billing rate schedule is used after the start of the fiscal year which increases any agency's costs for that fiscal year.

(l) Contract with other primary data centers for the provision of administrative services or with the agency within which the primary data center is housed, whichever is most cost-effective. *Any administrative overhead costs requires a specific appropriation in the General Appropriations Act.*

Section 3. Subsection (1) of section 1004.649, Florida Statutes, is amended to read:

1004.649 Northwest Regional Data Center.—

(1) For the purpose of serving its state agency customers, the Northwest Regional Data Center at Florida State University is designated as a primary data center and shall ~~comply with the following~~:

(a) *Operate* ~~Operates~~ under a governance structure that represents its customers proportionally.

(b) *Maintain* ~~Maintains~~ an appropriate cost-allocation methodology that accurately bills state agency customers based solely on the actual direct and indirect costs of the services provided to state agency customers, and prohibits the subsidization of nonstate agency customers' costs by state agency customers.

(c) *Enter* ~~Enters~~ into a service-level agreement with each state agency customer to provide services as defined and approved by the governing board of the center. At a minimum, such service-level agreements must:

1. Identify the parties and their roles, duties, and responsibilities under the agreement;

2. State the duration of the agreement term and specify the conditions for renewal;

3. Identify the scope of work;

4. Establish the services to be provided, the business standards that must be met for each service, the cost of each service, and the process by which the business standards for each service are to be objectively measured and reported;

5. Provide a timely billing methodology for recovering the cost of services provided; and

6. Provide a procedure for modifying the service-level agreement to address any changes in projected costs of service.

(d) *Provide* ~~Provides~~ to the Board of Governors the total annual budget by major expenditure category, including, but not limited to, salaries, expenses, operating capital outlay, contracted services, or other personnel services by July 30 each fiscal year.

(e) *Provide* ~~Provides~~ to each state agency customer its projected annual cost for providing the agreed-upon data center services by *September* ~~August~~ 1 each fiscal year.

(f) Provide a plan for consideration by the Legislative Budget Commission if the governing body of the center approves the use of a billing rate schedule after the start of the fiscal year that increases any state agency customer's costs for that fiscal year.

Section 4. This act shall take effect July 1, 2012.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the state data center system; amending s. 282.201, F.S.; revising duties of the Agency for Enterprise Information Technology and state agencies relating to consolidation of agency data centers into a primary data center; removing a requirement for publishing notice of rule development; removing a requirement that agencies submit certain information to the Agency for Enterprise Information Technology; revising the schedule of consolidations; providing a timeframe for specified agency facilities to be consolidated; providing exemptions for specified agencies and facilities; requiring an agency and primary data center to submit a report to the Executive Office of the Governor and the chairs of the legislative appropriations committees if they are unable to execute a service-level agreement within a certain time period; requiring agencies to submit a transition plan to the appropriate primary data center by a certain date; providing for content of the plan; requiring the primary data centers to develop and submit transition plans to the Agency for Enterprise Information Technology, the Executive Office of the Governor, and the chairs of the legislative appropriations committees by a certain date; providing for content of the plans; requiring an agency that is consolidating facilities into a primary data center to submit certain information concerning adjustments of resources with its legislative budget request; removing a requirement that the Agency for Enterprise Information Technology develop comprehensive transition plans; revising restrictions on agencies relating to technology facilities and services; amending s. 282.203, F.S.; revising duties of primary data centers and boards of trustees of such centers; requiring the centers to provide agencies with projected costs for inclusion in the agencies' budget requests; requiring boards to provide a plan for consideration by the Legislative Budget Commission under certain conditions; providing that certain administrative overhead costs require a specific appropriation in the General Appropriation Act; amending s. 1004.649, F.S.; revising responsibilities of the Northwest Regional Data Center; revising the date by which the center must provide agencies with projected costs; requiring the center to submit a plan to the Legislative Budget Commission when a billing rate schedule is revised after the beginning of the fiscal year and increases an agency's costs; providing an effective date.

On motion by Senator Hays, the Conference Committee Report on **CS for HB 5509** was adopted. **CS for HB 5509** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5511, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5511

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5511, same being:

An act relating to the Department of Business and Professional Regulation.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia

Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
Charles S. "Chuck" Chestnut IV
At Large
Joseph A. "Joe" Gibbons
Dorothy L. Hukill, At Large
s/ John Legg, At Large
s/ Debbie Mayfield
s/ Bryan Nelson
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
s/ Will W. Weatherford, At Large
s/ Ed Hooper
Lead Manager
Lori Berman
Chris Dorworth, At Large
s/ James C. "Jim" Frishe, At Large
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
Seth McKeel, At Large
s/ Jimmy Patronis
Ron Saunders, At Large
s/ William D. Snyder, At Large
Barbara Watson
Michael B. "Mike" Weinstein

Managers on the part of the House

The Conference Committee Amendment for HB 5511, Department of Business and Professional Regulation, provides for the following:

- Updates statutory references to replace the Department of Health with the Department of Professional Regulation (DBPR) and designates the program as a division.

- Terminates the Drugs, Devices, and Cosmetics (DDC) Trust Fund and transfers funding to the department's existing Professional Regulation Trust Fund, and requires the DBPR to establish a separate account within the trust fund for the DDC program.

- Repeals the five percent tax on closed circuit (pay-per-view) boxing, kickboxing, and mixed martial arts events currently assessed by the Boxing Commission within the DBPR.

- Provides an effective date of July 1, 2012.

Conference Committee Amendment (733541)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraphs (d) through (k) of subsection (2) of section 20.165, Florida Statutes, are redesignated as paragraphs (e) through (l), respectively, and a new paragraph (d) is added to that subsection to read:

20.165 Department of Business and Professional Regulation.—There is created a Department of Business and Professional Regulation.

(2) The following divisions of the Department of Business and Professional Regulation are established:

(d) Division of Drugs, Devices, and Cosmetics.

Section 2. Effective November 1, 2012, subsection (8) of section 455.116, Florida Statutes, is amended to read:

455.116 Regulation trust funds.—The following trust funds shall be placed in the department:

~~(8) Florida Drug, Device, and Cosmetic Trust Fund.~~

Section 3. Subsection (15) and paragraph (a) of subsection (54) of section 499.003, Florida Statutes, are amended to read:

499.003 Definitions of terms used in this part.—As used in this part, the term:

(15) "Department" means the Department of *Business and Professional Regulation* ~~Health~~.

(54) "Wholesale distribution" means distribution of prescription drugs to persons other than a consumer or patient, but does not include:

(a) Any of the following activities, which is not a violation of s. 499.005(21) if such activity is conducted in accordance with s. 499.01(2)(g):

1. The purchase or other acquisition by a hospital or other health care entity that is a member of a group purchasing organization of a prescription drug for its own use from the group purchasing organization or from other hospitals or health care entities that are members of that organization.

2. The sale, purchase, or trade of a prescription drug or an offer to sell, purchase, or trade a prescription drug by a charitable organization described in s. 501(c)(3) of the Internal Revenue Code of 1986, as amended and revised, to a nonprofit affiliate of the organization to the extent otherwise permitted by law.

3. The sale, purchase, or trade of a prescription drug or an offer to sell, purchase, or trade a prescription drug among hospitals or other health care entities that are under common control. For purposes of this subparagraph, "common control" means the power to direct or cause the direction of the management and policies of a person or an organization, whether by ownership of stock, by voting rights, by contract, or otherwise.

4. The sale, purchase, trade, or other transfer of a prescription drug from or for any federal, state, or local government agency or any entity eligible to purchase prescription drugs at public health services prices pursuant to Pub. L. No. 102-585, s. 602 to a contract provider or its subcontractor for eligible patients of the agency or entity under the following conditions:

a. The agency or entity must obtain written authorization for the sale, purchase, trade, or other transfer of a prescription drug under this subparagraph from the *Secretary of Business and Professional Regulation* ~~State Surgeon General~~ or his or her designee.

b. The contract provider or subcontractor must be authorized by law to administer or dispense prescription drugs.

c. In the case of a subcontractor, the agency or entity must be a party to and execute the subcontract.

d. A contract provider or subcontractor must maintain separate and apart from other prescription drug inventory any prescription drugs of the agency or entity in its possession.

e. The contract provider and subcontractor must maintain and produce immediately for inspection all records of movement or transfer of all the prescription drugs belonging to the agency or entity, including, but not limited to, the records of receipt and disposition of prescription drugs. Each contractor and subcontractor dispensing or administering these drugs must maintain and produce records documenting the dispensing or administration. Records that are required to be maintained include, but are not limited to, a perpetual inventory itemizing drugs received and drugs dispensed by prescription number or administered by patient identifier, which must be submitted to the agency or entity quarterly.

f. The contract provider or subcontractor may administer or dispense the prescription drugs only to the eligible patients of the agency or entity or must return the prescription drugs for or to the agency or entity. The contract provider or subcontractor must require proof from each person seeking to fill a prescription or obtain treatment that the person is an eligible patient of the agency or entity and must, at a minimum, maintain a copy of this proof as part of the records of the contractor or subcontractor required under sub-subparagraph e.

g. In addition to the departmental inspection authority set forth in s. 499.051, the establishment of the contract provider and subcontractor and all records pertaining to prescription drugs subject to this subparagraph shall be subject to inspection by the agency or entity. All records relating to prescription drugs of a manufacturer under this subparagraph shall be subject to audit by the manufacturer of those drugs, without identifying individual patient information.

Section 4. Subsection (2) of section 499.01211, Florida Statutes, is amended to read:

499.01211 Drug Wholesale Distributor Advisory Council.—

(2) The *Secretary of Business and Professional Regulation* ~~State Surgeon General,~~ or his or her designee~~,~~ and the Secretary of Health Care Administration~~,~~ or her or his designee~~,~~ shall be members of the council. The *Secretary of Business and Professional Regulation* ~~State Surgeon General~~ shall appoint nine additional members to the council who shall be appointed to a term of 4 years each, as follows:

(a) Three different persons each of whom is employed by a different prescription drug wholesale distributor licensed under this part which operates nationally and is a primary wholesale distributor, as defined in s. 499.003(47).

(b) One person employed by a prescription drug wholesale distributor licensed under this part which is a secondary wholesale distributor, as defined in s. 499.003(52).

(c) One person employed by a retail pharmacy chain located in this state.

(d) One person who is a member of the Board of Pharmacy and is a pharmacist licensed under chapter 465.

(e) One person who is a physician licensed pursuant to chapter 458 or chapter 459.

(f) One person who is an employee of a hospital licensed pursuant to chapter 395 and is a pharmacist licensed pursuant to chapter 465.

(g) One person who is an employee of a pharmaceutical manufacturer.

Section 5. Section 499.024, Florida Statutes, is amended to read:

499.024 Drug product classification.—The *department* ~~State Surgeon General~~ shall adopt rules to classify drug products intended for use by humans which the United States Food and Drug Administration has not classified in the federal act or the Code of Federal Regulations.

(1) Drug products must be classified as proprietary, prescription, or investigational drugs.

(2) If a product is distributed without required labeling, it is misbranded while held for sale.

(3) Any product that falls under the definition of drug in s. 499.003(19) may be classified under the authority of this section. This section does not subject portable emergency oxygen inhalators to classification; however, this section does not exempt any person from ss. 499.01 and 499.015.

(4) Any product classified under the authority of this section reverts to the federal classification, if different, upon the federal regulation or act becoming effective.

(5) The department may by rule reclassify drugs subject to this part when such classification action is necessary to protect the public health.

(6) The department may adopt rules that exempt from any labeling or packaging requirements of this part drugs classified under this section if those requirements are not necessary to protect the public health.

Section 6. Subsection (2) of section 499.065, Florida Statutes, is amended to read:

499.065 Inspections; imminent danger.—

(2) To protect the public from prescription drugs that are adulterated or otherwise unfit for human or animal consumption, the department may examine, sample, seize, and stop the sale or use of prescription drugs to determine the condition of those drugs. The department may immediately seize and remove any prescription drugs if the *Secretary of Business and Professional Regulation* ~~State Surgeon General~~ or his or her designee determines that the prescription drugs represent a threat to the public health. The owner of any property seized under this section may, within 10 days after the seizure, apply to a court of competent jurisdiction for whatever relief is appropriate. At any time after 10 days, the department may destroy the drugs as contraband.

Section 7. Subsection (2) of section 499.601, Florida Statutes, is amended to read:

499.601 Legislative intent; construction.—

(2) The provisions of this part are cumulative and shall not be construed as repealing or affecting any powers, duties, or authority of the department ~~of Health~~ under any other law of this state; except that, with respect to the regulation of ether as herein provided, in instances in which the provisions of this part may conflict with any other such law, the provisions of this part shall control.

Section 8. Subsection (2) of section 499.61, Florida Statutes, is amended to read:

499.61 Definitions.—As used in this part:

(2) "Department" means the Department of *Business and Professional Regulation* ~~Health~~.

Section 9. *Effective November 1, 2012, section 499.0031, Florida Statutes, is repealed.*

Section 10. *(1) The Florida Drug, Device, and Cosmetic Trust Fund within the Department of Business and Professional Regulation, FLAIR number 20-2-173005, is terminated.*

(2) The current balance remaining in, and all revenues of, the Florida Drug, Device, and Cosmetic Trust Fund shall be transferred to the Professional Regulation Trust Fund.

(3) The Department of Business and Professional Regulation shall pay any outstanding debts or obligations of the Florida Drug, Device, and Cosmetic Trust Fund as soon as practicable, and the Chief Financial Officer shall close out and remove the terminated fund from the various state accounting systems using generally accepted accounting principles concerning warrants outstanding, assets, and liabilities.

(4) This section shall take effect November 1, 2012.

Section 11. Paragraphs (d), (e), and (l) of subsection (2) of section 499.01, Florida Statutes, are amended to read:

499.01 Permits.—

(2) The following permits are established:

(d) Prescription drug wholesale distributor permit.—A prescription drug wholesale distributor is a wholesale distributor that may engage in the wholesale distribution of prescription drugs. A prescription drug wholesale distributor that applies to the department for a new permit or the renewal of a permit must submit a bond of $100,000, or other equivalent means of security acceptable to the department, such as an irrevocable letter of credit or a deposit in a trust account or financial institution, payable to the *Professional Regulation* ~~Florida Drug, Device, and Cosmetic~~ Trust Fund. The purpose of the bond is to secure payment of any administrative penalties imposed by the department and any fees and costs incurred by the department regarding that permit which are authorized under state law and which the permittee fails to pay 30 days after the fine or costs become final. The department may make a claim against such bond or security until 1 year after the permittee's license ceases to be valid or until 60 days after any administrative or legal proceeding authorized in this part which involves the permittee is concluded, including any appeal, whichever occurs later. The department may adopt rules for issuing a prescription drug wholesale distributor-broker permit to a person who engages in the wholesale distribution of prescription drugs and does not take physical possession of any prescription drugs.

(e) Out-of-state prescription drug wholesale distributor permit.—An out-of-state prescription drug wholesale distributor is a wholesale distributor located outside this state which engages in the wholesale distribution of prescription drugs into this state and which must be permitted by the department and comply with all the provisions required of a wholesale distributor under this part. An out-of-state prescription drug

wholesale distributor that applies to the department for a new permit or the renewal of a permit must submit a bond of $100,000, or other equivalent means of security acceptable to the department, such as an irrevocable letter of credit or a deposit in a trust account or financial institution, payable to the *Professional Regulation* ~~Florida Drug, Device, and Cosmetic~~ Trust Fund. The purpose of the bond is to secure payment of any administrative penalties imposed by the department and any fees and costs incurred by the department regarding that permit which are authorized under state law and which the permittee fails to pay 30 days after the fine or costs become final. The department may make a claim against such bond or security until 1 year after the permittee's license ceases to be valid or until 60 days after any administrative or legal proceeding authorized in this part which involves the permittee is concluded, including any appeal, whichever occurs later.

1. The out-of-state prescription drug wholesale distributor must maintain at all times a license or permit to engage in the wholesale distribution of prescription drugs in compliance with laws of the state in which it is a resident.

2. An out-of-state prescription drug wholesale distributor permit is not required for an intracompany sale or transfer of a prescription drug from an out-of-state establishment that is duly licensed as a prescription drug wholesale distributor, in its state of residence, to a licensed prescription drug wholesale distributor in this state, if both wholesale distributors conduct wholesale distributions of prescription drugs under the same business name. The recordkeeping requirements of ss. 499.0121(6) and 499.01212 must be followed for this transaction.

(l) Limited prescription drug veterinary wholesale distributor permit.—Unless engaging in the activities of and permitted as a prescription drug manufacturer, nonresident prescription drug manufacturer, prescription drug wholesale distributor, or out-of-state prescription drug wholesale distributor, a limited prescription drug veterinary wholesale distributor permit is required for any person that engages in the distribution in or into this state of veterinary prescription drugs and prescription drugs subject to, defined by, or described by s. 503(b) of the Federal Food, Drug, and Cosmetic Act under the following conditions:

1. The person is engaged in the business of wholesaling prescription and veterinary prescription drugs to persons:

a. Licensed as veterinarians practicing on a full-time basis;

b. Regularly and lawfully engaged in instruction in veterinary medicine;

c. Regularly and lawfully engaged in law enforcement activities;

d. For use in research not involving clinical use; or

e. For use in chemical analysis or physical testing or for purposes of instruction in law enforcement activities, research, or testing.

2. No more than 30 percent of total annual prescription drug sales may be prescription drugs approved for human use which are subject to, defined by, or described by s. 503(b) of the Federal Food, Drug, and Cosmetic Act.

3. The person does not distribute in any jurisdiction prescription drugs subject to, defined by, or described by s. 503(b) of the Federal Food, Drug, and Cosmetic Act to any person who is authorized to sell, distribute, purchase, trade, or use these drugs on or for humans.

4. A limited prescription drug veterinary wholesale distributor that applies to the department for a new permit or the renewal of a permit must submit a bond of $20,000, or other equivalent means of security acceptable to the department, such as an irrevocable letter of credit or a deposit in a trust account or financial institution, payable to the *Professional Regulation* ~~Florida Drug, Device, and Cosmetic~~ Trust Fund. The purpose of the bond is to secure payment of any administrative penalties imposed by the department and any fees and costs incurred by the department regarding that permit which are authorized under state law and which the permittee fails to pay 30 days after the fine or costs become final. The department may make a claim against such bond or security until 1 year after the permittee's license ceases to be valid or until 60 days after any administrative or legal proceeding authorized in this part which involves the permittee is concluded, including any appeal, whichever occurs later.

5. A limited prescription drug veterinary wholesale distributor must maintain at all times a license or permit to engage in the wholesale distribution of prescription drugs in compliance with laws of the state in which it is a resident.

6. A limited prescription drug veterinary wholesale distributor must comply with the requirements for wholesale distributors under ss. 499.0121 and 499.01212, except that a limited prescription drug veterinary wholesale distributor is not required to provide a pedigree paper as required by s. 499.01212 upon the wholesale distribution of a prescription drug to a veterinarian.

7. A limited prescription drug veterinary wholesale distributor may not return to inventory for subsequent wholesale distribution any prescription drug subject to, defined by, or described by s. 503(b) of the Federal Food, Drug, and Cosmetic Act which has been returned by a veterinarian.

8. A limited prescription drug veterinary wholesale distributor permit is not required for an intracompany sale or transfer of a prescription drug from an out-of-state establishment that is duly licensed to engage in the wholesale distribution of prescription drugs in its state of residence to a licensed limited prescription drug veterinary wholesale distributor in this state if both wholesale distributors conduct wholesale distributions of prescription drugs under the same business name. The recordkeeping requirements of ss. 499.0121(6) and 499.01212 must be followed for this transaction.

Section 12. Subsection (13) of section 499.028, Florida Statutes, is amended to read:

499.028 Drug samples or complimentary drugs; starter packs; permits to distribute.—

(13) The department may, pursuant to chapter 120, impose an administrative fine, not to exceed $5,000 per violation per day, for the violation of this section or rules adopted under this section. Each day such violation continues constitutes a separate violation, and each such separate violation is subject to a separate fine. All amounts collected under this section shall be deposited into the *Professional Regulation* ~~Drug, Device, and Cosmetic~~ Trust Fund. In determining the amount of fine to be levied for a violation, the following factors must be considered:

(a) The severity of the violation.

(b) Any actions taken by the permittee to correct the violation or to remedy complaints.

(c) Any previous violations.

Section 13. Section 499.04, Florida Statutes, is amended to read:

499.04 Fee authority.—The department may collect fees for all drug, device, and cosmetic applications, permits, product registrations, and free-sale certificates. The total amount of fees collected from all permits, applications, product registrations, and free-sale certificates must be adequate to fund the expenses incurred by the department in carrying out this part. The department shall, by rule, establish a schedule of fees that are within the ranges provided in this section and shall adjust those fees from time to time based on the costs associated with administering this part. The fees are payable to the department to be deposited into the *Professional Regulation* ~~Florida Drug, Device, and Cosmetic~~ Trust Fund for the sole purpose of carrying out ~~the provisions of~~ this part.

Section 14. Section 499.057, Florida Statutes, is amended to read:

499.057 Expenses and salaries.—*Except as otherwise provided in the General Appropriations Act,* all expenses and salaries shall be paid out of the *Professional Regulation Trust Fund.* ~~special fund hereby created in the office of the Chief Financial Officer, which fund is to be known as the "Florida Drug, Device, and Cosmetic Trust Fund."~~

Section 15. Paragraph (a) of subsection (2) of section 499.062, Florida Statutes, is amended to read:

499.062 Seizure and condemnation of drugs, devices, or cosmetics.—

(2) Whenever a duly authorized officer or employee of the department finds cause, or has probable cause to believe that cause exists, for

the seizure of any drug, device, or cosmetic, as set out in this part, he or she shall affix to the article a tag, stamp, or other appropriate marking, giving notice that the article is, or is suspected of being, subject to seizure under this part and that the article has been detained and seized by the department. Such officer or employee shall also warn all persons not to remove or dispose of the article, by sale or otherwise, until permission is given by the department or the court. Any person who violates this subsection is guilty of a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(a) When any article detained or seized under this subsection has been found by the department to be subject to seizure and condemnation, the department shall petition the court for an order of condemnation or sale, as the court directs. The proceeds of the sale of drugs, devices, and cosmetics, less the legal costs and charges, shall be deposited into the *Professional Regulation* ~~Florida Drug, Device, and Cosmetic~~ Trust Fund.

Section 16. Subsections (3) and (4) of section 499.066, Florida Statutes, are amended to read:

499.066 Penalties; remedies.—In addition to other penalties and other enforcement provisions:

(3) The department may impose an administrative fine, not to exceed $5,000 per violation per day, for the violation of any provision of this part or rules adopted under this part. Each day a violation continues constitutes a separate violation, and each separate violation is subject to a separate fine. All amounts collected pursuant to this section shall be deposited into the *Professional Regulation* ~~Florida Drug, Device, and Cosmetic~~ Trust Fund and are appropriated for the use of the department in administering this part. In determining the amount of the fine to be levied for a violation, the department shall consider:

(a) The severity of the violation;

(b) Any actions taken by the person to correct the violation or to remedy complaints; and

(c) Any previous violations.

(4) The department shall deposit any rewards, fines, or collections that are due the department and which derive from joint enforcement activities with other state and federal agencies which relate to this part, chapter 893, or the federal act, into the *Professional Regulation* ~~Florida Drug, Device, and Cosmetic~~ Trust Fund. The proceeds of those rewards, fines, and collections are appropriated for the use of the department in administering this part.

Section 17. Subsection (7) of section 499.62, Florida Statutes, is amended to read:

499.62 License or permit required of manufacturer, distributor, dealer, or purchaser of ether.—

(7) A licensed or permitted facility shall renew its license or permit prior to its expiration date. If a renewal application and fee are not filed by the expiration date of any year, the permit may be reinstated only upon payment of a delinquent fee of $50, plus the required renewal fee, within 30 days after the date of expiration. If any person who is subject to the requirements of this part fails to comply with the renewal, the department shall have the authority to seize all ether products and dispose of them as of November 1 of the year the license or permit expires. Any funds collected from the disposal shall be placed in the *Professional Regulation* ~~Florida Drug, Device, and Cosmetic~~ Trust Fund.

Section 18. Subsection (2) of section 499.72, Florida Statutes, is amended to read:

499.72 Administrative fines.—

(2) All such fines, monetary penalties, and costs received by the department in connection with this part shall be deposited in the *Professional Regulation* ~~Florida Drug, Device, and Cosmetic~~ Trust Fund.

Section 19. Section 499.79, Florida Statutes, is amended to read:

499.79 Deposit of fees.—All fees collected for licenses and permits required by this part shall be deposited in the *Professional Regulation* ~~Florida Drug, Device, and Cosmetic~~ Trust Fund ~~created by s. 499.057~~, and all moneys collected under ~~the provisions of~~ this part and deposited in *the* ~~such~~ trust fund *shall be used by* ~~are hereby appropriated for the use of~~ the department in the administration of this part. *The Department of Business and Professional Regulation shall maintain a separate account in the Professional Regulation Trust Fund for the Drugs, Devices, and Cosmetics program.*

Section 20. *Section 548.061, Florida Statutes, is repealed.*

Section 21. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2012.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 20.165, F.S.; creating the Division of Drugs, Devices, and Cosmetics within the Department of Business and Professional Regulation; amending s. 455.116, F.S.; deleting the Florida Drug, Device, and Cosmetic Trust Fund from the list of trust funds placed in the department, to conform; amending ss. 499.003, 499.01211, 499.024, 499.065, 499.601, and 499.61, F.S.; conforming provisions to the transfer by s. 27, ch. 2010-161, Laws of Florida, of regulatory authority for chapter 499, F.S., from the Department of Health to the Department of Business and Professional Regulation; repealing s. 499.0031, F.S., relating to the Florida Drug, Device, and Cosmetic Trust Fund; terminating the Florida Drug, Device, and Cosmetic Trust Fund; providing for the disposition of balances in and revenues of such trust fund; prescribing procedures for the termination of such trust fund; amending ss. 499.01, 499.028, 499.04, 499.057, 499.062, 499.066, 499.62, and 499.72; conforming provisions; amending s. 499.79, F.S.; conforming provisions; requiring the department to maintain a separate account in the Professional Regulation Trust Fund for the Drugs, Devices, and Cosmetics program; repealing s. 548.061, F.S., relating to report and tax requirements for each person or club that holds or shows pugilistic matches on a closed circuit telecast viewed within the state; providing effective dates.

On motion by Senator Hays, the Conference Committee Report on **HB 5511** was adopted. **HB 5511** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5601, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5601

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5601, same being:

An act relating to a license to carry a concealed weapon or firearm.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Frank Artiles
Leonard L. Bembry
Charles S. "Chuck" Chestnut IV
At Large
s/ James C. "Jim" Frishe, At Large
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Elizabeth W. Porter
Ron Saunders, At Large
s/ William D. Snyder, At Large
s/ Will W. Weatherford, At Large

s/ Trudi K. Williams
Lead Manager
s/ Gary Aubuchon, At Large
Jim Boyd
s/ Steve Crisafulli
Chris Dorworth, At Large
s/ Tom Goodson
Dorothy L. Hukill, At Large
s/ John Legg, At Large
s/ Seth McKeel, At Large
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large

Managers on the part of the House

The Conference Committee Amendment for HB 5601, License to Carry a Concealed Weapon, provides for the following:

- Amends s. 790.06, F.S., to reduce the maximum fee allowable for a new license to carry a concealed weapon from $85 to $70, and a renewal license from $70 to $60.
- Provides an effective date of July 1, 2012.

Conference Committee Amendment (763039)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (5) of section 790.06, Florida Statutes, is amended to read:

790.06 License to carry concealed weapon or firearm.—

(5) The applicant shall submit to the Department of Agriculture and Consumer Services:

(b) A nonrefundable license fee not to exceed *$70* ~~$85~~, if he or she has not previously been issued a statewide license, or a nonrefundable license fee not to exceed *$60* ~~$70~~ for renewal of a statewide license. Costs for processing the set of fingerprints as required in paragraph (c) shall be borne by the applicant. However, an individual holding an active certification from the Criminal Justice Standards and Training Commission as a "law enforcement officer," "correctional officer," or "correctional probation officer" as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9) is exempt from the licensing requirements of this section. If any individual holding an active certification from the Criminal Justice Standards and Training Commission as a "law enforcement officer," a "correctional officer," or a "correctional probation officer" as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9) wishes to receive a concealed weapons or firearms license, such person is exempt from the background investigation and all background investigation fees, but shall pay the current license fees regularly required to be paid by nonexempt applicants. Further, a law enforcement officer, a correctional officer, or a correctional probation officer as defined in s. 943.10(1), (2), or (3) is exempt from the required fees and background investigation for a period of 1 year subsequent to the date of retirement of said officer as a law enforcement officer, a correctional officer, or a correctional probation officer.

Section 2. This act shall take effect July 1, 2012.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to a license to carry a concealed weapon or firearm; amending s. 790.06, F.S.; reducing specified nonrefundable license fees; providing an effective date.

On motion by Senator Hays, the Conference Committee Report on **HB 5601** was adopted. **HB 5601** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—34

Mr. President	Fasano	Norman
Alexander	Flores	Oelrich
Altman	Gaetz	Richter
Benacquisto	Garcia	Ring
Bennett	Gardiner	Simmons
Bogdanoff	Hays	Siplin
Bullard	Jones	Sobel
Dean	Latvala	Storms
Detert	Lynn	Thrasher
Diaz de la Portilla	Margolis	Wise
Dockery	Montford	
Evers	Negron	

Nays—6

Braynon	Joyner	Sachs
Gibson	Rich	Smith

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5701, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5701

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5701, same being:

An act relating to corporate income tax.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Ben Albritton
s/ Matthew H. "Matt" Caldwell
s/ Fredrick W. "Fred" Costello
Chris Dorworth, At Large
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ John Legg, At Large
s/ Seth McKeel, At Large
s/ Lake Ray
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
Perry E. Thurston, Jr.

s/ Stephen L. Precourt
Lead Manager
s/ Gary Aubuchon, At Large
Charles S. "Chuck" Chestnut IV
At Large
s/ James C. "Jim" Frishe, At Large
Dorothy L. Hukill, At Large
s/ John Patrick Julien
s/ Carlos Lopez-Cantera, At Large
Scott Randolph
s/ Patrick Rooney, Jr.
Ron Saunders, At Large
s/ William D. Snyder, At Large
s/ W. Gregory "Greg" Steube
s/ Will W. Weatherford, At Large

Managers on the part of the House

The Conference Committee Amendment for HB 5701, taxation, provides for the following:

- Current law allows documentary stamp receipts that are dedicated for other uses to be available to pay debt service for bonds issued before January 1, 2010. This amendment extends this provision to bonds issued before January 1, 2013. The amendment is expected to result in lower interest rates for bonds issues before January 1, 2013.

- It limits eligibility for the dealers' credit for collecting taxes to those sales tax dealers who file and remit taxes by electronic means.

- It adopts the 2012 version of the United States Internal Revenue Code for purposes of the Florida corporate income tax.

- It provides that any estimated corporate income tax payment which would otherwise have been due no later than June 30, 2013 must be paid on or before June 28, 2013, and requires the Department of Revenue to provide adequate notice to affected persons about this change in the due date.

Conference Committee Amendment (217733)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 201.15, Florida Statutes, is amended to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter are subject to the service charge imposed in s. 215.20(1). Prior to distribution under this section, the Department of Revenue shall deduct amounts necessary to pay the costs of the collection and enforcement of the tax levied by this chapter. Such costs and the service charge may not be levied against any portion of taxes pledged to debt service on bonds to the extent that the costs and service charge are required to pay any amounts relating to the bonds. After distributions are made pursuant to subsection (1), all of the costs of the collection and enforcement of the tax levied by this chapter and the service charge shall be available and transferred to the extent necessary to pay debt service and any other amounts payable with respect to bonds authorized before January 1, *2013* ~~2010~~, secured by revenues distributed pursuant to subsection (1). All taxes remaining after deduction of costs and the service charge shall be distributed as follows:

(1) Sixty-three and thirty-one hundredths percent of the remaining taxes shall be used for the following purposes:

(a) Amounts necessary to pay the debt service on, or fund debt service reserve funds, rebate obligations, or other amounts payable with respect to Preservation 2000 bonds issued pursuant to s. 375.051 and Florida Forever bonds issued pursuant to s. 215.618, shall be paid into the State Treasury to the credit of the Land Acquisition Trust Fund to be used for such purposes. The amount transferred to the Land Acquisition Trust Fund may not exceed $300 million in fiscal year 1999-2000 and thereafter for Preservation 2000 bonds and bonds issued to refund Preservation 2000 bonds, and $300 million in fiscal year 2000-2001 and thereafter for Florida Forever bonds. The annual amount transferred to the Land Acquisition Trust Fund for Florida Forever bonds may not exceed $30 million in the first fiscal year in which bonds are issued. The limitation on the amount transferred shall be increased by an additional $30 million in each subsequent fiscal year, but may not exceed a total of $300 million in any fiscal year for all bonds issued. It is the intent of the Legislature that all bonds issued to fund the Florida Forever Act be retired by December 31, 2040. Except for bonds issued to refund previously issued bonds, no series of bonds may be issued pursuant to this paragraph unless such bonds are approved and the debt service for the remainder of the fiscal year in which the bonds are issued is specifically appropriated in the General Appropriations Act. For purposes of refunding Preservation 2000 bonds, amounts designated within this section for Preservation 2000 and Florida Forever bonds may be transferred between the two programs to the extent provided for in the documents authorizing the issuance of the bonds. The Preservation 2000 bonds and Florida Forever bonds are equally and ratably secured by moneys distributable to the Land Acquisition Trust Fund pursuant to this section, except as specifically provided otherwise by the documents authorizing the issuance of the bonds. Moneys transferred to the Land Acquisition Trust Fund pursuant to this paragraph, or earnings thereon, may not be used or made available to pay debt service on the Save Our Coast revenue bonds.

(b) Moneys shall be paid into the State Treasury to the credit of the Save Our Everglades Trust Fund in amounts necessary to pay debt service, provide reserves, and pay rebate obligations and other amounts due with respect to bonds issued under s. 215.619. Taxes distributed under paragraph (a) and this paragraph must be collectively distributed on a pro rata basis when the available moneys under this subsection are not sufficient to cover the amounts required under paragraph (a) and this paragraph.

(c) After the required payments under paragraphs (a) and (b), the remainder shall be paid into the State Treasury to the credit of:

1. The State Transportation Trust Fund in the Department of Transportation in the amount of the lesser of 38.2 percent of the remainder or $541.75 million in each fiscal year. Out of such funds, the first $50 million for the 2012-2013 fiscal year; $65 million for the 2013-2014 fiscal year; and $75 million for the 2014-2015 fiscal year and all subsequent years, shall be transferred to the State Economic Enhancement and Development Trust Fund within the Department of Economic Opportunity. The remainder is to be used for the following specified purposes, notwithstanding any other law to the contrary:

a. For the purposes of capital funding for the New Starts Transit Program, authorized by Title 49, U.S.C. s. 5309 and specified in s. 341.051, 10 percent of these funds;

b. For the purposes of the Small County Outreach Program specified in s. 339.2818, 5 percent of these funds. Effective July 1, 2014, the percentage allocated under this sub-subparagraph shall be increased to 10 percent;

c. For the purposes of the Strategic Intermodal System specified in ss. 339.61, 339.62, 339.63, and 339.64, 75 percent of these funds after allocating for the New Starts Transit Program described in sub-subparagraph a. and the Small County Outreach Program described in sub-subparagraph b.; and

d. For the purposes of the Transportation Regional Incentive Program specified in s. 339.2819, 25 percent of these funds after allocating for the New Starts Transit Program described in sub-subparagraph a. and the Small County Outreach Program described in sub-subparagraph b. Effective July 1, 2014, the first $60 million of the funds allocated pursuant to this sub-subparagraph shall be allocated annually to the Florida Rail Enterprise for the purposes established in s. 341.303(5).

2. The Grants and Donations Trust Fund in the Department of Economic Opportunity in the amount of the lesser of .23 percent of the remainder or $3.25 million in each fiscal year to fund technical assistance to local governments and school boards on the requirements and implementation of this act.

3. The Ecosystem Management and Restoration Trust Fund in the amount of the lesser of 2.12 percent of the remainder or $30 million in each fiscal year, to be used for the preservation and repair of the state's beaches as provided in ss. 161.091-161.212.

4. General Inspection Trust Fund in the amount of the lesser of .02 percent of the remainder or $300,000 in each fiscal year to be used to fund oyster management and restoration programs as provided in s. 379.362(3).

Moneys distributed pursuant to this paragraph may not be pledged for debt service unless such pledge is approved by referendum of the voters.

(d) After the required payments under paragraphs (a), (b), and (c), the remainder shall be paid into the State Treasury to the credit of the General Revenue Fund to be used and expended for the purposes for which the General Revenue Fund was created and exists by law.

(2) The lesser of 7.56 percent of the remaining taxes or $84.9 million in each fiscal year shall be distributed as follows:

(a) Six million and three hundred thousand dollars shall be paid into the State Treasury to the credit of the General Revenue Fund.

(b) The remainder shall be paid into the State Treasury to the credit of the Land Acquisition Trust Fund. Sums deposited in the fund pursuant to this subsection may be used for any purpose for which funds deposited in the Land Acquisition Trust Fund may lawfully be used.

(3)(a) The lesser of 1.94 percent of the remaining taxes or $26 million in each fiscal year shall be distributed in the following order:

1. Amounts necessary to pay debt service or to fund debt service reserve funds, rebate obligations, or other amounts payable with respect to bonds issued before February 1, 2009, pursuant to this subsection shall be paid into the State Treasury to the credit of the Land Acquisition Trust Fund.

2. Eleven million dollars shall be paid into the State Treasury to the credit of the General Revenue Fund.

3. The remainder shall be paid into the State Treasury to the credit of the Land Acquisition Trust Fund.

(b) Moneys deposited in the Land Acquisition Trust Fund pursuant to this subsection shall be used to acquire coastal lands or to pay debt service on bonds issued to acquire coastal lands and to develop and manage lands acquired with moneys from the trust fund.

(4) The lesser of 4.2 percent of the remaining taxes or $60.5 million in each fiscal year shall be paid into the State Treasury to the credit of the Water Management Lands Trust Fund. Sums deposited in that fund may be used for any purpose authorized in s. 373.59.

(5) Of the remaining taxes, 3.52 percent shall be paid into the State Treasury to the credit of the Conservation and Recreation Lands Trust Fund to carry out the purposes set forth in s. 259.032. Eleven and fifteen hundredths percent of the amount credited to the Conservation and Recreation Lands Trust Fund pursuant to this subsection shall be transferred to the State Game Trust Fund and used for land management activities.

(6) The lesser of 2.28 percent of the remaining taxes or $34.1 million in each fiscal year shall be paid into the State Treasury to the credit of the Invasive Plant Control Trust Fund to carry out the purposes set forth in ss. 369.22 and 369.252.

(7) The lesser of .5 percent of the remaining taxes or $9.3 million in each fiscal year shall be paid into the State Treasury to the credit of the State Game Trust Fund to be used exclusively for the purpose of implementing the Lake Restoration 2020 Program.

(8) One-half of one percent of the remaining taxes shall be paid into the State Treasury and divided equally to the credit of the Department of Environmental Protection Water Quality Assurance Trust Fund to address water quality impacts associated with nonagricultural nonpoint sources and to the credit of the Department of Agriculture and Consumer Services General Inspection Trust Fund to address water quality impacts associated with agricultural nonpoint sources, respectively. These funds shall be used for research, development, demonstration, and implementation of suitable best management practices or other measures used to achieve water quality standards in surface waters and water segments identified pursuant to ss. 303(d) of the Clean Water Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq. Implementation of best management practices and other measures may include cost-share grants, technical assistance, implementation tracking, and conservation leases or other agreements for water quality improvement. The Department of Environmental Protection and the Department of Agriculture and Consumer Services may adopt rules governing the distribution of funds for implementation of best management practices. The unobligated balance of funds received from the distribution of taxes collected under this chapter to address water quality impacts associated with nonagricultural nonpoint sources must be excluded when calculating the unobligated balance of the Water Quality Assurance Trust Fund as it relates to the determination of the applicable excise tax rate.

(9) Seven and fifty-three hundredths percent of the remaining taxes in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund. Out of such funds, beginning in the 2012-2013 fiscal year, the first $35 million shall be transferred annually, subject to any distribution required under subsection (15), to the State Economic Enhancement and Development Trust Fund within the Department of Economic Opportunity. The remainder shall be used as follows:

(a) Half of that amount shall be used for the purposes for which the State Housing Trust Fund was created and exists by law.

(b) Half of that amount shall be paid into the State Treasury to the credit of the Local Government Housing Trust Fund and used for the purposes for which the Local Government Housing Trust Fund was created and exists by law.

(10) Eight and sixty-six hundredths percent of the remaining taxes in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund. Out of such funds, beginning in the 2012-2013 fiscal year, the first $40 million shall be transferred annually, subject to any distribution required under subsection (15), to the State Economic Enhancement and Development Trust Fund within the De-

partment of Economic Opportunity. The remainder shall be used as follows:

(a) Twelve and one-half percent of that amount shall be deposited into the State Housing Trust Fund and be expended by the Department of Economic Opportunity and by the Florida Housing Finance Corporation for the purposes for which the State Housing Trust Fund was created and exists by law.

(b) Eighty-seven and one-half percent of that amount shall be distributed to the Local Government Housing Trust Fund and used for the purposes for which the Local Government Housing Trust Fund was created and exists by law. Funds from this category may also be used to provide for state and local services to assist the homeless.

(11) The distribution of proceeds deposited into the Water Management Lands Trust Fund and the Conservation and Recreation Lands Trust Fund, pursuant to subsections (4) and (5), may not be used for land acquisition but may be used for preacquisition costs associated with land purchases. The Legislature intends that the Florida Forever program supplant the acquisition programs formerly authorized under ss. 259.032 and 373.59.

(12) Amounts distributed pursuant to subsections (5), (6), (7), and (8) are subject to the payment of debt service on outstanding Conservation and Recreation Lands revenue bonds.

(13) In each fiscal year that the remaining taxes exceed collections in the prior fiscal year, the stated maximum dollar amounts provided in subsections (2), (4), (6), and (7) shall each be increased by an amount equal to 10 percent of the increase in the remaining taxes collected under this chapter multiplied by the applicable percentage provided in those subsections.

(14) If the payment requirements in any year for bonds outstanding on July 1, 2007, or bonds issued to refund such bonds, exceed the limitations of this section, distributions to the trust fund from which the bond payments are made must be increased to the lesser of the amount needed to pay bond obligations or the limit of the applicable percentage distribution provided in subsections (1)-(10).

(15) Distributions to the State Housing Trust Fund pursuant to subsections (9) and (10) must be sufficient to cover amounts required to be transferred to the Florida Affordable Housing Guarantee Program's annual debt service reserve and guarantee fund pursuant to s. 420.5092(6)(a) and (b) up to the amount required to be transferred to such reserve and fund based on the percentage distribution of documentary stamp tax revenues to the State Housing Trust Fund which is in effect in the 2004-2005 fiscal year.

(16) If amounts necessary to pay debt service or any other amounts payable with respect to Preservation 2000 bonds, Florida Forever bonds, or Everglades Restoration bonds authorized before January 1, *2013* ~~2010~~, exceed the amounts distributable pursuant to subsection (1), all moneys distributable pursuant to this section are available for such obligations and transferred in the amounts necessary to pay such obligations when due. However, amounts distributable pursuant to subsection (2), subsection (3), subsection (4), subsection (5), paragraph (9)(a), or paragraph (10)(a) are not available to pay such obligations to the extent that such moneys are necessary to pay debt service on bonds secured by revenues pursuant to those provisions.

(17) After the distributions provided in the preceding subsections, any remaining taxes shall be paid into the State Treasury to the credit of the General Revenue Fund.

Section 2. Effective July 1, 2012, and applicative to returns due on or after that date, subsection (1) of section 212.12, Florida Statutes, is amended to read:

212.12 Dealer's credit for collecting tax; penalties for noncompliance; powers of Department of Revenue in dealing with delinquents; brackets applicable to taxable transactions; records required.—

(1)*(a)1.* Notwithstanding any other ~~provision of~~ law and for the purpose of compensating persons granting licenses for and the lessors of real and personal property taxed hereunder, for the purpose of compensating dealers in tangible personal property, for the purpose of compensating dealers providing communication services and taxable services, for the purpose of compensating owners of places where admissions are collected, and for the purpose of compensating remitters of any taxes or fees reported on the same documents utilized for the sales and use tax, as compensation for the keeping of prescribed records, filing timely tax returns, and the proper accounting and remitting of taxes by them, such seller, person, lessor, dealer, owner, and remitter (except dealers who make mail order sales) *who files the return required pursuant to s. 212.11 only by electronic means and who pays the amount due on such return only by electronic means* shall be allowed 2.5 percent of the amount of the tax due*,* ~~and~~ accounted for*,* and remitted to the department~~,~~ in the form of a deduction ~~in submitting his or her report and paying the amount due by him or her; the department shall allow such deduction of 2.5 percent of the amount of the tax to the person paying the same for remitting the tax and making of tax returns in the manner herein provided, for paying the amount due to be paid by him or her, and as further compensation to dealers in tangible personal property for the keeping of prescribed records and for collection of taxes and remitting the same~~. However, if the amount of the tax due and remitted to the department *by electronic means* for the reporting period exceeds $1,200, *an* ~~no~~ allowance *is not* ~~shall be~~ allowed for all amounts in excess of $1,200. *For purposes of this subparagraph, the term "electronic means" has the same meaning as provided in s. 213.755(2)(c).*

2. The executive director of the department is authorized to negotiate a collection allowance, pursuant to rules promulgated by the department, with a dealer who makes mail order sales. The rules of the department shall provide guidelines for establishing the collection allowance based upon the dealer's estimated costs of collecting the tax, the volume and value of the dealer's mail order sales to purchasers in this state, and the administrative and legal costs and likelihood of achieving collection of the tax absent the cooperation of the dealer. However, in no event shall the collection allowance negotiated by the executive director exceed 10 percent of the tax remitted for a reporting period.

(b)~~(a)~~ The Department of Revenue may deny the collection allowance if a taxpayer files an incomplete return or if the required tax return or tax is delinquent at the time of payment.

1. An "incomplete return" is, for purposes of this chapter, a return which is lacking such uniformity, completeness, and arrangement that the physical handling, verification, review of the return, or determination of other taxes and fees reported on the return may not be readily accomplished.

2. The department shall adopt rules requiring such information as it may deem necessary to ensure that the tax levied hereunder is properly collected, reviewed, compiled, reported, and enforced, including, but not limited to: the amount of gross sales; the amount of taxable sales; the amount of tax collected or due; the amount of lawful refunds, deductions, or credits claimed; the amount claimed as the dealer's collection allowance; the amount of penalty and interest; the amount due with the return; and such other information as the Department of Revenue may specify. The department shall require that transient rentals and agricultural equipment transactions be separately shown. Sales made through vending machines as defined in s. 212.0515 must be separately shown on the return. Sales made through coin-operated amusement machines as defined by s. 212.02 and the number of machines operated must be separately shown on the return or on a form prescribed by the department. If a separate form is required, the same penalties for late filing, incomplete filing, or failure to file as provided for the sales tax return shall apply to *the* ~~said~~ form.

(c)~~(b)~~ The collection allowance and other credits or deductions provided in this chapter shall be applied proportionally to any taxes or fees reported on the same documents used for the sales and use tax.

(d)~~(c)~~1. A dealer entitled to the collection allowance provided in this section may elect to forego the collection allowance and direct that *the* ~~said~~ amount be transferred into the Educational Enhancement Trust Fund. Such an election must be made with the timely filing of a return and may not be rescinded once made. If a dealer who makes such an election files a delinquent return, underpays the tax, or files an incomplete return, the amount transferred into the Educational Enhancement Trust Fund shall be the amount of the collection allowance remaining after resolution of liability for all of the tax, interest, and penalty due on that return or underpayment of tax. The Department of Education shall distribute the remaining amount from the trust fund to the school districts that have adopted resolutions stating that those

funds will be used to ensure that up-to-date technology is purchased for the classrooms in the district and that teachers are trained in the use of that technology. Revenues collected in districts that do not adopt such a resolution shall be equally distributed to districts that have adopted such resolutions.

2. This paragraph applies to all taxes, surtaxes, and any local option taxes administered under this chapter and remitted directly to the department. This paragraph does not apply to *a* ~~any~~ locally imposed and self-administered convention development tax, tourist development tax, or tourist impact tax administered under this chapter.

3. Revenues from the dealer-collection allowances shall be transferred quarterly from the General Revenue Fund to the Educational Enhancement Trust Fund. The Department of Revenue shall provide to the Department of Education quarterly information about such revenues by county to which the collection allowance was attributed.

Notwithstanding any provision of chapter 120 to the contrary, the Department of Revenue may adopt rules to carry out the amendment made by chapter 2006-52, Laws of Florida, to this section.

Section 3. Effective upon this act becoming a law and operating retroactively to January 1, 2012, paragraph (n) of subsection (1) and subsection (2) of section 220.03, Florida Statutes, are amended to read:

220.03 Definitions.—

(1) SPECIFIC TERMS.—When used in this code, and when not otherwise distinctly expressed or manifestly incompatible with the intent thereof, the following terms shall have the following meanings:

(n) "Internal Revenue Code" means the United States Internal Revenue Code of 1986, as amended and in effect on January 1, *2012* ~~2011~~, except as provided in subsection (3).

(2) DEFINITIONAL RULES.—When used in this code and neither otherwise distinctly expressed nor manifestly incompatible with the intent thereof:

(a) The word "corporation" or "taxpayer" shall be deemed to include the words "and its successors and assigns" as if these words, or words of similar import, were expressed;

(b) Any term used in any section of this code with respect to the application of, or in connection with, the provisions of any other section of this code shall have the same meaning as in such other section; and

(c) Any term used in this code shall have the same meaning as when used in a comparable context in the Internal Revenue Code and other statutes of the United States relating to federal income taxes, as such code and statutes are in effect on January 1, *2012* ~~2011~~. However, if subsection (3) is implemented, the meaning of any term shall be taken at the time the term is applied under this code.

Section 4. Present subsection (7) of section 220.33, Florida Statutes, is renumbered as subsection (8), and a new subsection (7) is added to that section, to read:

220.33 Payments of estimated tax.—A taxpayer required to file a declaration of estimated tax pursuant to s. 220.24 shall pay such estimated tax as follows:

(7) Notwithstanding any administrative rule or determination of the department which allows estimated payments otherwise due on a Saturday, Sunday, or legal holiday to be paid on the next succeeding day that is not a Saturday, Sunday, or legal holiday, any estimated tax payment required under this section which would otherwise be due no later than Sunday, June 30, 2013, shall be paid on or before June 28, 2013. This subsection expires July 1, 2014.

Section 5. *(1) The executive director of the Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to ss. 120.536(1) and 120.54(4), Florida Statutes, for the purpose of implementing section 4 of this act.*

(2) Notwithstanding any other law, the emergency rules adopted pursuant to this section shall remain in effect for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

Section 6. For the purpose of incorporating the amendments made by this act to section 212.12, Florida Statutes, in a reference thereto, section 723.008, Florida Statutes, is reenacted to read:

723.008 Applicability of chapter 212 to fees, penalties, and fines under this chapter.—The same duties and privileges imposed by chapter 212 upon dealers in tangible property respecting the collection and remission of tax; the making of returns; the keeping of books, records, and accounts; and the compliance with the rules of the enforcing agency in the administration of that chapter apply to and are binding upon all persons who are subject to the fee, penalty, and fine provisions of this chapter. However, the provisions of s. 212.12(1) do not apply to this chapter.

Section 7. *The Department of Revenue shall provide adequate notice to affected taxpayers of the earlier due date for making an estimated payment established by this act. The department may satisfy this requirement by revising its corporate income tax return forms, creating a Tax Information Publication, and revising the due dates provided on its electronic filing calendar.*

Section 8. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2012.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to taxation; amending s. 201.15, F.S.; requiring that deductions for the cost of collecting and enforcing the documentary stamp tax and for a specified service charge be available for payment of certain obligations secured by such tax revenues with respect to bonds authorized before a specified date; requiring under certain circumstances that documentary stamp tax revenues be available to pay debt service or other obligations relating to certain bonds authorized before a specified date; amending s. 212.12, F.S.; providing for the collection of allowances of the amount of tax due by persons who file returns only by electronic means and pay the amount due on such returns only by electronic means; deleting provisions that provide for the collection of such allowances by persons who file paper returns; defining the term "electronic means" for purposes of collecting allowances of the amount of tax due by persons who file sales and use tax returns; providing for applicability; amending s. 220.03, F.S.; adopting the 2012 version of the Internal Revenue Code for purposes of ch. 220, F.S.; providing for retroactive operation; amending s. 220.33, F.S.; changing the filing date for estimated tax under certain circumstances; providing for future expiration; authorizing the Department of Revenue to adopt emergency rules; reenacting s. 723.008, F.S., relating to certain fees, penalties, and fines applicable to the "Florida Mobile Home Act," to incorporate the amendment made to s. 212.12, F.S., in a reference thereto; requiring the Department of Revenue to provide adequate notice to affected taxpayers relating to earlier due dates for making an estimated payment; providing effective dates.

On motion by Senator Norman, the Conference Committee Report on **HB 5701** was adopted. **HB 5701** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Gibson	Ring
Bogdanoff	Hays	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—1

Bullard

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed CS for HB 843, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON CS for HB 843

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for HB 843, same being:

An act relating to the Department of the Lottery.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
s/ Andy Gardiner, At Large
s/ Mike Haridopolos
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
Charles S. "Chuck" Chestnut IV
At Large
Joseph A. "Joe" Gibbons
Dorothy L. Hukill, At Large
s/ John Legg, At Large
s/ Debbie Mayfield
s/ Bryan Nelson
Franklin Sands
s/ Robert C. "Rob" Schenck
At Large
s/ Will W. Weatherford, At Large

s/ Ed Hooper
Lead Manager
Lori Berman
Chris Dorworth, At Large
s/ James C. "Jim" Frishe, At Large
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Seth McKeel, At Large
s/ Jimmy Patronis
Ron Saunders, At Large
s/ William D. Snyder, At Large
Barbara Watson
s/ Michael B. "Mike" Weinstein

Managers on the part of the House

The Conference Committee Amendment for HB 843, Department of the Lottery, provides for the following:

- Authorizes the Department of the Lottery to sell online tickets in addition to instant tickets through a vending machine.
- The vending machine, or any machine or device linked to the vending machine, may not include or make use of video reels or mechanical reels or other video depictions of slot machine or casino game themes or titles for game play.
- Provides an effective date of July 1, 2012.

Conference Committee Amendment (111539)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (a) of subsection (9) of section 24.105, Florida Statutes, is amended to read:

24.105 Powers and duties of department.—The department shall:

(9) Adopt rules governing the establishment and operation of the state lottery, including:

(a) The type of lottery games to be conducted, except that:

1. No name of an elected official shall appear on the ticket or play slip of any lottery game or on any prize or on any instrument used for the payment of prizes, unless such prize is in the form of a state warrant.

2. No coins or currency shall be dispensed from any electronic computer terminal or device used in any lottery game.

3. Other than as *specifically* provided in *s. 24.112* ~~subparagraph 4.~~, no terminal or device may be used for any lottery game which may be operated solely by the player without the assistance of the retailer.

~~4. The only player-activated machine which may be utilized is a machine which dispenses instant lottery game tickets following the insertion of a coin or currency by a ticket purchaser. To be authorized a machine must: be under the supervision and within the direct line of sight of the lottery retailer to ensure that the machine is monitored and only operated by persons at least 18 years of age; be capable of being electronically deactivated by the retailer to prohibit use by persons less than 18 years of age through the use of a lockout device that maintains the machine's deactivation for a period of no less than 5 minutes; and be designed to prevent its use or conversion for use in any manner other than the dispensing of instant lottery tickets. Authorized machines may dispense change to players purchasing tickets but may not be utilized for paying the holders of winning tickets of any kind. At least one clerk must be on duty at the lottery retailer while the machine is in operation. However, at least two clerks must be on duty at any lottery location which has violated s. 24.1055.~~

Section 2. Paragraph (h) of subsection (2) of section 24.111, Florida Statutes, is amended to read:

24.111 Vendors; disclosure and contract requirements.—

(2) The department shall investigate the financial responsibility, security, and integrity of each vendor with which it intends to negotiate a contract for major procurement. Such investigation may include an investigation of the financial responsibility, security, and integrity of any or all persons whose names and addresses are required to be disclosed pursuant to paragraph (a). Any person who submits a bid, proposal, or offer as part of a major procurement must, at the time of submitting such bid, proposal, or offer, provide the following:

(h) The department shall lease all ~~instant ticket~~ vending machines *that dispense online lottery tickets, instant lottery tickets, or both online and instant lottery tickets*.

The department shall not contract with any vendor who fails to make the disclosures required by this subsection, and any contract with a vendor who has failed to make the required disclosures shall be unenforceable. Any contract with any vendor who does not comply with such requirements for periodically updating such disclosures during the tenure of such contract as may be specified in such contract may be terminated by the department. This subsection shall be construed broadly and liberally

to achieve the ends of full disclosure of all information necessary to allow for a full and complete evaluation by the department of the competence, integrity, background, and character of vendors for major procurements.

Section 3. Subsection (15) is added to section 24.112, Florida Statutes, to read:

24.112 Retailers of lottery tickets*; authorization of vending machines to dispense lottery tickets*.—

(15) A vending machine may be used to dispense online lottery tickets, instant lottery tickets, or both online and instant lottery tickets.

(a) The vending machine must:

1. Dispense a lottery ticket after a purchaser inserts a coin or currency in the machine.

2. Be capable of being electronically deactivated for a period of 5 minutes or more.

3. Be designed to prevent its use for any purpose other than dispensing a lottery ticket.

(b) In order to be authorized to use a vending machine to dispense lottery tickets, a retailer must:

1. Locate the vending machine in the retailer's direct line of sight to ensure that purchases are only made by persons at least 18 years of age.

2. Ensure that at least one employee is on duty when the vending machine is available for use. However, if the retailer has previously violated s. 24.1055, at least two employees must be on duty when the vending machine is available for use.

(c) A vending machine that dispenses a lottery ticket may dispense change to a purchaser but may not be used to redeem any type of winning lottery ticket.

(d) The vending machine, or any machine or device linked to the vending machine, may not include or make use of video reels or mechanical reels or other video depictions of slot machine or casino game themes or titles for game play. This does not preclude the use of casino game themes or titles on such tickets or signage or advertising displays on the machines.

Section 4. This act shall take effect July 1, 2012.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the Department of the Lottery; amending s. 24.105, F.S.; deleting a provision relating to player-activated vending machines; conforming provisions to changes made by the act; amending s. 24.111, F.S.; revising the requirement that the Department of the Lottery lease certain vending machines; amending s. 24.112, F.S.; allowing vending machines to dispense lottery tickets if certain requirements are met; providing an effective date.

On motion by Senator Jones, the Conference Committee Report on **CS for HB 843** was adopted. **CS for HB 843** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—35

Mr. President	Evers	Negron
Alexander	Fasano	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Rich
Bennett	Gardiner	Richter
Bogdanoff	Gibson	Ring
Braynon	Jones	Sachs
Bullard	Joyner	Simmons
Dean	Latvala	Smith
Detert	Lynn	Thrasher
Diaz de la Portilla	Margolis	Wise
Dockery	Montford	

Nays—2

Siplin	Storms

Vote after roll call:

Nay—Flores

Yea to Nay—Benacquisto, Evers, Gaetz, Gardiner, Hays

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 2, refused to concur in Senate Amendment 1 and requests the Senate to recede therefrom, and passed CS for CS for HB 1175 as further amended, and request the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for CS for HB 1175—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding to the list of Schedule I controlled substances certain specified materials, compounds, mixtures, or preparations that contain hallucinogenic substances or that contain any of these substances' salts, isomers, and salts of isomers, if the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation; amending s. 893.13, F.S.; providing reduced penalties for possession of 3 grams or less of certain such controlled substances; reenacting ss. 893.13(1)-(6) and 921.0022(3)(b)-(e), F.S., relating to prohibited acts involving controlled substances and the Criminal Punishment Code, respectively, to incorporate the amendments made to s. 893.03, F.S., in references thereto; providing an effective date.

On motion by Senator Evers, the Senate receded from Senate Amendment 1.

CS for CS for HB 1175 passed and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

SPECIAL ORDER CALENDAR

On motion by Senator Norman, by unanimous consent—

CS for CS for SB 1304—A bill to be entitled An act relating to tax administration; amending s. 211.3103, F.S.; revising the excise tax rates levied upon each ton of phosphate rock severed; specifying the period during which the rates apply; revising the distribution of the revenues received; deleting obsolete provisions; amending s. 212.03, F.S.; providing that charges for the storage of towed vehicles are taxable, unless the vehicles are impounded by a local, state, or federal law enforcement agency; amending s. 212.07, F.S.; conforming a cross-reference to changes made by the act; subjecting a dealer to monetary and criminal penalties for the willful failure to collect certain taxes or fees after notice of the duty to collect the taxes or fees by the Department of Revenue; amending s. 212.08, F.S.; providing an exemption from the tax on sales,

use, and other transactions for the sale or lease of accessible taxicabs; providing a definition of the term "accessible taxicab"; amending s. 212.12, F.S.; deleting provisions relating to the imposition of criminal penalties after notice by the Department of Revenue of requirements to register as a dealer or to collect taxes; making technical and grammatical changes to provisions specifying penalties for making a false or fraudulent return with the intent to evade payment of a tax or fee; amending s. 212.14, F.S.; defining the term "person"; authorizing the Department of Revenue to adopt rules relating to requirements for a person to deposit cash, a bond, or other security with the department in order to ensure compliance with sales tax laws; making technical and grammatical changes; amending s. 212.18, F.S.; subjecting a person to criminal penalties for willfully failing to register as a dealer after notice of the duty to register by the Department of Revenue; making technical and grammatical changes; amending s. 213.13, F.S.; revising the due date for funds collected by the clerks of court to be transmitted to the Department of Revenue; creating s. 213.295, F.S.; providing definitions; subjecting a person to criminal penalties and monetary penalties for knowingly selling an automated sales suppression device, zapper, or phantom-ware; defining sales suppression devices and phantom-ware as contraband articles under the Florida Contraband Forfeiture Act; amending s. 213.756, F.S.; providing an absolute defense by a retailer against a purchaser's claim for a refund; amending s. 220.153, F.S.; redefining the term "qualified capital expenditures" for purposes of apportionment by sales factor; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to release photographs or digital images to the Department of Revenue in order to identify individuals for purposes of tax administration; amending s. 336.021, F.S.; revising the date for imposing the ninth-cent fuel tax; amending s. 336.025, F.S.; revising the date when impositions and rate changes of the local option fuel tax are levied; amending s. 443.131, F.S.; imposing a requirement on employers to produce records for the Department of Economic Opportunity or its tax collection service provider as a prerequisite for a reduction in the rate of unemployment tax; amending s. 443.141, F.S.; providing a method to calculate the interest rate for past due contributions and reimbursements, and delinquent, erroneous, incomplete, or insufficient reports; providing for application; providing effective dates.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for CS for SB 1304**, on motion by Senator Norman, by two-thirds vote **CS for HB 7099** was withdrawn from the Committees on Budget Subcommittee on Finance and Tax; Budget; and Rules.

On motion by Senator Norman the rules were waived and—

CS for HB 7099—A bill to be entitled An act relating to tax administration; amending s. 211.3103, F.S.; revising rate calculation procedures for the tax on severance of phosphate rock; revising the distribution for the tax on severance of phosphate rock; amending s. 212.07, F.S.; conforming a cross-reference to changes made by the act; subjecting a dealer to monetary and criminal penalties for the willful failure to collect certain taxes or fees after notice of the duty to collect the taxes or fees by the Department of Revenue; amending s. 212.12, F.S.; deleting provisions relating to the imposition of criminal penalties after notice by the Department of Revenue of requirements to register as a dealer or to collect taxes; making technical and grammatical changes to provisions specifying penalties for making a false or fraudulent return with the intent to evade payment of a tax or fee; amending s. 212.14, F.S.; defining the term "person"; authorizing the Department of Revenue to adopt rules relating to requirements for a person to deposit cash, a bond, or other security with the department in order to ensure compliance with sales tax laws; making technical and grammatical changes; amending s. 212.18, F.S.; subjecting a person to criminal penalties for willfully failing to register as a dealer after notice of the duty to register by the Department of Revenue; making technical and grammatical changes; amending s. 213.13, F.S.; revising the due date for funds collected by the clerks of court to be transmitted to the Department of Revenue; providing retroactive application; creating s. 213.295, F.S.; providing definitions; subjecting a person to criminal penalties and monetary penalties for knowingly selling or engaging in certain other actions involving an automated sales suppression device, zapper, or phantom-ware; defining sales suppression devices and phantom-ware as contraband articles under the Florida Contraband Forfeiture Act; amending s. 220.153, F.S.; redefining the term "qualified capital expenditures" for purposes of apportionment by sales factor; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to release photographs or digital images to the Department of Revenue in order to identify individuals for purposes of tax administration; amending s. 336.021, F.S.; revising the date when imposition of the ninth-cent fuel tax will be levied; amending s. 336.025, F.S.; revising the date when impositions and rate changes of the local option fuel tax shall be levied; amending s. 443.131, F.S.; imposing a requirement on employers to produce records for the Department of Economic Opportunity or its tax collection service provider as a prerequisite for a reduction in the rate of unemployment tax; amending s. 443.141, F.S.; providing a method to calculate the interest rate for past due contributions and reimbursements, and delinquent, erroneous, incomplete, or insufficient reports; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1304** and read the second time by title.

MOTION

On motion by Senator Norman, by the required two-thirds vote, consideration of the following amendments was allowed:

Senator Norman moved the following amendments which were adopted:

Amendment 1 (822318) (with title amendment)—Delete lines 63-318.

And the title is amended as follows:

Delete lines 2-6 and insert: An act relating to tax administration; amending s. 212.07, F.S.; conforming a cross-

Amendment 2 (226660) (with title amendment)—Between lines 318 and 319 insert:

Section 2. Subsection (6) of section 212.03, Florida Statutes, is amended to read:

212.03 Transient rentals tax; rate, procedure, enforcement, exemptions.—

(6) It is the legislative intent that every person is engaging in a taxable privilege who leases or rents parking or storage spaces for motor vehicles in parking lots or garages, *including storage facilities for towed vehicles,* who leases or rents docking or storage spaces for boats in boat docks or marinas, or who leases or rents tie-down or storage space for aircraft at airports.

(a) For the exercise of this privilege, a tax is hereby levied at the rate of 6 percent on the total rental charged.

(b) Charges for parking, docking, tie-down, or storage arising from a lawful impoundment are not taxable. As used in this paragraph, the term "lawful impoundment" means the storing of or having custody over an aircraft, boat, or motor vehicle by, or at the direction of, a local, state, or federal law enforcement agency which the owner or the owner's representative is not authorized to enter upon, have access to, or remove without the consent of the law enforcement agency.

And the title is amended as follows:

Delete line 6 and insert: rock; amending s. 212.03, F.S.; providing that charges for the storage of towed vehicles that are impounded by a local, state, or federal law enforcement agency are not taxable; amending s. 212.07, F.S., conforming a cross-

Amendment 3 (628880) (with title amendment)—Between lines 739 and 740 insert:

Section 8. Paragraph (a) of subsection (2) of section 213.756, Florida Statutes, is amended to read:

213.756 Funds collected are state tax funds.—

(2)(a) In any action by a purchaser against a retailer, dealer, or vendor to obtain a refund of or to otherwise recover taxes, fees, or surcharges collected by the retailer, dealer, or vendor from the purchaser:

1. The purchaser in the action has the burden of proving all elements of its claim for a refund by clear and convincing evidence;

2. The sole remedy in the action is damages measured by the difference between what the retailer, dealer, or vendor collected as a tax, fee, or surcharge and what the retailer, dealer, or vendor paid to the taxing authority plus any discount or collection allowance authorized by law and taken by the retailer, dealer, or vendor; ~~and~~

3. It is an affirmative defense to the action when the retailer, dealer, or vendor remitted the amount collected from the purchaser to the appropriate taxing authority, less any discount or collection allowance authorized by law*; and*~~.~~

4. It is an absolute defense to the action if the retailer, dealer, or vendor collected tax on delivery charges and resolved any tax liability on that issue in accordance with an agreement entered into with the Department of Revenue pursuant to s. 213.21.

And the title is amended as follows:

Between lines 38 and 39 insert: amending s. 213.756, F.S.; providing an absolute defense by a retailer, dealer, or vendor against a purchaser's claim for a refund;

MOTION

On motion by Senator Altman, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Altman moved the following amendment which was adopted:

Amendment 4 (499908) (with title amendment)—Between lines 676 and 677 insert:

Section 6. Effective July 1, 2013, paragraph (d) of subsection (6) of section 212.20, Florida Statutes, is amended to read:

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.—

(6) Distribution of all proceeds under this chapter and s. 202.18(1)(b) and (2)(b) shall be as follows:

(d) The proceeds of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be distributed as follows:

1. In any fiscal year, the greater of $500 million, minus an amount equal to 4.6 percent of the proceeds of the taxes collected pursuant to chapter 201, or 5.2 percent of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in monthly installments into the General Revenue Fund.

2. After the distribution under subparagraph 1., 8.814 percent of the amount remitted by a sales tax dealer located within a participating county pursuant to s. 218.61 shall be transferred into the Local Government Half-cent Sales Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to be transferred shall be reduced by 0.1 percent, and the department shall distribute this amount to the Public Employees Relations Commission Trust Fund less $5,000 each month, which shall be added to the amount calculated in subparagraph 3. and distributed accordingly.

3. After the distribution under subparagraphs 1. and 2., 0.095 percent shall be transferred to the Local Government Half-cent Sales Tax Clearing Trust Fund and distributed pursuant to s. 218.65.

4. After the distributions under subparagraphs 1., 2., and 3., 2.0440 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Counties pursuant to s. 218.215.

5. After the distributions under subparagraphs 1., 2., and 3., 1.3409 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Municipalities pursuant to s. 218.215. If the total revenue to be distributed pursuant to this subparagraph is at least as great as the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, no municipality shall receive less than the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000. If the total proceeds to be distributed are less than the amount received in combination from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, each municipality shall receive an amount proportionate to the amount it was due in state fiscal year 1999-2000.

6. Of the remaining proceeds:

a. In each fiscal year, the sum of $29,915,500 shall be divided into as many equal parts as there are counties in the state, and one part shall be distributed to each county. The distribution among the several counties must begin each fiscal year on or before January 5th and continue monthly for a total of 4 months. If a local or special law required that any moneys accruing to a county in fiscal year 1999-2000 under the then-existing provisions of s. 550.135 be paid directly to the district school board, special district, or a municipal government, such payment must continue until the local or special law is amended or repealed. The state covenants with holders of bonds or other instruments of indebtedness issued by local governments, special districts, or district school boards before July 1, 2000, that it is not the intent of this subparagraph to adversely affect the rights of those holders or relieve local governments, special districts, or district school boards of the duty to meet their obligations as a result of previous pledges or assignments or trusts entered into which obligated funds received from the distribution to county governments under then-existing s. 550.135. This distribution specifically is in lieu of funds distributed under s. 550.135 before July 1, 2000.

b. The department shall distribute $166,667 monthly pursuant to s. 288.1162 to each applicant certified as a facility for a new or retained professional sports franchise pursuant to s. 288.1162. Up to $41,667 shall be distributed monthly by the department to each certified applicant as defined in s. 288.11621 for a facility for a spring training franchise. However, not more than $416,670 may be distributed monthly in the aggregate to all certified applicants for facilities for spring training franchises. Distributions begin 60 days after such certification and continue for not more than 30 years, except as otherwise provided in s. 288.11621. A certified applicant identified in this sub-subparagraph may not receive more in distributions than expended by the applicant for the public purposes provided for in s. 288.1162(5) or s. 288.11621(3).

c. Beginning 30 days after notice by the Department of Economic Opportunity to the Department of Revenue that an applicant has been certified as the professional golf hall of fame pursuant to s. 288.1168 and is open to the public, $166,667 shall be distributed monthly, for up to 300 months, to the applicant.

d. Beginning 30 days after notice by the Department of Economic Opportunity to the Department of Revenue that the applicant has been certified as the International Game Fish Association World Center facility pursuant to s. 288.1169, and the facility is open to the public, $83,333 shall be distributed monthly, for up to 168 months, to the applicant. This distribution is subject to reduction pursuant to s. 288.1169. A lump sum payment of $999,996 shall be made, after certification and before July 1, 2000.

e. Beginning 30 days after notice by the Department of Economic Opportunity to the Department of Revenue that the Department of Economic Opportunity has approved a plan developed by the Florida Institute of Technology for establishing a space exploration research institute, the department shall distribute $416,666 monthly to the Florida Institute of Technology for the purpose of operating a space exploration research institute. This amount represents sales and use taxes generated by visitor activity at the Kennedy Space Center and the Cape Canaveral Air Force Station. The Florida Institute of Technology shall develop a plan for the space exploration research institute in conjunction with Space Florida.

7. All other proceeds must remain in the General Revenue Fund.

And the title is amended as follows:

Delete line 28 and insert: technical and grammatical changes; amending s. 212.20, F.S.; providing for the distribution of certain taxes generated by visitor activity at the Kennedy Space Center and Cape

Canaveral Air Force Station to the Florida Institute of Technology; amending s. 213.13,

MOTION

On motion by Senator Bogdanoff, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Bogdanoff moved the following amendment which was adopted:

Amendment 5 (401932) (with title amendment)—Between lines 318 and 319 insert:

Section 2. Subsection (2) of section 212.0596, Florida Statutes, is amended to read:

212.0596 Taxation of mail order sales.—

(2) Every dealer as defined in s. 212.06(2)(c) who makes a mail order sale is subject to the power of this state to levy and collect the tax imposed by this chapter when:

(a) The dealer is a corporation doing business under the laws of this state or a person domiciled in, a resident of, or a citizen of, this state;

(b) The dealer maintains retail establishments or offices in this state, whether the mail order sales thus subject to taxation by this state result from or are related in any other way to the activities of such establishments or offices;

(c) The dealer has agents in this state who solicit business or transact business on behalf of the dealer, whether the mail order sales thus subject to taxation by this state result from or are related in any other way to such solicitation or transaction of business, except that a printer who mails or delivers for an out-of-state print purchaser material the printer printed for it shall not be deemed to be the print purchaser's agent for purposes of this paragraph;

(d) The property was delivered in this state in fulfillment of a sales contract that was entered into in this state, in accordance with applicable conflict of laws rules, when a person in this state accepted an offer by ordering the property;

(e) The dealer, by purposefully or systematically exploiting the market provided by this state by any media-assisted, media-facilitated, or media-solicited means, including, but not limited to, direct mail advertising, unsolicited distribution of catalogs, computer-assisted shopping, television, radio, or other electronic media, or magazine or newspaper advertisements or other media, creates nexus with this state;

(f) Through compact or reciprocity with another jurisdiction of the United States, that jurisdiction uses its taxing power and its jurisdiction over the retailer in support of this state's taxing power;

(g) The dealer consents, expressly or by implication, to the imposition of the tax imposed by this chapter;

(h) The dealer is subject to service of process under s. 48.181;

(i) The dealer's mail order sales are subject to the power of this state to tax sales or to require the dealer to collect use taxes under a statute or statutes of the United States;

(j) The dealer owns real property or tangible personal property that is physically in this state, except that a dealer whose only property (including property owned by an affiliate) in this state is located at the premises of a printer with which the vendor has contracted for printing, and is either a final printed product, or property which becomes a part of the final printed product, or property from which the printed product is produced, is not deemed to own such property for purposes of this paragraph;

(k) The dealer *and any affiliated person that, notwithstanding its form of organization, bears the same relationship to the dealer as*~~, while not having nexus with this state on any of the bases described in paragraphs (a)-(j) or paragraph (l), is~~ a corporation that is a member of an affiliated group of corporations, as defined in s. 1504(a) of the Internal Revenue Code, whose members are includable under s. 1504(b) of the Internal Revenue Code, and whose members are eligible to file a consolidated tax return for federal corporate income tax purposes *bears to* ~~and~~ any ~~parent or subsidiary~~ corporation in the affiliated group*; the affiliated person* has nexus with this state*; and:* ~~on one or more of the bases described in paragraphs (a)-(j) or paragraph (l); or~~

1. The dealer sells a similar line of products as the affiliated person and does so under the same or a similar business name;

2. The affiliated person uses its in-state employees or in-state facilities to advertise, promote, or facilitate sales by the dealer to customers;

3. The affiliated person maintains an office, distribution facility, warehouse, storage place, or similar place of business in this state to facilitate the delivery of property or services sold by the dealer to the dealer's customers;

4. The affiliated person uses trademarks, service marks, or trade names in this state which are the same or substantially similar to those used by the dealer; or

5. The affiliated person delivers, installs, assembles, or performs maintenance services for the dealer's customers within this state; or

(l) The dealer or the dealer's activities have sufficient connection with or relationship to this state or its residents of some type other than those described in paragraphs (a)-(k) to create nexus empowering this state to tax its mail order sales or to require the dealer to collect sales tax or accrue use tax.

And the title is amended as follows:

Delete line 6 and insert: rock; amending s. 212.0596, F.S.; revising the conditions, requirements, and criteria that subject a dealer to the state's power to impose and collect the tax on sales, use, and other transactions on mail order sales; amending s. 212.07, F.S.; conforming a cross-

On motion by Senator Norman, by two-thirds vote **CS for HB 7099** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Evers	Oelrich
Alexander	Fasano	Rich
Altman	Gibson	Richter
Benacquisto	Hays	Ring
Bennett	Jones	Sachs
Bogdanoff	Joyner	Simmons
Braynon	Lynn	Smith
Bullard	Margolis	Sobel
Dean	Montford	Storms
Detert	Negron	Thrasher
Diaz de la Portilla	Norman	Wise

Nays—4

Flores	Gaetz	Garcia
Gardiner		

Vote after roll call:

Yea—Siplin

Yea to Nay—Benacquisto

On motion by Senator Norman, by unanimous consent—

CS for CS for SB 1256—A bill to be entitled An act relating to the administration of property taxes; amending s. 192.001, F.S.; revising the definitions of the terms "assessed value of property" and "complete submission of the rolls"; amending s. 192.0105, F.S.; providing that a taxpayer has a right to have a hearing before the value adjustment board rescheduled if the hearing is not commenced within a certain period after the scheduled time; repealing s. 192.117, F.S., relating to the

Property Tax Administration Task Force; amending s. 193.114, F.S.; revising the information that must be included on a real property assessment roll relating to the transfer of ownership of property; defining the term "ownership transfer date"; deleting a requirement to include information relating to a fiduciary on a real property assessment roll; limiting the review of changes in the assessed value of real property resulting from an informal conference with the taxpayer to a review by the Department of Revenue or a designated entity; amending s. 193.1554, F.S.; deleting obsolete provisions; providing for the apportionment of increases in the value of combined and divided parcels of nonhomestead residential property; providing for the application of an assessment limitation to a combined or divided parcel of nonhomestead residential property; amending s. 193.1555, F.S.; redefining the term "nonresidential real property" to conform a cross-reference to the State Constitution; deleting obsolete provisions; providing for the apportionment of increases in the value of combined and divided parcels of property; providing for the application of an assessment limitation to a combined or divided parcel of property; amending ss. 193.501, 193.503, and 193.505, F.S.; deleting provisions requiring that the tax collector report amounts of deferred tax liability to the Department of Revenue; amending s. 194.032, F.S.; requiring that a hearing before the value adjustment board be rescheduled if the hearing on the petitioner's petition is not commenced within a certain time after the scheduled time; making technical and grammatical changes; amending s. 194.034, F.S.; deleting an exception to a requirement that a value adjustment board render a written decision relating to the petitioner's failure to make a required payment; deleting a requirement that the Department of Revenue be notified of decisions by the value adjustment board; requiring that the clerk notify the Department of Revenue of a decision of the value adjustment board or information relating to the tax impact of the decision upon request; making technical and grammatical changes; amending s. 195.072, F.S.; requiring the department to provide certain assistance in investigations of property appraisers; amending s. 195.096, F.S.; authorizing the measures in the findings resulting from an in-depth review of an assessment roll of a county to be based on a ratio that is generally accepted by professional appraisal organizations in developing a statistically valid sampling plan under certain circumstances; revising the requirements for the Department of Revenue to provide certain information concerning its review of assessment rolls to the Legislature, the appropriate property appraiser, and county commissions; requiring that copies of the review data and findings be provided upon request; repealing s. 195.0985, F.S., relating to a requirement that the department publish annual ratio studies; amending s. 195.099, F.S.; allowing the department discretion in determining whether to review the assessments of certain businesses; amending s. 196.031, F.S.; specifying the order in which homestead exemptions from ad valorem taxation are applied; amending s. 196.061, F.S.; clarifying provisions relating to the rental of a homestead dwelling; amending s. 196.081, F.S.; authorizing an applicant for an ad valorem tax exemption for a disabled veteran or for a surviving spouse to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.082, F.S.; authorizing an applicant for an ad valorem tax discount available to disabled veterans to apply for the discount before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.091, F.S.; authorizing an applicant for an ad valorem tax exemption for disabled veterans confined to a wheelchair to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.101, F.S.; authorizing an applicant for an ad valorem tax exemption for totally and permanently disabled persons to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.121, F.S.; authorizing the Department of Revenue to provide certain forms electronically; deleting a requirement that the department supply printed forms to property appraisers; amending s. 196.173, F.S.; authorizing servicemembers who receive a homestead exemption and who are deployed in certain military operations to receive an additional ad valorem tax exemption; amending s. 196.199, F.S.; providing that property of a municipality is exempt from ad valorem taxation under specified circumstances; providing that the exemption applies retroactively to the 2012 tax roll; amending s. 196.202, F.S.; authorizing an applicant for an ad valorem exemption for widows, widowers, blind persons, or persons who are totally and permanently disabled to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.24, F.S.; authorizing an applicant for an ad valorem tax exemption for disabled ex-servicemembers or a surviving spouse to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 197.332, F.S.; authorizing tax collectors to collect costs for the electronic processing of tax deed applications; amending s. 200.065, F.S.; deleting obsolete provisions; revising provisions relating to the calculation of the rolled-back rate; correcting cross-references to certain additional taxes; amending ss. 218.12 and 218.125, F.S.; deleting obsolete provisions; providing for the reversion of funds appropriated to offset reductions in ad valorem tax revenue to a fiscally constrained county if the county fails to apply for a distribution of funds; providing a deadline for claiming tax exemptions for qualifying military deployments during the 2011 calendar year; providing procedures and requirements for filing applications and petitions to receive the tax exemption after the deadline; providing applicability; providing effective dates.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for CS for SB 1256**, on motion by Senator Norman, by two-thirds vote **CS for HB 7097** was withdrawn from the Committees on Budget Subcommittee on Finance and Tax; Budget; and Rules.

On motion by Senator Norman, the rules were waived and—

CS for HB 7097—A bill to be entitled An act relating to the administration of property taxes; amending s. 192.001, F.S.; revising the definitions of the terms "assessed value of property" and "complete submission of the rolls"; amending s. 192.0105, F.S.; providing that a taxpayer has a right to have a hearing before the value adjustment board rescheduled if the hearing is not commenced within a certain period after the scheduled time; repealing s. 192.117, F.S., relating to the Property Tax Administration Task Force; amending s. 193.114, F.S.; revising the information that must be included on a real property assessment roll relating to the transfer of ownership of property; defining the term "ownership transfer date"; deleting a requirement to include information relating to a fiduciary on a real property assessment roll; amending s. 193.155, F.S.; providing for designation of the ownership share to be attributed to certain persons who abandon a homestead property for purposes of determining the assessed value of a newly established homestead under certain circumstances; amending s. 193.1554, F.S.; deleting obsolete provisions; providing for the apportionment of increases in the value of combined and divided parcels of nonhomestead residential property; providing for the application of an assessment limitation to a combined or divided parcel of nonhomestead residential property; amending s. 193.1555, F.S.; redefining the term "nonresidential real property" to conform a cross-reference to the State Constitution; deleting obsolete provisions; providing for the apportionment of increases in the value of combined and divided parcels of property; providing for the application of an assessment limitation to a combined or divided parcel of property; amending ss. 193.501, 193.503, and 193.505, F.S.; deleting provisions requiring that the tax collector report amounts of deferred tax liability to the Department of Revenue; amending s. 194.032, F.S.; requiring that certain information be included in, or provided along with, the notice provided to a petitioner concerning the time scheduled for an appearance before a value adjustment board; requiring that a hearing before the value adjustment board be rescheduled if the hearing on the petitioner's petition is not commenced within a certain time after the scheduled time; making technical and grammatical changes; amending s. 194.034, F.S.; deleting an exception to a requirement that a value adjustment board render a written decision relating to the petitioner's failure to make a required payment; deleting a requirement that the Department of Revenue be notified of decisions by the value adjustment board; requiring that the clerk notify the Department of Revenue of a decision of the value adjustment board or information relating to the tax impact of the decision upon request; making technical and grammatical changes; amending s. 195.096, F.S.; authorizing the measures in the findings resulting from an in-depth review of an assessment roll of a county to be based on a ratio that is generally accepted by professional appraisal organizations in developing a statistically valid sampling plan under certain circumstances; revising the requirements for the Department of Revenue to provide certain information concerning its review of assessment rolls to the Legislature, the appropriate property appraiser, and county commissions; requiring that copies of the review data and findings be provided upon request; repealing s. 195.0985, F.S., relating to a require-

ment that the department publish annual ratio studies; amending s. 195.099, F.S.; allowing the department discretion in determining whether to review the assessments of certain businesses; amending s. 196.031, F.S.; requiring that specified ad valorem tax exemptions be applied before other homestead exemptions are applied in the order that results in the lowest taxable value of a homestead; amending s. 196.081, F.S.; authorizing an applicant for an ad valorem tax exemption for a disabled veteran or for a surviving spouse to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.082, F.S.; authorizing an applicant for an ad valorem tax discount available to disabled veterans to apply for the discount before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.091, F.S.; authorizing an applicant for an ad valorem tax exemption for disabled veterans confined to a wheelchair to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.101, F.S.; authorizing an applicant for an ad valorem tax exemption for totally and permanently disabled persons to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.121, F.S.; authorizing the Department of Revenue to provide certain forms electronically; deleting a requirement that the department supply printed forms to property appraisers; amending s. 196.198, F.S.; providing an exemption from ad valorem taxation for certain property used for educational purposes; providing for retroactive application; amending s. 196.199, F.S.; providing that property of a municipality is exempt from ad valorem taxation under specified circumstances; providing for retroactive application; amending s. 196.202, F.S.; authorizing an applicant for an ad valorem exemption for widows, widowers, blind persons, or persons who are totally and permanently disabled to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.24, F.S.; authorizing an applicant for an ad valorem tax exemption for disabled ex-servicemembers or a surviving spouse to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 200.065, F.S.; deleting obsolete provisions; revising provisions relating to the calculation of the rolled-back rate; correcting cross-references to certain additional taxes; amending s. 200.069, F.S.; requiring a property appraiser, at the request of the governing body of a county, to mail an additional form along with the notice of proposed taxes to notify taxpayers of the portion of the proposed nonvoted county millage rate that is attributable to each constitutional officer and the county commission; amending ss. 218.12 and 218.125, F.S.; deleting obsolete provisions; providing for the reversion of funds appropriated to offset reductions in ad valorem tax revenue to a fiscally constrained county if the county fails to apply for a distribution of funds; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1256** and read the second time by title.

MOTION

On motion by Senator Norman, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Norman moved the following amendment which was adopted:

Amendment 1 (802968) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsections (2) and (18) of section 192.001, Florida Statutes, are amended to read:

192.001 Definitions.—All definitions set out in chapters 1 and 200 that are applicable to this chapter are included herein. In addition, the following definitions shall apply in the imposition of ad valorem taxes:

(2) "Assessed value of property" means an annual determination of*:*

(a) The just or fair market value of an item or property*;* ~~or~~

(b) The value of ~~the homestead~~ property as limited *by* ~~pursuant to s. 4(d),~~ Art. VII of the State Constitution*;* or~~,~~

(c) The value of property in a classified use or at a fractional value if *the* ~~a~~ property is assessed solely on the basis of character or use or at a specified percentage of its value *under*~~, pursuant to s. 4(a) or 4(c),~~ Art. VII of the State Constitution~~, its classified use value or fractional value~~.

(18) "Complete submission of the rolls" includes, but is not ~~necessarily~~ limited to, accurate tabular summaries of valuations as prescribed by department rule; *an electronic* ~~a computer tape~~ copy of the real property assessment roll including for each parcel total value of improvements, land value, the ~~two most recently~~ recorded selling prices*, other ownership transfer data required for an assessment roll under s. 193.114*, the value of any improvement made to the parcel in the 12 months preceding the valuation date, the type and amount of any exemption granted, and such other information as may be required by department rule; an accurate tabular summary by property class of any adjustments made to recorded selling prices or fair market value in arriving at assessed value, as prescribed by department rule; *an electronic* ~~a computer tape~~ copy of the tangible personal property assessment roll, including for each entry a unique account number and such other information as may be required by department rule; and an accurate tabular summary of per-acre land valuations used for each class of agricultural property in preparing the assessment roll, as prescribed by department rule.

Section 2. Paragraph (d) of subsection (2) of section 192.0105, Florida Statutes, is amended to read:

192.0105 Taxpayer rights.—There is created a Florida Taxpayer's Bill of Rights for property taxes and assessments to guarantee that the rights, privacy, and property of the taxpayers of this state are adequately safeguarded and protected during tax levy, assessment, collection, and enforcement processes administered under the revenue laws of this state. The Taxpayer's Bill of Rights compiles, in one document, brief but comprehensive statements that summarize the rights and obligations of the property appraisers, tax collectors, clerks of the court, local governing boards, the Department of Revenue, and taxpayers. Additional rights afforded to payors of taxes and assessments imposed under the revenue laws of this state are provided in s. 213.015. The rights afforded taxpayers to assure that their privacy and property are safeguarded and protected during tax levy, assessment, and collection are available only insofar as they are implemented in other parts of the Florida Statutes or rules of the Department of Revenue. The rights so guaranteed to state taxpayers in the Florida Statutes and the departmental rules include:

(2) THE RIGHT TO DUE PROCESS.—

(d) The right to prior notice of the value adjustment board's hearing date*,* ~~and~~ the right to the hearing *at the* ~~within 4 hours of~~ scheduled time*, and the right to have the hearing rescheduled if the hearing is not commenced within a reasonable time, not to exceed 2 hours, after the scheduled time* (see s. 194.032(2)).

Section 3. *Section 192.117, Florida Statutes, is repealed.*

Section 4. Paragraphs (n) and (p) of subsection (2) and subsection (4) of section 193.114, Florida Statutes, are amended to read:

193.114 Preparation of assessment rolls.—

(2) The real property assessment roll shall include:

(n) *The recorded selling* ~~For each sale of the property in the previous year, the sale~~ price, *ownership transfer* ~~sale~~ date, *and* official record book and page number or clerk instrument number *for each deed or other instrument transferring ownership of real property and recorded or otherwise discovered during the period beginning 1 year before the assessment date and up to the date the assessment roll is submitted to the department. The assessment roll shall also include*~~, and~~ the basis for qualification or disqualification *of a transfer* as an arms-length transaction. *A decision qualifying or disqualifying a transfer of property as an arms-length transaction* ~~Sale data must be current on all tax rolls submitted to the department, and sale qualification decisions~~ must be recorded on the *assessment* ~~tax~~ roll within 3 months after the ~~sale~~ date *that the deed or other transfer instrument is recorded or otherwise discovered. If, subsequent to the initial decision qualifying or disqualifying a transfer of property, the property appraiser obtains information indicating that the initial decision should be changed, the property appraiser may change the qualification decision and, if so, must document the reason for the*

change in a manner acceptable to the executive director or the executive director's designee. Sale or transfer data must be current on all tax rolls submitted to the department. As used in this paragraph, the term "ownership transfer date" means the date that the deed or other transfer instrument is signed and notarized or otherwise executed.

(p) The name and address of the owner ~~or fiduciary responsible for the payment of taxes on the property and an indicator of fiduciary capacity, as appropriate~~.

(4)*(a)* For every change made to the assessed or taxable value of a parcel on an assessment roll subsequent to the mailing of the notice provided for in s. 200.069, the property appraiser shall document the reason for such change in the public records of the office of the property appraiser in a manner acceptable to the executive director or the executive director's designee.

(b) For every change that decreases the assessed or taxable value of a parcel on an assessment roll between the time of complete submission of the tax roll pursuant to s. 193.1142(3) and mailing of the notice provided for in s. 200.069, the property appraiser shall document the reason for such change in the public records of the office of the property appraiser in a manner acceptable to the executive director or the executive director's designee.

(c) Changes made by the value adjustment board are not subject to the requirements of this subsection.

Section 5. Paragraphs (f) through (k) of subsection (8) of section 193.155, Florida Statutes, are redesignated as paragraphs (g) through (l), respectively, present paragraphs (d) and (g) of that subsection are amended, and a new paragraph (f) is added to that subsection, to read:

193.155 Homestead assessments.—Homestead property shall be assessed at just value as of January 1, 1994. Property receiving the homestead exemption after January 1, 1994, shall be assessed at just value as of January 1 of the year in which the property receives the exemption unless the provisions of subsection (8) apply.

(8) Property assessed under this section shall be assessed at less than just value when the person who establishes a new homestead has received a homestead exemption as of January 1 of either of the 2 immediately preceding years. A person who establishes a new homestead as of January 1, 2008, is entitled to have the new homestead assessed at less than just value only if that person received a homestead exemption on January 1, 2007, and only if this subsection applies retroactive to January 1, 2008. For purposes of this subsection, a husband and wife who owned and both permanently resided on a previous homestead shall each be considered to have received the homestead exemption even though only the husband or the wife applied for the homestead exemption on the previous homestead. The assessed value of the newly established homestead shall be determined as provided in this subsection.

(d) If two or more persons abandon jointly owned and jointly titled property that received a homestead exemption as of January 1 of either of the 2 immediately preceding years, and one or more such persons who were entitled to and received a homestead exemption on the abandoned property establish a new homestead that would otherwise be eligible for assessment under this subsection, each such person establishing a new homestead is entitled to a reduction from just value for the new homestead equal to the just value of the prior homestead minus the assessed value of the prior homestead divided by the number of owners of the prior homestead who received a homestead exemption, unless the title of the property contains specific ownership shares, in which case the share of reduction from just value shall be proportionate to the ownership share. *In the case of a husband and wife abandoning jointly titled property, the husband and wife may designate the ownership share to be attributed to each spouse by following the procedure in paragraph (f). To qualify to make such a designation, the husband and wife must be married on the date that the jointly owned property is abandoned.* In calculating the assessment reduction to be transferred from a prior homestead that has an assessment reduction for living quarters of parents or grandparents pursuant to s. 193.703, the value calculated pursuant to s. 193.703(6) must first be added back to the assessed value of the prior homestead. The total reduction from just value for all new homesteads established under this paragraph may not exceed $500,000. There shall be no reduction from just value of any new homestead unless the prior homestead is reassessed at just value or is reassessed under this subsection as of January 1 after the abandonment occurs.

(f) A husband and wife abandoning jointly titled property who wish to designate the ownership share to be attributed to each person for purposes of paragraph (d) must file a form provided by the department with the property appraiser in the county where such property is located. The form must include a sworn statement by each person designating the ownership share to be attributed to each person for purposes of paragraph (d) and must be filed prior to either person filing the form required under paragraph (h) to have a parcel of property assessed under this subsection. Such a designation, once filed with the property appraiser, is irrevocable.

(h)~~(g)~~ In order to have his or her homestead property assessed under this subsection, a person must file a form provided by the department as an attachment to the application for homestead exemption*, including a copy of the form required to be filed under paragraph (f), if applicable*. The form, which must include a sworn statement attesting to the applicant's entitlement to assessment under this subsection, shall be considered sufficient documentation for applying for assessment under this subsection. The department shall require by rule that the required form be submitted with the application for homestead exemption under the timeframes and processes set forth in chapter 196 to the extent practicable.

Section 6. Subsections (2), (3), and (7) of section 193.1554, Florida Statutes, are amended to read:

193.1554 Assessment of nonhomestead residential property.—

(2) For all levies other than school district levies, nonhomestead residential property shall be assessed at just value as of January 1 *of the year that the property becomes eligible for assessment pursuant to this section*~~, 2008~~. ~~Property placed on the tax roll after January 1, 2008, shall be assessed at just value as of January 1 of the year in which the property is placed on the tax roll.~~

(3) Beginning in ~~2009, or~~ the year following the year the *nonhomestead residential* property *becomes eligible for assessment pursuant to this section* ~~is placed on the tax roll, whichever is later~~, the property shall be reassessed annually on January 1. Any change resulting from such reassessment may not exceed 10 percent of the assessed value of the property for the prior year.

(7) Any increase in the value of property assessed under this section which is attributable to combining or dividing parcels shall be assessed at just value, and the just value shall be apportioned among the parcels created.

(a) For divided parcels, the amount by which the sum of the just values of the divided parcels exceeds what the just value of the parcel would be if undivided shall be attributable to the division. This amount shall be apportioned to the parcels pro rata based on their relative just values.

(b) For combined parcels, the amount by which the just value of the combined parcel exceeds what the sum of the just values of the component parcels would be if they had not been combined shall be attributable to the combination.

(c) A parcel that is combined or divided after January 1 and included as a combined or divided parcel on the tax notice is not considered to be a combined or divided parcel until the January 1 on which it is first assessed as a combined or divided parcel.

Section 7. Subsections (1), (2), (3), and (7) of section 193.1555, Florida Statutes, are amended to read:

193.1555 Assessment of certain residential and nonresidential real property.—

(1) As used in this section, the term:

(a) "Nonresidential real property" means real property that is not subject to the assessment limitations set forth in *subsection 4(a), (b), (c), (d), or (g), Art. VII of the State Constitution* ~~s. 4(a), (c), (d), or (g), Art. VII of the State Constitution~~.

(b) "Improvement" means an addition or change to land or buildings which increases their value and is more than a repair or a replacement.

(2) For all levies other than school district levies, nonresidential *real property and residential* real property *that is not assessed under s. 193.155 or s. 193.1554* shall be assessed at just value as of January 1 *of the year that the property becomes eligible for assessment pursuant to this section*~~, 2008~~. ~~Property placed on the tax roll after January 1, 2008, shall be assessed at just value as of January 1 of the year in which the property is placed on the tax roll.~~

(3) Beginning in ~~2009, or~~ the year following the year the property *becomes eligible for assessment pursuant to this section* ~~is placed on the tax roll, whichever is later~~, the property shall be reassessed annually on January 1. Any change resulting from such reassessment may not exceed 10 percent of the assessed value of the property for the prior year.

(7) Any increase in the value of property assessed under this section which is attributable to combining or dividing parcels shall be assessed at just value, and the just value shall be apportioned among the parcels created.

(a) For divided parcels, the amount by which the sum of the just values of the divided parcels exceeds what the just value of the parcel would be if undivided shall be attributable to the division. This amount shall be apportioned to the parcels pro rata based on their relative just values.

(b) For combined parcels, the amount by which the just value of the combined parcel exceeds what the sum of the just values of the component parcels would be if they had not been combined shall be attributable to the combination.

(c) A parcel that is combined or divided after January 1 and included as a combined or divided parcel on the tax notice is not considered to be a combined or divided parcel until the January 1 on which it is first assessed as a combined or divided parcel.

Section 8. Subsection (7) of section 193.501, Florida Statutes, is amended to read:

193.501 Assessment of lands subject to a conservation easement, environmentally endangered lands, or lands used for outdoor recreational or park purposes when land development rights have been conveyed or conservation restrictions have been covenanted.—

(7)~~(a)~~ The property appraiser shall report to the department showing the just value and the classified use value of property that is subject to a conservation easement under s. 704.06, property assessed as environmentally endangered land pursuant to this section, and property assessed as outdoor recreational or park land.

~~(b) The tax collector shall annually report to the department the amount of deferred tax liability collected pursuant to this section.~~

Section 9. Paragraph (d) of subsection (9) of section 193.503, Florida Statutes, is amended to read:

193.503 Classification and assessment of historic property used for commercial or certain nonprofit purposes.—

(9)

~~(d) The tax collector shall annually report to the department the amount of deferred tax liability collected pursuant to this section.~~

Section 10. Paragraph (c) of subsection (9) of section 193.505, Florida Statutes, is amended to read:

193.505 Assessment of historically significant property when development rights have been conveyed or historic preservation restrictions have been covenanted.—

(9)

~~(c) The tax collector shall annually report to the department the amount of deferred tax liability collected pursuant to this section.~~

Section 11. Subsection (2) of section 194.032, Florida Statutes, is amended to read:

194.032 Hearing purposes; timetable.—

(2)*(a)* The clerk of the governing body of the county shall prepare a schedule of appearances before the board based on petitions timely filed with him or her. The clerk shall notify each petitioner of the scheduled time of his or her appearance *at least* ~~no less than~~ 25 calendar days *before* ~~prior to~~ the day of *the* ~~such~~ scheduled appearance. *The notice shall indicate whether the petition has been scheduled to be heard at a particular time or during a block of time. If the petition has been scheduled to be heard within a block of time, the beginning and ending of that block of time shall be indicated on the notice; however, as provided in paragraph (b), a petitioner may not be required to wait for more than a reasonable time, not to exceed 2 hours, after the beginning of the block of time. If the petitioner checked the appropriate box on the petition form to request a copy of the property record card containing relevant information used in computing the current assessment, the clerk shall provide the copy of the card along with the notice.* Upon receipt of *the notice* ~~this notification~~, the petitioner *may* ~~shall have the right to~~ reschedule the hearing a single time by submitting to the clerk ~~of the governing body of the county~~ a written request to reschedule, *at least* ~~no less than~~ 5 calendar days before the day of the originally scheduled hearing.

(b) A ~~copy of the property record card containing relevant information used in computing the taxpayer's current assessment shall be included with such notice, if said card was requested by the taxpayer. Such request shall be made by checking an appropriate box on the petition form. No~~ petitioner *may not* ~~shall~~ be required to wait for more than *a reasonable time, not to exceed 2* ~~4~~ hours*, after* ~~from~~ the scheduled time *for the hearing to commence.*~~; and,~~ If *the hearing is not commenced within* ~~his or her petition is not heard in~~ that time, the petitioner may *inform*~~, at his or her option, report to~~ the chairperson of the meeting that he or she intends to leave.~~; and,~~ If *the petitioner leaves* ~~he or she is not heard immediately~~, the *clerk shall reschedule the hearing, and the rescheduling is not considered to be a request to reschedule as provided in paragraph (a)* ~~petitioner's administrative remedies will be deemed to be exhausted, and he or she may seek further relief as he or she deems appropriate~~.

(c) Failure on three occasions with respect to any single tax year to convene at the scheduled time of meetings of the board *is* ~~shall constitute~~ grounds for removal from office by the Governor for neglect of duties.

Section 12. Subsection (2) of section 194.034, Florida Statutes, is amended to read:

194.034 Hearing procedures; rules.—

(2) In each case, except *if the* ~~when a~~ complaint is withdrawn by the petitioner *or if the complaint*~~,~~ is acknowledged as correct by the property appraiser, ~~or is denied pursuant to s. 194.014(1)(c),~~ the value adjustment board shall render a written decision. All such decisions shall be issued within 20 calendar days *after* ~~of~~ the last day the board is in session under s. 194.032. The decision of the board *must* ~~shall~~ contain findings of fact and conclusions of law and *must* ~~shall~~ include reasons for upholding or overturning the determination of the property appraiser. *If* ~~When~~ a special magistrate has been appointed, the recommendations of the special magistrate shall be considered by the board. The clerk, upon issuance of *a decision* ~~the decisions~~, shall, on a form provided by the Department of Revenue, notify by first-class mail each taxpayer *and*~~;~~ the property appraiser~~, and the department~~ of the decision of the board. *If requested by the Department of Revenue, the clerk shall provide to the department a copy of the decision or information relating to the tax impact of the findings and results of the board as described in s. 194.037 in the manner and form requested.*

Section 13. Section 195.072, Florida Statutes, is amended to read:

195.072 Cooperation *with* ~~of~~ other *state* agencies ~~of state government~~.—

(1) ~~The several departments and agencies of~~ State *agencies* ~~government~~ are ~~hereby~~ authorized and directed to render such necessary aid and assistance to the Department of Revenue as is required to enable the department to carry out its functions of *ensuring* ~~insuring~~ just valuation and equitable administration of property taxes in this state.

(2) The Department of Revenue shall render such aid and assistance as may be required in an active investigation of a property appraiser by a state agency by providing procedural and valuation assistance as it relates to the property appraiser's property tax administrative duties.

Section 14. Effective July 1, 2012, paragraph (f) of subsection (2) and subsection (3) of section 195.096, Florida Statutes, are amended to read:

195.096 Review of assessment rolls.—

(2) The department shall conduct, no less frequently than once every 2 years, an in-depth review of the assessment rolls of each county. The department need not individually study every use-class of property set forth in s. 195.073, but shall at a minimum study the level of assessment in relation to just value of each classification specified in subsection (3). Such in-depth review may include proceedings of the value adjustment board and the audit or review of procedures used by the counties to appraise property.

(f) Within 120 days *after* ~~following the~~ receipt of a county assessment roll by the executive director of the department pursuant to s. 193.1142(1), or within 10 days after approval of the assessment roll, whichever is later, the department shall complete the review for that county and *publish the department's* ~~forward its~~ findings*. The findings must include*~~, including~~ a statement of the confidence interval for the median and such other measures as may be appropriate for each classification or subclassification studied and for the roll as a whole, ~~employing a 95 percent level of confidence,~~ and related statistical and analytical details*. The measures in the findings must be based on:*

1. A 95 percent level of confidence; or

2. Ratio study standards that are generally accepted by professional appraisal organizations in developing a statistically valid sampling plan if a 95 percent level of confidence is not attainable ~~to the Senate and the House of Representatives committees with oversight responsibilities for taxation, and the appropriate property appraiser. Upon releasing its findings, the department shall notify the chairperson of the appropriate county commission or the corresponding official under a consolidated charter that the department's findings are available upon request. The department shall, within 90 days after receiving a written request from the chairperson of the appropriate county commission or the corresponding official under a consolidated charter, forward a copy of its findings, including the confidence interval for the median and such other measures of each classification or subclassification studied and for all the roll as a whole, and related statistical and analytical details, to the requesting party.~~

(3)(a) Upon completion of review pursuant to paragraph (2)(f), the department shall publish the results of reviews conducted under this section. The results must include all statistical and analytical measures computed under this section for the real property assessment roll as a whole, the personal property assessment roll as a whole, and independently for the following real property classes *if* ~~whenever~~ the classes constituted 5 percent or more of the total assessed value of real property in a county on the previous tax roll:

1. Residential property that consists of one primary living unit, including, but not limited to, single-family residences, condominiums, cooperatives, and mobile homes.

2. Residential property that consists of two or more primary living units.

3. Agricultural, high-water recharge, historic property used for commercial or certain nonprofit purposes, and other use-valued property.

4. Vacant lots.

5. Nonagricultural acreage and other undeveloped parcels.

6. Improved commercial and industrial property.

7. Taxable institutional or governmental, utility, locally assessed railroad, oil, gas and mineral land, subsurface rights, and other real property.

If ~~When~~ one of the above classes constituted less than 5 percent of the total assessed value of all real property in a county on the previous assessment roll, the department may combine it with one or more other classes of real property for purposes of assessment ratio studies or use the weighted average of the other classes for purposes of calculating the level of assessment for all real property in a county. The department shall also publish such results for any subclassifications of the classes or assessment rolls it may have chosen to study.

(b) *If* ~~When~~ necessary for compliance with s. 1011.62, and for those counties not being studied in the current year, the department shall project value-weighted mean levels of assessment for each county. The department shall make its projection based upon the best information available, *using* ~~utilizing~~ professionally accepted methodology, and shall separately allocate changes in total assessed value to:

1. New construction, additions, and deletions.

2. Changes in the value of the dollar.

3. Changes in the market value of property other than those attributable to changes in the value of the dollar.

4. Changes in the level of assessment.

In lieu of the statistical and analytical measures published pursuant to paragraph (a), the department shall publish details concerning the computation of estimated assessment levels and the allocation of changes in assessed value for those counties not subject to an in-depth review.

(c) Upon publication of data and findings as required by this subsection, the department shall notify the committees of the Senate and of the House of Representatives having oversight responsibility for taxation, the appropriate property appraiser, and the county commission chair or corresponding official under a consolidated charter. Copies of the data and findings shall be provided upon request.

Section 15. *Section 195.0985, Florida Statutes, is repealed.*

Section 16. Section 195.099, Florida Statutes, is amended to read:

195.099 Periodic review.—

(1)(a) The department *may* ~~shall periodically~~ review the assessments of new, rebuilt, and expanded business reported according to s. 193.077(3), to ensure parity of level of assessment with other classifications of property.

(b) This subsection shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

(2) The department *may* ~~shall~~ review the assessments of new and expanded businesses granted an exemption pursuant to s. 196.1995 to ensure parity of level of assessment with other classifications of property.

Section 17. Subsection (7) of section 196.031, Florida Statutes, is amended to read:

196.031 Exemption of homesteads.—

(7) *Unless the homestead property is totally exempt from ad valorem taxation,* the exemptions provided in paragraphs (1)(a) and (b) *shall be applied before* ~~and~~ other homestead exemptions*, which* shall *then* be applied *in the order that results in the lowest taxable value.* ~~as follows:~~

~~(a) The exemption in paragraph (1)(a) shall apply to the first $25,000 of assessed value;~~

~~(b) The second $25,000 of assessed value shall be taxable unless other exemptions, as listed in paragraph (d), are applicable in the order listed;~~

~~(c) The additional homestead exemption in paragraph (1)(b), for levies other than school district levies, shall be applied to the assessed value greater than $50,000 before any other exemptions are applied to that assessed value; and~~

~~(d) Other exemptions include and shall be applied in the following order: widows, widowers, blind persons, and disabled persons, as provided in s. 196.202; disabled ex servicemembers and surviving spouses, as provided in s. 196.24, applicable to all levies; the local option low-income senior exemption up to $50,000, applicable to county levies or municipal levies, as provided in s. 196.075; and the veterans percentage discount, as provided in s. 196.082.~~

Section 18. Section 196.061, Florida Statutes, is amended to read:

196.061 Rental of homestead to constitute abandonment.—The rental of *all or substantially all of a* ~~an entire~~ dwelling previously claimed to be a homestead for tax purposes shall constitute the abandonment of *such* ~~said~~ dwelling as a homestead, and *the* ~~said~~ abandonment shall continue until such dwelling is physically occupied by the owner ~~thereof~~. However, such abandonment of such homestead after January 1 of any year *does* ~~shall~~ not affect the homestead exemption for tax purposes for that particular year *if* ~~so long as~~ this provision is not used for 2 consecutive years. The provisions of this section *do* ~~shall~~ not apply to a member of the Armed Forces of the United States whose service in such forces is the result of a mandatory obligation imposed by the federal Selective Service Act or who volunteers for service as a member of the Armed Forces of the United States. Moreover, valid military orders transferring such member *are* ~~shall be~~ sufficient to maintain permanent residence, for the purpose of s. 196.015, for the member and his or her spouse.

Section 19. Subsection (5) is added to section 196.081, Florida Statutes, to read:

196.081 Exemption for certain permanently and totally disabled veterans and for surviving spouses of veterans.—

(5) An applicant for the exemption under this section may apply for the exemption before receiving the necessary documentation from the United States Government or the United States Department of Veterans Affairs or its predecessor. Upon receipt of the documentation, the exemption shall be granted as of the date of the original application, and the excess taxes paid shall be refunded. Any refund of excess taxes paid shall be limited to those paid during the 4-year period of limitation set forth in s. 197.182(1)(e).

Section 20. Subsection (6) is added to section 196.082, Florida Statutes, to read:

196.082 Discounts for disabled veterans.—

(6) An applicant for the discount under this section may apply for the discount before receiving the necessary documentation from the United States Department of Veterans Affairs or its predecessor. Upon receipt of the documentation, the discount shall be granted as of the date of the original application, and the excess taxes paid shall be refunded. Any refund of excess taxes paid shall be limited to those paid during the 4-year period of limitation set forth in s. 197.182(1)(e).

Section 21. Subsection (4) is added to section 196.091, Florida Statutes, to read:

196.091 Exemption for disabled veterans confined to wheelchairs.—

(4) An applicant for the exemption under this section may apply for the exemption before receiving the necessary documentation from the United States Government or the United States Department of Veterans Affairs or its predecessor. Upon receipt of the documentation, the exemption shall be granted as of the date of the original application, and the excess taxes paid shall be refunded. Any refund of excess taxes paid shall be limited to those paid during the 4-year period of limitation set forth in s. 197.182(1)(e).

Section 22. Subsection (8) is added to section 196.101, Florida Statutes, to read:

196.101 Exemption for totally and permanently disabled persons.—

(8) An applicant for the exemption under this section may apply for the exemption before receiving the necessary documentation from the United States Department of Veterans Affairs or its predecessor. Upon receipt of the documentation, the exemption shall be granted as of the date of the original application, and the excess taxes paid shall be refunded. Any refund of excess taxes paid shall be limited to those paid during the 4-year period of limitation set forth in s. 197.182(1)(e).

Section 23. Subsection (1) of section 196.121, Florida Statutes, is amended to read:

196.121 Homestead exemptions; forms.—

(1) The Department of Revenue shall *provide, by electronic means or other methods designated by the department,* ~~furnish to the property appraiser of each county a sufficient number of printed~~ forms to be filed by taxpayers claiming to be entitled to *a homestead* ~~said~~ exemption and shall prescribe the content of such forms by rule.

Section 24. Subsection (2) of section 196.173, Florida Statutes, is amended to read:

196.173 Exemption for deployed servicemembers.—

(2) The exemption is available to servicemembers who were deployed during the preceding calendar year on active duty outside the continental United States, Alaska, or Hawaii in support of:

(a) Operation Noble Eagle, which began on September 15, 2001;

(b)~~(a)~~ Operation Enduring Freedom, which began on October 7, 2001;

(c)~~(b)~~ Operation Iraqi Freedom, which began on March 19, 2003, and ended on August 31, 2010; ~~or~~

(d)~~(c)~~ Operation New Dawn, which began on September 1, 2010*, and ended on December 15, 2011; or*

(e) Operation Odyssey Dawn, which began on March 19, 2011, and ended on October 31, 2011.

The Department of Revenue shall notify all property appraisers and tax collectors in this state of the designated military operations.

Section 25. Section 196.198, Florida Statutes, is amended to read:

196.198 Educational property exemption.—Educational institutions within this state and their property used by them or by any other exempt entity or educational institution exclusively for educational purposes shall be exempt from taxation. Sheltered workshops providing rehabilitation and retraining of disabled individuals and exempted by a certificate under s. (d) of the federal Fair Labor Standards Act of 1938, as amended, are declared wholly educational in purpose and shall be exempted from certification, accreditation, and membership requirements set forth in s. 196.012. Those portions of property of college fraternities and sororities certified by the president of the college or university to the appropriate property appraiser as being essential to the educational process shall be exempt from ad valorem taxation. The use of property by public fairs and expositions chartered by chapter 616 is presumed to be an educational use of such property and shall be exempt from ad valorem taxation to the extent of such use. Property used exclusively for educational purposes shall be deemed owned by an educational institution if the entity owning 100 percent of the educational institution is owned by the identical persons who own the property. *Land, buildings, and other improvements to real property used exclusively for educational purposes shall be deemed owned by an educational institution if the entity owning 100 percent of the land is a nonprofit entity and the land is used, under a ground lease or other contractual arrangement, by an educational institution that owns the buildings and other improvements to the real property, is a nonprofit entity under s. 501(c)(3) of the Internal Revenue Code, and provides education limited to students in prekindergarten through grade 8.* If legal title to property is held by a governmental agency that leases the property to a lessee, the property shall be deemed to be owned by the governmental agency and used exclusively for educational purposes if the governmental agency continues to use such property exclusively for educational purposes pursuant to a sublease or other contractual agreement with that lessee. If the title to land is held by the trustee of an irrevocable inter vivos trust and if the trust grantor owns 100 percent of the entity that owns an educational institution that is using the land exclusively for educational purposes, the land is deemed to be property owned by the educational institution for purposes of this exemption. Property owned by an educational institution shall be deemed to be used for an educational purpose if the institution has taken affirmative steps to prepare the property for educational use. Affirmative steps means environmental or land use permitting activities, creation of architectural plans or schematic drawings, land clearing or site preparation, construction or renovation activities, or other similar activities that demonstrate commitment of the property to an educational use.

Section 26. Paragraph (d) is added to subsection (1) of section 196.199, Florida Statutes, to read:

196.199 Government property exemption.—

(1) Property owned and used by the following governmental units shall be exempt from taxation under the following conditions:

(d) All property of municipalities is exempt from ad valorem taxation if used as an essential ancillary function of a facility constructed with financing obtained in part by pledging proceeds from the tax authorized under s. 212.0305(4) which is upon exempt or immune federal, state, or county property.

Section 27. Section 196.202, Florida Statutes, is amended to read:

196.202 Property of widows, widowers, blind persons, and persons totally and permanently disabled.—

(1) Property to the value of $500 of every widow, widower, blind person, or totally and permanently disabled person who is a bona fide resident of this state *is* ~~shall be~~ exempt from taxation. As used in this section, the term "totally and permanently disabled person" means a person who is currently certified by a physician licensed in this state, by the United States Department of Veterans Affairs or its predecessor, or by the Social Security Administration to be totally and permanently disabled.

(2) An applicant for the exemption under this section may apply for the exemption before receiving the necessary documentation from the United States Department of Veterans Affairs or its predecessor, or the Social Security Administration. Upon receipt of the documentation, the exemption shall be granted as of the date of the original application, and the excess taxes paid shall be refunded. Any refund of excess taxes paid shall be limited to those paid during the 4-year period of limitation set forth in s. 197.182(1)(e).

Section 28. Section 196.24, Florida Statutes, is amended to read:

196.24 Exemption for disabled ex-servicemember or surviving spouse; evidence of disability.—

(1) Any ex-servicemember, as defined in s. 196.012, who is a bona fide resident of the state, who was discharged under honorable conditions, and who has been disabled to a degree of 10 percent or more *by misfortune or* while serving during a period of wartime service as defined in s. 1.01(14)~~, or by misfortune,~~ is entitled to the exemption from taxation provided for in s. 3(b), Art. VII of the State Constitution as provided in this section. Property to the value of $5,000 of such a person is exempt from taxation. The production by him or her of a certificate of disability from the United States Government or the United States Department of Veterans Affairs or its predecessor before the property appraiser of the county wherein the ex-servicemember's property lies is prima facie evidence of the fact that he or she is entitled to the exemption. The unremarried surviving spouse of such a disabled ex-servicemember who, on the date of the disabled ex-servicemember's death, had been married to the disabled ex-servicemember for at least 5 years is also entitled to the exemption.

(2) An applicant for the exemption under this section may apply for the exemption before receiving the necessary documentation from the United States Government or the United States Department of Veterans Affairs or its predecessor. Upon receipt of the documentation, the exemption shall be granted as of the date of the original application, and the excess taxes paid shall be refunded. Any refund of excess taxes paid shall be limited to those paid during the 4-year period of limitation set forth in s. 197.182(1)(e).

Section 29. Effective July 1, 2012, subsection (5) and paragraph (a) of subsection (10) of section 200.065, Florida Statutes, are amended to read:

200.065 Method of fixing millage.—

(5) ~~Beginning in the 2009-2010 fiscal year and~~ In each *fiscal* year ~~thereafter~~:

(a) The maximum millage rate that a county, municipality, special district dependent to a county or municipality, municipal service taxing unit, or independent special district may levy is a rolled-back rate based on the amount of taxes which would have been levied in the prior year if the maximum millage rate had been applied, adjusted for change in per capita Florida personal income, unless a higher rate *was* ~~is~~ adopted, in which case the maximum is the adopted rate. The maximum millage rate applicable to a county authorized to levy a county public hospital surtax under s. 212.055 and which did so in fiscal year 2007 shall exclude the revenues required to be contributed to the county public general hospital in the current fiscal year for the purposes of making the maximum millage rate calculation, but shall be added back to the maximum millage rate allowed after the roll back has been applied, the total of which shall be considered the maximum millage rate for such a county for purposes of this subsection. The revenue required to be contributed to the county public general hospital for the upcoming fiscal year shall be calculated as 11.873 percent times the millage rate levied for countywide purposes in fiscal year 2007 times 95 percent of the preliminary tax roll for the upcoming fiscal year. A higher rate may be adopted only under the following conditions:

1. A rate of not more than 110 percent of the rolled-back rate based on the previous year's maximum millage rate, adjusted for change in per capita Florida personal income, may be adopted if approved by a two-thirds vote of the membership of the governing body of the county, municipality, or independent district; or

2. A rate in excess of 110 percent may be adopted if approved by a unanimous vote of the membership of the governing body of the county, municipality, or independent district or by a three-fourths vote of the membership of the governing body if the governing body has nine or more members, or if the rate is approved by a referendum.

(b) The millage rate of a county or municipality, municipal service taxing unit of that county, and any special district dependent to that county or municipality may exceed the maximum millage rate calculated pursuant to this subsection if the total county ad valorem taxes levied or total municipal ad valorem taxes levied do not exceed the maximum total county ad valorem taxes levied or maximum total municipal ad valorem taxes levied respectively. Voted millage and taxes levied by a municipality or independent special district that has levied ad valorem taxes for less than 5 years are not subject to this limitation. The millage rate of a county authorized to levy a county public hospital surtax under s. 212.055 may exceed the maximum millage rate calculated pursuant to this subsection to the extent necessary to account for the revenues required to be contributed to the county public hospital. Total taxes levied may exceed the maximum calculated pursuant to subsection (6) as a result of an increase in taxable value above that certified in subsection (1) if such increase is less than the percentage amounts contained in subsection (6) or if the administrative adjustment cannot be made because the value adjustment board is still in session at the time the tax roll is extended; otherwise, millage rates subject to this subsection, s. 200.185, or s. 200.186 may be reduced so that total taxes levied do not exceed the maximum.

Any unit of government operating under a home rule charter adopted pursuant to ss. 10, 11, and 24, Art. VIII of the State Constitution of 1885, as preserved by s. 6(e), Art. VIII of the State Constitution of 1968, which is granted the authority in the State Constitution to exercise all the powers conferred now or hereafter by general law upon municipalities and which exercises such powers in the unincorporated area shall be recognized as a municipality under this subsection. For a downtown development authority established before the effective date of the 1968 State Constitution which has a millage that must be approved by a municipality, the governing body of that municipality shall be considered the governing body of the downtown development authority for purposes of this subsection.

(10)(a) In addition to the notice required in subsection (3), a district school board shall publish a second notice of intent to levy additional taxes under s. 1011.71(2) *or (3). The* ~~Such~~ notice shall specify the projects or number of school buses anticipated to be funded by *the* ~~such~~ additional taxes and shall be published in the size, within the time periods, adjacent to, and in substantial conformity with the advertisement required under subsection (3). The projects shall be listed in priority within each category as follows: construction and remodeling; maintenance, renovation, and repair; motor vehicle purchases; new and replacement equipment; payments for educational facilities and sites due under a lease-purchase agreement; payments for renting and leasing educational facilities and sites; payments of loans approved pursuant to ss. 1011.14 and 1011.15; payment of costs of compliance with environmental statutes and regulations; payment of premiums for property and casualty insurance necessary to insure the educational and ancillary plants of the

school district; payment of costs of leasing relocatable educational facilities; and payments to private entities to offset the cost of school buses pursuant to s. 1011.71(2)(i). The additional notice shall be in the following form, except that if the district school board is proposing to levy the same millage under s. 1011.71(2) *or (3)* which it levied in the prior year, the words "continue to" shall be inserted before the word "impose" in the first sentence, and except that the second sentence of the second paragraph shall be deleted if the district is advertising pursuant to paragraph (3)(e):

NOTICE OF TAX FOR SCHOOL CAPITAL OUTLAY

The ____(name of school district)____ will soon consider a measure to impose a ____(number)____ mill property tax for the capital outlay projects listed herein.

This tax is in addition to the school board's proposed tax of ____(number)____ mills for operating expenses and is proposed solely at the discretion of the school board. THE PROPOSED COMBINED SCHOOL BOARD TAX INCREASE FOR BOTH OPERATING EXPENSES AND CAPITAL OUTLAY IS SHOWN IN THE ADJACENT NOTICE.

The capital outlay tax will generate approximately $____(amount)____, to be used for the following projects:

____(list of capital outlay projects)____

All concerned citizens are invited to a public hearing to be held on ____(date and time)____ at ____(meeting place)____.

A DECISION on the proposed CAPITAL OUTLAY TAXES will be made at this hearing.

Section 30. Effective July 1, 2012, subsection (2) of section 218.12, Florida Statutes, is amended to read:

218.12 Appropriations to offset reductions in ad valorem tax revenue in fiscally constrained counties.—

(2) On or before November 15 of each year, ~~beginning in 2008,~~ each fiscally constrained county shall apply to the Department of Revenue to participate in the distribution of the appropriation and provide documentation supporting the county's estimated reduction in ad valorem tax revenue in the form and manner prescribed by the Department of Revenue. The documentation must include an estimate of the reduction in taxable value directly attributable to revisions of Art. VII of the State Constitution for all county taxing jurisdictions within the county and shall be prepared by the property appraiser in each fiscally constrained county. The documentation must also include the county millage rates applicable in all such jurisdictions for both the current year and the prior year; rolled-back rates, determined as provided in s. 200.065, for each county taxing jurisdiction; and maximum millage rates that could have been levied by majority vote pursuant to *s. 200.065(5)* ~~s. 200.185~~. For purposes of this section, each fiscally constrained county's reduction in ad valorem tax revenue shall be calculated as 95 percent of the estimated reduction in taxable value times the lesser of the 2007 applicable millage rate or the applicable millage rate for each county taxing jurisdiction in the *current* ~~prior~~ year. *If a fiscally constrained county fails to apply for the distribution, its share shall revert to the fund from which the appropriation was made.*

Section 31. Effective July 1, 2012, subsection (2) of section 218.125, Florida Statutes, is amended to read:

218.125 Offset for tax loss associated with certain constitutional amendments affecting fiscally constrained counties.—

(2) On or before November 15 of each year, ~~beginning in 2010,~~ each fiscally constrained county shall apply to the Department of Revenue to participate in the distribution of the appropriation and provide documentation supporting the county's estimated reduction in ad valorem tax revenue in the form and manner prescribed by the Department of Revenue. The documentation must include an estimate of the reduction in taxable value directly attributable to revisions of Art. VII of the State Constitution for all county taxing jurisdictions within the county and shall be prepared by the property appraiser in each fiscally constrained county. The documentation must also include the county millage rates applicable in all such jurisdictions for the current year and the prior year, rolled-back rates determined as provided in s. 200.065 for each county taxing jurisdiction, and maximum millage rates that could have been levied by majority vote pursuant to s. *200.065(5)* ~~200.185~~. For purposes of this section, each fiscally constrained county's reduction in ad valorem tax revenue shall be calculated as 95 percent of the estimated reduction in taxable value multiplied by the lesser of the 2010 applicable millage rate or the applicable millage rate for each county taxing jurisdiction in the *current* ~~prior~~ year. *If a fiscally constrained county fails to apply for the distribution, its share shall revert to the fund from which the appropriation was made.*

Section 32. *Notwithstanding the application deadline in s. 196.173(5), Florida Statutes, the deadline for an eligible servicemember to file a claim for an additional ad valorem tax exemption for a qualifying deployment during the 2011 calendar year is June 1, 2012. Any applicant who seeks to claim the additional exemption and who fails to file an application by June 1 must file an application for the exemption with the property appraiser on or before the 25th day after the mailing by the property appraiser of the notices required under s. 194.011(1), Florida Statutes. Upon receipt of sufficient evidence, as determined by the property appraiser, which demonstrates that the applicant was unable to apply for the exemption in a timely manner or otherwise demonstrating extenuating circumstances judged by the property appraiser to warrant granting the exemption, the property appraiser may grant the exemption. If the applicant fails to produce sufficient evidence demonstrating that the applicant was unable to apply for the exemption in a timely manner or otherwise demonstrating extenuating circumstances as judged by the property appraiser, the applicant may file, pursuant to s. 194.011(3), Florida Statutes, a petition with the value adjustment board which requests that the exemption be granted. Such petition must be filed during the taxable year on or before the 25th day after the mailing of the notice by the property appraiser as provided in s. 194.011(1), Florida Statutes. Notwithstanding s. 194.013, Florida Statutes, the applicant is not required to pay a filing fee for such petition. Upon reviewing the petition, if the applicant is qualified to receive the exemption and demonstrates particular extenuating circumstances as judged by the value adjustment board to warrant granting the exemption, the value adjustment board may grant the exemption for the current year.*

Section 33. *Sections 24, 25, 26, and 32 of this act shall take effect upon this act becoming a law and shall first apply to ad valorem tax rolls for 2012.*

Section 34. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the administration of property taxes; amending s. 192.001, F.S.; revising the definitions of the terms "assessed value of property" and "complete submission of the rolls"; amending s. 192.0105, F.S.; providing that a taxpayer has a right to have a hearing before the value adjustment board rescheduled if the hearing is not commenced within a certain period after the scheduled time; repealing s. 192.117, F.S., relating to the Property Tax Administration Task Force; amending s. 193.114, F.S.; revising the information that must be included on a real property assessment roll relating to the transfer of ownership of property; defining the term "ownership transfer date"; deleting a requirement to include information relating to a fiduciary on a real property assessment roll; limiting the review of changes in the assessed value of real property resulting from an informal conference with the taxpayer to a review by the Department of Revenue or a designated entity; amending s. 193.155, F.S.; providing for designation of the ownership share to be attributed to certain persons who abandon a homestead property for purposes of determining the assessed value of a newly established homestead under certain circumstances; amending s. 193.1554, F.S.; deleting obsolete provisions; providing for the apportionment of increases in the value of combined and divided parcels of nonhomestead residential property; providing for the application of an assessment limitation to a combined or divided parcel of nonhomestead residential property; amending s. 193.1555, F.S.; redefining the term "nonresidential real property" to conform a cross-reference to the State Constitution; deleting obsolete provisions; providing for the apportionment of increases in the value of combined and divided parcels of property; providing for the application of an assessment limitation to a combined or divided parcel of property; amending ss. 193.501, 193.503, and 193.505, F.S.; deleting provisions requiring that the tax collector report amounts of deferred tax liability to the Department of Revenue;

amending s. 194.032, F.S.; requiring that certain information be included in, or provided along with, the notice provided to a petitioner concerning the time scheduled for an appearance before a value adjustment board; requiring that a hearing before the value adjustment board be rescheduled if the hearing on the petitioner's petition is not commenced within a certain time after the scheduled time; making technical and grammatical changes; amending s. 194.034, F.S.; deleting an exception to a requirement that a value adjustment board render a written decision relating to the petitioner's failure to make a required payment; deleting a requirement that the Department of Revenue be notified of decisions by the value adjustment board; requiring that the clerk notify the Department of Revenue of a decision of the value adjustment board or information relating to the tax impact of the decision upon request; making technical and grammatical changes; amending s. 195.072, F.S.; requiring the department to provide certain assistance in investigations of property appraisers; amending s. 195.096, F.S.; authorizing the measures in the findings resulting from an in-depth review of an assessment roll of a county to be based on a ratio that is generally accepted by professional appraisal organizations in developing a statistically valid sampling plan under certain circumstances; revising the requirements for the Department of Revenue to provide certain information concerning its review of assessment rolls to the Legislature, the appropriate property appraiser, and county commissions; requiring that copies of the review data and findings be provided upon request; repealing s. 195.0985, F.S., relating to a requirement that the department publish annual ratio studies; amending s. 195.099, F.S.; allowing the department discretion in determining whether to review the assessments of certain businesses; amending s. 196.031, F.S.; specifying the order in which homestead exemptions from ad valorem taxation are applied; amending s. 196.061, F.S.; clarifying provisions relating to the rental of a homestead dwelling; amending s. 196.081, F.S.; authorizing an applicant for an ad valorem tax exemption for a disabled veteran or for a surviving spouse to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.082, F.S.; authorizing an applicant for an ad valorem tax discount available to disabled veterans to apply for the discount before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.091, F.S.; authorizing an applicant for an ad valorem tax exemption for disabled veterans confined to a wheelchair to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.101, F.S.; authorizing an applicant for an ad valorem tax exemption for totally and permanently disabled persons to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.121, F.S.; authorizing the Department of Revenue to provide certain forms electronically; deleting a requirement that the department supply printed forms to property appraisers; amending s. 196.173, F.S.; authorizing servicemembers who receive a homestead exemption and who are deployed in certain military operations to receive an additional ad valorem tax exemption; amending s. 196.198, F.S.; providing an exemption from ad valorem taxation for certain property used for educational purposes; amending s. 196.199, F.S.; providing that property of a municipality is exempt from ad valorem taxation under specified circumstances; amending s. 196.202, F.S.; authorizing an applicant for an ad valorem exemption for widows, widowers, blind persons, or persons who are totally and permanently disabled to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.24, F.S.; authorizing an applicant for an ad valorem tax exemption for disabled ex-servicemembers or a surviving spouse to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 200.065, F.S.; deleting obsolete provisions; revising provisions relating to the calculation of the rolled-back rate; correcting cross-references to certain additional taxes; amending ss. 218.12 and 218.125, F.S.; deleting obsolete provisions; providing for the reversion of funds appropriated to offset reductions in ad valorem tax revenue to a fiscally constrained county if the county fails to apply for a distribution of funds; providing a deadline for claiming tax exemptions for qualifying military deployments during the 2011 calendar year; providing procedures and requirements for filing applications and petitions to receive the tax exemption after the deadline; providing for retroactive applicability with respect to specified provisions of the act; providing effective dates.

On motion by Senator Norman, by two-thirds vote **CS for HB 7097** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Flores	Rich
Altman	Gaetz	Richter
Benacquisto	Garcia	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Negron	Wise
Evers	Norman	

Nays—1

Gardiner

The Senate resumed consideration of—

CS for SB 1738—A bill to be entitled An act relating to homestead exemptions for seniors; amending s. 196.075, F.S.; authorizing the board of county commissioners of any county or the governing authority of any municipality to adopt an ordinance granting an additional homestead tax exemption up to the assessed value of the property to an owner who has maintained permanent residency on the property for a specified duration, who has attained age 65, and whose household income does not exceed a specified amount; providing definitions applicable to such additional exemption; providing applicability of requirements relating to the adoption of a local ordinance granting such exemption; providing for annual cost-of-living adjustments of the household-income limitation relating to such additional homestead exemption; amending s. 196.031, F.S.; conforming provisions to changes made by the act; reenacting s. 197.252(2)(a), F.S., relating to homestead tax deferral, to incorporate the amendments made to s. 196.075, F.S., in reference thereto; providing a contingent effective date.

—which was previously considered and amended this day.

Pending further consideration of **CS for SB 1738** as amended, on motion by Senator Garcia, by two-thirds vote **CS for HB 357** was withdrawn from the Committees on Community Affairs; Judiciary; Budget Subcommittee on Finance and Tax; and Budget.

On motion by Senator Garcia, the rules were waived and by two-thirds vote—

CS for HB 357—A bill to be entitled An act relating to homestead exemptions for seniors; amending s. 196.075, F.S.; authorizing the board of county commissioners of any county or the governing authority of any municipality to adopt an ordinance granting an additional homestead tax exemption equal to a specified amount, or an additional homestead tax exemption equal to the assessed value of property with a just value lower than a specified amount, or both such exemptions, to an owner who has maintained permanent residency on the property or permanent residency on the property for a specified duration, who has attained age 65, and whose household income does not exceed a specified amount; providing definitions applicable to such additional exemption; providing applicability of requirements relating to the adoption of a local ordinance granting such exemption; amending s. 196.031, F.S.; conforming provisions to changes made by the act; reenacting s. 197.252(2)(a), F.S., relating to homestead tax deferral, to incorporate the amendments made to s. 196.075, F.S., in reference thereto; providing an appropriation; providing application; providing effective dates.

—a companion measure, was substituted for **CS for SB 1738** as amended and read the second time by title.

On motion by Senator Garcia, by two-thirds vote **CS for HB 357** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Gibson	Ring
Bogdanoff	Hays	Sachs
Braynon	Jones	Simmons
Bullard	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

RECESS

On motion by President Haridopolos, the Senate recessed at 7:13 p.m. to reconvene at 7:28 p.m..

CALL TO ORDER

The Senate was called to order by the President at 7:42 p.m. A quorum present.

SPECIAL ORDER CALENDAR

RECONSIDERATION OF BILL

On motion by Senator Negron, the Senate reconsidered the vote by which—

CS for HB 7099—A bill to be entitled An act relating to tax administration; amending s. 212.03, F.S.; providing that charges for the storage of towed vehicles that are impounded by a local, state, or federal law enforcement agency are not taxable; amending s. 212.07, F.S.; conforming a cross-reference to changes made by the act; subjecting a dealer to monetary and criminal penalties for the willful failure to collect certain taxes or fees after notice of the duty to collect the taxes or fees by the Department of Revenue; amending s. 212.12, F.S.; deleting provisions relating to the imposition of criminal penalties after notice by the Department of Revenue of requirements to register as a dealer or to collect taxes; making technical and grammatical changes to provisions specifying penalties for making a false or fraudulent return with the intent to evade payment of a tax or fee; amending s. 212.14, F.S.; defining the term "person"; authorizing the Department of Revenue to adopt rules relating to requirements for a person to deposit cash, a bond, or other security with the department in order to ensure compliance with sales tax laws; making technical and grammatical changes; amending s. 212.18, F.S.; subjecting a person to criminal penalties for willfully failing to register as a dealer after notice of the duty to register by the Department of Revenue; making technical and grammatical changes; amending s. 212.20, F.S.; providing for the distribution of certain taxes generated by visitor activity at the Kennedy Space Center and Cape Canaveral Air Force Station to the Florida Institute of Technology; amending s. 213.13, F.S.; revising the due date for funds collected by the clerks of court to be transmitted to the Department of Revenue; providing retroactive application; creating s. 213.295, F.S.; providing definitions; subjecting a person to criminal penalties and monetary penalties for knowingly selling or engaging in certain other actions involving an automated sales suppression device, zapper, or phantom-ware; defining sales suppression devices and phantom-ware as contraband articles under the Florida Contraband Forfeiture Act; amending s. 213.756, F.S.; providing an absolute defense by a retailer, dealer, or vendor against a purchaser's claim for a refund; amending s. 220.153, F.S.; redefining the term "qualified capital expenditures" for purposes of apportionment by sales factor; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to release photographs or digital images to the Department of Revenue in order to identify individuals for purposes of tax administration; amending s. 336.021, F.S.; revising the date when imposition of the ninth-cent fuel tax will be levied; amending s. 336.025, F.S.; revising the date when impositions and rate changes of the local option fuel tax shall be levied; amending s. 443.131, F.S.; imposing a requirement on employers to produce records for the Department of Economic Opportunity or its tax collection service provider as a prerequisite for a reduction in the rate of unemployment tax; amending s. 443.141, F.S.; providing a method to calculate the interest rate for past due contributions and reimbursements, and delinquent, erroneous, incomplete, or insufficient reports; providing effective dates.

—as amended passed this day.

On motion by Senator Negron, further consideration of **CS for HB 7099** was deferred.

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Mike Haridopolos March 9, 2012
President, The Florida Senate

Dear President Haridopolos:

The following executive appointments were referred to the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Governor's Mansion Commission		
Appointee:	Rooney, Kathleen C.	09/30/2014
Board of Medicine		
Appointee:	Zachariah, Zachariah P.	10/31/2014

The following executive appointment was referred to the Senate Committee on Criminal Justice and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Parole Commission		
Appointee:	Pate, Tena M.	06/30/2016

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Board of Trustees, University of Central Florida		
Appointee:	Sprouls, John R.	01/06/2016
Board of Trustees, Florida International University		
Appointees:	Armas, Jose	01/06/2016
	de la Vega, Mayi	01/06/2016
Board of Trustees, University of North Florida		
Appointee:	Newton, Joan W.	01/06/2016

The following executive appointment was referred to the Senate Committee on Transportation and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Secretary of Transportation		
Appointee:	Prasad, Ananth	Pleasure of Governor

As required by Rule 12.7(1), the committees caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the office indicated. In aid of

such inquiry, the committees held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Rules Subcommittee on Ethics and Elections and other referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), Florida Statutes:

(1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointments be taken prior to the adjournment of the 2012 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully submitted,
Miguel Diaz de la Portilla, Chair

On motion by Senator Diaz de la Portilla, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee. The vote was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

SPECIAL ORDER CALENDAR

The Senate resumed consideration of—

CS for CS for HB 787—A bill to be entitled An act relating to nursing home facilities; amending s. 400.021, F.S.; revising definitions of the terms "geriatric outpatient clinic" and "resident care plan" and defining the term "therapeutic spa services"; amending s. 400.141, F.S.; revising provisions relating to other needed services provided by licensed nursing home facilities, including respite care, adult day, and therapeutic spa services; revising provisions relating to facilities eligible to share programming and staff; deleting requirements for the submission of certain reports to the Agency for Health Care Administration; creating s. 400.172, F.S.; providing requirements for a nursing home facility operated by a licensee that provides respite care services; providing for rights of persons receiving respite care in nursing home facilities; requiring a prospective respite care recipient to provide certain information to the nursing home facility; amending s. 408.036, F.S.; providing an exemption from certain certificate-of-need requirements to provide for the creation of a pilot project in any of specified Agency for Health Care Administration subdistricts; requiring the nursing home to be affiliated with an accredited nursing school that offers certain degree programs; providing requirements for affiliation with a private accredited university and for location and staffing of the nursing home; providing for the pilot project to proceed notwithstanding any moratorium under certain conditions; providing for expiration of the exemption; amending s. 429.905, F.S.; defining the term "day" for purposes of day care services provided to adults who are not residents; amending s. 651.118, F.S.; providing a funding limitation on sheltered nursing home beds used to provide assisted living, rather than extended congregate care services; authorizing certain sharing of areas, services, and staff between such sheltered beds and nursing home beds in those facilities; providing an effective date.

—which was previously considered this day with pending **Amendment 1 (109490)** by Senator Garcia.

MOTION

On motion by Senator Garcia, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Garcia moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A (445626) (with title amendment)—Between lines 4 and 5 insert:

Section 1. Subsection (30) of section 395.002, Florida Statutes, is amended to read:

395.002 Definitions.—As used in this chapter:

(30) "Urgent care center" means a facility or clinic that provides immediate but not emergent ambulatory medical care to patients ~~with or without an appointment~~. *The term includes an offsite* ~~It does not include the~~ emergency department of a hospital *that is presented to the general public in any manner as a department where immediate and not only emergent medical care is provided. The term also includes:*

(a) An offsite facility of a facility licensed under chapter 395, or a joint venture between a facility licensed under chapter 395 and a provider licensed under chapter 458 or chapter 459, that does not require a patient to make an appointment and is presented to the general public in any manner as a facility where immediate but not emergent medical care is provided.

(b) A clinic organization that is licensed under part X of chapter 400, maintains three or more locations using the same or a similar name, does not require a patient to make an appointment, and holds itself out to the general public in any manner as a facility or clinic where immediate but not emergent medical care is provided.

Section 2. Section 395.107, Florida Statutes, is amended to read:

395.107 Urgent care centers; publishing and posting schedule of charges*; penalties*.—

(1) An urgent care center must publish *and post* a schedule of charges for the medical services offered to patients.

(2) The schedule of charges must describe the medical services in language comprehensible to a layperson. The schedule must include the prices charged to an uninsured person paying for such services by cash, check, credit card, or debit card. The schedule must be posted in a conspicuous place in the reception area ~~of the urgent care center~~ and must include, but is not limited to, the 50 services most frequently provided ~~by the urgent care center~~. The schedule may group services by three price levels, listing services in each price level. The posting *may be a sign, which* must be at least 15 square feet in size*, or may be through an electronic messaging board. If an urgent care center is affiliated with a facility licensed under this chapter, the schedule must include text that notifies the insured patients whether the charges for medical services received at the center will be the same as, or more than, charges for medical services received at the affiliated hospital. The text notifying the patient of the schedule of charges shall be in a font size equal to or greater than the font size used for prices and must be in a contrasting color. The text that notifies the insured patients whether the charges for medical services received at the center will be the same as, or more than, charges for medical services received at the affiliated hospital shall be included in all media and Internet advertisements for the center and in language comprehensible to a layperson.*

(3) The posted text describing the medical services must fill at least 12 square feet of the posting. A center may use an electronic device or messaging board to post the schedule of charges. Such a device must be at least 3 square feet and patients must be able to access the schedule during all hours of operation of the urgent care center.

(4) An urgent care center that is operated and used exclusively for employees and the dependents of employees of the business that owns or contracts for the urgent care center is exempt from this section.

(5) The failure of an urgent care center to publish and post a schedule of charges as required by this section shall result in a fine of not more than $1,000, per day, until the schedule is published and posted.

Section 3. Paragraph (i) of subsection (1) of section 400.9935, Florida Statutes, is amended to read:

400.9935 Clinic responsibilities.—

(1) Each clinic shall appoint a medical director or clinic director who shall agree in writing to accept legal responsibility for the following activities on behalf of the clinic. The medical director or the clinic director shall:

(i) Ensure that the clinic publishes a schedule of charges for the medical services offered to patients. The schedule must include the prices charged to an uninsured person paying for such services by cash, check, credit card, or debit card. The schedule must be posted in a conspicuous place in the reception area of the urgent care center and must include, but is not limited to, the 50 services most frequently provided by the clinic. The schedule may group services by three price levels, listing services in each price level. The posting *may be a sign that* must be at least 15 square feet in size *or through an electronic messaging board that is at least 3 square feet in size*. The failure of a clinic to publish and post a schedule of charges as required by this section shall result in a fine of not more than $1,000, per day, until the schedule is published and posted.

And the title is amended as follows:

Delete line 1149 and insert: An act relating to health care facilities; amending s. 395.002, F.S.; revising a definition of the term "urgent care" as it relates to the regulation of hospitals and other licensed facilities; amending s. 395.107, F.S.; requiring that a urgent care center publish a post a schedule of charges; providing requirements for the schedule; amending s. 400.9935, F.S.; adding additional responsibilities of medical and clinic directors with respect to the posting of a schedule of charges for services; amending s.

MOTION

On motion by Senator Benacquisto, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Benacquisto moved the following amendment to **Amendment 1** which was adopted:

Amendment 1B (120526) (with title amendment)—Between lines 1141 and 1142 insert:

Section 34. Paragraphs (m) and (n) are added to subsection (4) of section 400.9905, Florida Statutes, to read:

400.9905 Definitions.—

(4) "Clinic" means an entity at which health care services are provided to individuals and which tenders charges for reimbursement for such services, including a mobile clinic and a portable equipment provider. For purposes of this part, the term does not include and the licensure requirements of this part do not apply to:

(m) Entities that are owned by a corporation that has $250 million or more in total annual sales of health care services provided by licensed health care practitioners where one or more of the owners is a health care practitioner who is licensed in this state and who is responsible for supervising the business activities of the entity and is legally responsible for the entity's compliance with state law for purposes of this part.

(n) Entities that employ 50 or more licensed health care practitioners licensed under chapter 458 or chapter 459 where the billing for medical services is under a single tax identification number, the application for exemption under this subsection shall contain information that includes: the name, residence and business address and phone number of the entity that owns the practice; a complete list of the names and contact information of all the officers and directors of the corporation; the name, residence address, business address and medical license number of each licensed Florida health care practitioner employed by the entity; the corporate tax identification number of the entity seeking an exemption; a listing of health care services to be provided by the entity at the health care clinics owned or operated by the entity and a certified statement prepared by an independent certified public accountant which states that the entity and the health care clinics owned or operated by the entity have not received payment for health care services under personal injury protection insurance coverage for the preceding year. If the agency determines that an entity which is exempt under this subsection has received payments for medical services under personal injury protection insurance coverage the agency may deny or revoke the exemption from licensure under this subsection.

And the title is amended as follows:

Delete line 1323 and insert: provisions to changes made by the act; providing that the licensure requirements of part X of ch. 400, F.S., do not apply to certain specified entities; providing that the Agency for Health Care Administration may deny or revoke the exemption from the licensure requirements under certain circumstances; providing an effective date.

MOTION

On motion by Senator Hays, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Hays moved the following amendment to **Amendment 1**:

Amendment 1C (482012) (with title amendment)—Between lines 1141 and 1142 insert:

Section 34. Subsection (37) of section 409.912, Florida Statutes, is amended to read:

409.912 Cost-effective purchasing of health care.—The agency shall purchase goods and services for Medicaid recipients in the most cost-effective manner consistent with the delivery of quality medical care. To ensure that medical services are effectively utilized, the agency may, in any case, require a confirmation or second physician's opinion of the correct diagnosis for purposes of authorizing future services under the Medicaid program. This section does not restrict access to emergency services or poststabilization care services as defined in 42 C.F.R. part 438.114. Such confirmation or second opinion shall be rendered in a manner approved by the agency. The agency shall maximize the use of prepaid per capita and prepaid aggregate fixed-sum basis services when appropriate and other alternative service delivery and reimbursement methodologies, including competitive bidding pursuant to s. 287.057, designed to facilitate the cost-effective purchase of a case-managed continuum of care. The agency shall also require providers to minimize the exposure of recipients to the need for acute inpatient, custodial, and other institutional care and the inappropriate or unnecessary use of high-cost services. The agency shall contract with a vendor to monitor and evaluate the clinical practice patterns of providers in order to identify trends that are outside the normal practice patterns of a provider's professional peers or the national guidelines of a provider's professional association. The vendor must be able to provide information and counseling to a provider whose practice patterns are outside the norms, in consultation with the agency, to improve patient care and reduce inappropriate utilization. The agency may mandate prior authorization, drug therapy management, or disease management participation for certain populations of Medicaid beneficiaries, certain drug classes, or particular drugs to prevent fraud, abuse, overuse, and possible dangerous drug interactions. The Pharmaceutical and Therapeutics Committee shall make recommendations to the agency on drugs for which prior authorization is required. The agency shall inform the Pharmaceutical and Therapeutics Committee of its decisions regarding drugs subject to prior authorization. The agency is authorized to limit the entities it contracts with or enrolls as Medicaid providers by developing a provider network through provider credentialing. The agency may competitively bid single-source-provider contracts if procurement of goods or services results in demonstrated cost savings to the state without limiting access to care. The agency may limit its network based on the assessment of beneficiary access to care, provider availability, provider quality standards, time and distance standards for access to care, the cultural competence of the provider network, demographic characteristics of Medicaid beneficiaries, practice and provider-to-beneficiary standards, appointment wait times, beneficiary use of

services, provider turnover, provider profiling, provider licensure history, previous program integrity investigations and findings, peer review, provider Medicaid policy and billing compliance records, clinical and medical record audits, and other factors. Providers are not entitled to enrollment in the Medicaid provider network. The agency shall determine instances in which allowing Medicaid beneficiaries to purchase durable medical equipment and other goods is less expensive to the Medicaid program than long-term rental of the equipment or goods. The agency may establish rules to facilitate purchases in lieu of long-term rentals in order to protect against fraud and abuse in the Medicaid program as defined in s. 409.913. The agency may seek federal waivers necessary to administer these policies.

(37)(a) The agency shall implement a Medicaid prescribed-drug spending-control program that includes the following components:

1. A Medicaid preferred drug list, which shall be a listing of cost-effective therapeutic options recommended by the Medicaid Pharmacy and Therapeutics Committee established pursuant to s. 409.91195 and adopted by the agency for each therapeutic class on the preferred drug list. At the discretion of the committee, and when feasible, the preferred drug list should include at least two products in a therapeutic class. The agency may post the preferred drug list and updates to the list on an Internet website without following the rulemaking procedures of chapter 120. Antiretroviral agents are excluded from the preferred drug list. The agency shall also limit the amount of a prescribed drug dispensed to no more than a 34-day supply unless the drug products' smallest marketed package is greater than a 34-day supply, or the drug is determined by the agency to be a maintenance drug in which case a 100-day maximum supply may be authorized. The agency may seek any federal waivers necessary to implement these cost-control programs and to continue participation in the federal Medicaid rebate program, or alternatively to negotiate state-only manufacturer rebates. The agency may adopt rules to administer this subparagraph. The agency shall continue to provide unlimited contraceptive drugs and items. The agency must establish procedures to ensure that:

a. There is a response to a request for prior consultation by telephone or other telecommunication device within 24 hours after receipt of a request for prior consultation; and

b. A 72-hour supply of the drug prescribed is provided in an emergency or when the agency does not provide a response within 24 hours as required by sub-subparagraph a.

2. Reimbursement to pharmacies for Medicaid prescribed drugs shall be set at the lowest of: the average wholesale price (AWP) minus 16.4 percent, the wholesaler acquisition cost (WAC) plus 1.5 percent, the federal upper limit (FUL), the state maximum allowable cost (SMAC), or the usual and customary (UAC) charge billed by the provider.

3. The agency shall develop and implement a process for managing the drug therapies of Medicaid recipients who are using significant numbers of prescribed drugs each month. The management process may include, but is not limited to, comprehensive, physician-directed medical-record reviews, claims analyses, and case evaluations to determine the medical necessity and appropriateness of a patient's treatment plan and drug therapies. The agency may contract with a private organization to provide drug-program-management services. The Medicaid drug benefit management program shall include initiatives to manage drug therapies for HIV/AIDS patients, patients using 20 or more unique prescriptions in a 180-day period, and the top 1,000 patients in annual spending. The agency shall enroll any Medicaid recipient in the drug benefit management program if he or she meets the specifications of this provision and is not enrolled in a Medicaid health maintenance organization.

4. The agency may limit the size of its pharmacy network based on need, competitive bidding, price negotiations, credentialing, or similar criteria. The agency shall give special consideration to rural areas in determining the size and location of pharmacies included in the Medicaid pharmacy network. A pharmacy credentialing process may include criteria such as a pharmacy's full-service status, location, size, patient educational programs, patient consultation, disease management services, and other characteristics. The agency may impose a moratorium on Medicaid pharmacy enrollment if it is determined that it has a sufficient number of Medicaid-participating providers. The agency must allow dispensing practitioners to participate as a part of the Medicaid pharmacy network regardless of the practitioner's proximity to any other entity that is dispensing prescription drugs under the Medicaid program. A dispensing practitioner must meet all credentialing requirements applicable to his or her practice, as determined by the agency.

5. The agency shall develop and implement a program that requires Medicaid practitioners who prescribe drugs to use a counterfeit-proof prescription pad for Medicaid prescriptions. The agency shall require the use of standardized counterfeit-proof prescription pads by Medicaid-participating prescribers or prescribers who write prescriptions for Medicaid recipients. The agency may implement the program in targeted geographic areas or statewide.

6. The agency may enter into arrangements that require manufacturers of generic drugs prescribed to Medicaid recipients to provide rebates of at least 15.1 percent of the average manufacturer price for the manufacturer's generic products. These arrangements shall require that if a generic-drug manufacturer pays federal rebates for Medicaid-reimbursed drugs at a level below 15.1 percent, the manufacturer must provide a supplemental rebate to the state in an amount necessary to achieve a 15.1-percent rebate level.

7. The agency may establish a preferred drug list as described in this subsection, and, pursuant to the establishment of such preferred drug list, negotiate supplemental rebates from manufacturers that are in addition to those required by Title XIX of the Social Security Act and at no less than 14 percent of the average manufacturer price as defined in 42 U.S.C. s. 1936 on the last day of a quarter unless the federal or supplemental rebate, or both, equals or exceeds 29 percent. There is no upper limit on the supplemental rebates the agency may negotiate. The agency may determine that specific products, brand-name or generic, are competitive at lower rebate percentages. Agreement to pay the minimum supplemental rebate percentage guarantees a manufacturer that the Medicaid Pharmaceutical and Therapeutics Committee will consider a product for inclusion on the preferred drug list. However, a pharmaceutical manufacturer is not guaranteed placement on the preferred drug list by simply paying the minimum supplemental rebate. Agency decisions will be made on the clinical efficacy of a drug and recommendations of the Medicaid Pharmaceutical and Therapeutics Committee, as well as the price of competing products minus federal and state rebates. The agency may contract with an outside agency or contractor to conduct negotiations for supplemental rebates. For the purposes of this section, the term "supplemental rebates" means cash rebates. Value-added programs as a substitution for supplemental rebates are prohibited. The agency may seek any federal waivers to implement this initiative.

8. The agency shall expand home delivery of pharmacy products. The agency may amend the state plan and issue a procurement, as necessary, in order to implement this program. The procurements must include agreements with a pharmacy or pharmacies located in the state to provide mail order delivery services at no cost to the recipients who elect to receive home delivery of pharmacy products. The procurement must focus on serving recipients with chronic diseases for which pharmacy expenditures represent a significant portion of Medicaid pharmacy expenditures or which impact a significant portion of the Medicaid population. The agency may seek and implement any federal waivers necessary to implement this subparagraph.

9. The agency shall limit to one dose per month any drug prescribed to treat erectile dysfunction.

10.a. The agency may implement a Medicaid behavioral drug management system. The agency may contract with a vendor that has experience in operating behavioral drug management systems to implement this program. The agency may seek federal waivers to implement this program.

b. The agency, in conjunction with the Department of Children and Family Services, may implement the Medicaid behavioral drug management system that is designed to improve the quality of care and behavioral health prescribing practices based on best practice guidelines, improve patient adherence to medication plans, reduce clinical risk, and lower prescribed drug costs and the rate of inappropriate spending on Medicaid behavioral drugs. The program may include the following elements:

(I) Provide for the development and adoption of best practice guidelines for behavioral health-related drugs such as antipsychotics, antidepressants, and medications for treating bipolar disorders and other behavioral conditions; translate them into practice; review behavioral health prescribers and compare their prescribing patterns to a number of indicators that are based on national standards; and determine deviations from best practice guidelines.

(II) Implement processes for providing feedback to and educating prescribers using best practice educational materials and peer-to-peer consultation.

(III) Assess Medicaid beneficiaries who are outliers in their use of behavioral health drugs with regard to the numbers and types of drugs taken, drug dosages, combination drug therapies, and other indicators of improper use of behavioral health drugs.

(IV) Alert prescribers to patients who fail to refill prescriptions in a timely fashion, are prescribed multiple same-class behavioral health drugs, and may have other potential medication problems.

(V) Track spending trends for behavioral health drugs and deviation from best practice guidelines.

(VI) Use educational and technological approaches to promote best practices, educate consumers, and train prescribers in the use of practice guidelines.

(VII) Disseminate electronic and published materials.

(VIII) Hold statewide and regional conferences.

(IX) Implement a disease management program with a model quality-based medication component for severely mentally ill individuals and emotionally disturbed children who are high users of care.

11. The agency shall implement a Medicaid prescription drug management system.

a. The agency may contract with a vendor that has experience in operating prescription drug management systems in order to implement this system. Any management system that is implemented in accordance with this subparagraph must rely on cooperation between physicians and pharmacists to determine appropriate practice patterns and clinical guidelines to improve the prescribing, dispensing, and use of drugs in the Medicaid program. The agency may seek federal waivers to implement this program.

b. The drug management system must be designed to improve the quality of care and prescribing practices based on best practice guidelines, improve patient adherence to medication plans, reduce clinical risk, and lower prescribed drug costs and the rate of inappropriate spending on Medicaid prescription drugs. The program must:

(I) Provide for the adoption of best practice guidelines for the prescribing and use of drugs in the Medicaid program, including translating best practice guidelines into practice; reviewing prescriber patterns and comparing them to indicators that are based on national standards and practice patterns of clinical peers in their community, statewide, and nationally; and determine deviations from best practice guidelines.

(II) Implement processes for providing feedback to and educating prescribers using best practice educational materials and peer-to-peer consultation.

(III) Assess Medicaid recipients who are outliers in their use of a single or multiple prescription drugs with regard to the numbers and types of drugs taken, drug dosages, combination drug therapies, and other indicators of improper use of prescription drugs.

(IV) Alert prescribers to recipients who fail to refill prescriptions in a timely fashion, are prescribed multiple drugs that may be redundant or contraindicated, or may have other potential medication problems.

12. The agency may contract for drug rebate administration, including, but not limited to, calculating rebate amounts, invoicing manufacturers, negotiating disputes with manufacturers, and maintaining a database of rebate collections.

13. The agency may specify the preferred daily dosing form or strength for the purpose of promoting best practices with regard to the prescribing of certain drugs as specified in the General Appropriations Act and ensuring cost-effective prescribing practices.

14. The agency may require prior authorization for Medicaid-covered prescribed drugs. The agency may prior-authorize the use of a product:

a. For an indication not approved in labeling;

b. To comply with certain clinical guidelines; or

c. If the product has the potential for overuse, misuse, or abuse.

The agency may require the prescribing professional to provide information about the rationale and supporting medical evidence for the use of a drug. The agency *shall* ~~may~~ post prior authorization*, step-edit* criteria and protocol*,* and updates to the list of drugs that are subject to prior authorization on *the agency's* ~~an~~ Internet website *within 21 days after the prior authorization and step-edit criteria and protocol and updates are approved by the agency. For purposes of this subparagraph, the term "step-edit" means an automatic electronic review of certain medications subject to prior authorization* ~~without amending its rule or engaging in additional rulemaking~~.

15. The agency, in conjunction with the Pharmaceutical and Therapeutics Committee, may require age-related prior authorizations for certain prescribed drugs. The agency may preauthorize the use of a drug for a recipient who may not meet the age requirement or may exceed the length of therapy for use of this product as recommended by the manufacturer and approved by the Food and Drug Administration. Prior authorization may require the prescribing professional to provide information about the rationale and supporting medical evidence for the use of a drug.

16. The agency shall implement a step-therapy prior authorization approval process for medications excluded from the preferred drug list. Medications listed on the preferred drug list must be used within the previous 12 months before the alternative medications that are not listed. The step-therapy prior authorization may require the prescriber to use the medications of a similar drug class or for a similar medical indication unless contraindicated in the Food and Drug Administration labeling. The trial period between the specified steps may vary according to the medical indication. The step-therapy approval process shall be developed in accordance with the committee as stated in s. 409.91195(7) and (8). A drug product may be approved without meeting the step-therapy prior authorization criteria if the prescribing physician provides the agency with additional written medical or clinical documentation that the product is medically necessary because:

a. There is not a drug on the preferred drug list to treat the disease or medical condition which is an acceptable clinical alternative;

b. The alternatives have been ineffective in the treatment of the beneficiary's disease; or

c. Based on historic evidence and known characteristics of the patient and the drug, the drug is likely to be ineffective, or the number of doses have been ineffective.

The agency shall work with the physician to determine the best alternative for the patient. The agency may adopt rules waiving the requirements for written clinical documentation for specific drugs in limited clinical situations.

17. The agency shall implement a return and reuse program for drugs dispensed by pharmacies to institutional recipients, which includes payment of a $5 restocking fee for the implementation and operation of the program. The return and reuse program shall be implemented electronically and in a manner that promotes efficiency. The program must permit a pharmacy to exclude drugs from the program if it is not practical or cost-effective for the drug to be included and must provide for the return to inventory of drugs that cannot be credited or returned in a cost-effective manner. The agency shall determine if the program has reduced the amount of Medicaid prescription drugs which are destroyed on an annual basis and if there are additional ways to ensure more prescription drugs are not destroyed which could safely be reused.

(b) The agency shall implement this subsection to the extent that funds are appropriated to administer the Medicaid prescribed-drug spending-control program. The agency may contract all or any part of this program to private organizations.

(c) The agency shall submit quarterly reports to the Governor, the President of the Senate, and the Speaker of the House of Representatives which must include, but need not be limited to, the progress made in implementing this subsection and its effect on Medicaid prescribed-drug expenditures.

And the title is amended as follows:

Delete line 1323 and insert: provisions to changes made by the act; amending s. 409.912, F.S.; revising provisions requiring the agency to post certain information relating to drugs subject to prior authorization on its Internet website; providing a definition of the term "step edit"; providing an

On motion by Senator Bogdanoff, further consideration of **CS for CS for HB 787** with pending **Amendment 1C (482012)** and **Amendment 1 (109490)** was deferred.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed CS for CS for HB 119 as further amended, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for CS for HB 119—A bill to be entitled An act relating to motor vehicle insurance; amending s. 316.066, F.S.; revising provisions relating to the contents of written reports of motor vehicle crashes; amending s. 400.991, F.S.; requiring that an application for licensure or exemption from licensure as a health care clinic include a specified statement regarding insurance fraud; amending s. 626.989, F.S.; providing that knowingly submitting false, misleading, or fraudulent documents relating to licensure as a health care clinic or submitting a claim relating to the Florida Motor Vehicle Medical Care Coverage Law is a fraudulent insurance act under certain conditions; amending s. 627.736, F.S.; providing limitations on attorney fees for certain actions under the Florida Motor Vehicle No-Fault Law; specifying that the limitations on attorney fee awards does not limit the attorney fees an insured may pay her or his attorney; creating s. 627.748, F.S.; designating specified provisions as the Florida Motor Vehicle No-Fault Medical Care Coverage Law; providing legislative findings; creating s. 627.7481, F.S.; providing purposes; creating s. 627.74811, F.S.; providing legislative intent that provisions, schedules, or procedures are to be given full force and effect regardless of their express inclusion in insurer forms; creating s. 627.7482, F.S.; providing definitions; creating s. 627.7483, F.S.; requiring every owner or registrant of a motor vehicle required to be registered and licensed in this state to maintain specified security; providing exceptions; requiring every nonresident owner or registrant of a motor vehicle that has been physically present within this state for a specified period to maintain security; specifying means by which such security is provided; providing an exemption; creating s. 627.7484, F.S.; providing requirements for filing and maintaining proof of security; providing penalties; creating s. 627.7485, F.S.; requiring that insurance policies provide medical care coverage to specified persons; providing limits of coverage; specifying limits for medical, disability, and death benefits; providing restrictions on insurers with respect to provision of required benefits; authorizing insurers writing motor vehicle liability insurance to offer additional first-party motor vehicle coverages; prohibiting requiring purchase of other motor vehicle coverage as a condition for providing such benefits; prohibiting insurers from requiring the purchase of property damage liability insurance exceeding a specified amount in conjunction with medical care coverage insurance; providing that failure to comply with specified availability requirements constitutes an unfair method of competition or an unfair or deceptive act or practice; providing penalties; specifying benefits an insurer may exclude; providing procedure with respect to such exclusions; specifying when benefits are due from an insurer; prohibiting insurers from obtaining liens on recovery of special damages in tort claims for medical care coverage benefits; providing that benefits under the Florida Motor Vehicle No-Fault Medical Care Coverage Law are subject to the Medicaid program in specified circumstances; requiring that an insurer repay any benefits covered by the Medicaid program within a specified period; requiring that an insurer provide a claimant an opportunity to revise claims that contain errors; specifying when benefits are overdue; requiring insurers to hold a specified amount of benefits in reserve for a certain time for the payment of providers; providing for interest on overdue payments; providing for tolling the time period in which medical care coverage benefits are required to be paid when the insurer has reasonable belief that fraud has been committed; specifying injuries for which an insurer must pay medical care coverage benefits; disallowing benefits to an insured who has committed insurance fraud; providing that a person or entity lawfully rendering treatment to an injured person for a bodily injury covered by medical care coverage may charge only a reasonable amount for services and care; providing that the insurer may pay such charges directly to the person or entity lawfully rendering such treatment; providing limits on such charges; providing for determination of reasonableness of charges; providing that payments made by an insurer pursuant to the schedule of maximum charges, or for lesser amounts billed by providers, are considered reasonable; establishing a schedule of maximum charges; specifying that reimbursement under a schedule of maximum charges that is based on Medicare is to be calculated under the applicable Medicare schedule in effect on a specified date each year; authorizing insurers to use all Medicare coding policies and CMS payment methodologies in determining reimbursement under a schedule of maximum charges that is Medicare-based; establishing limits on specified services and care; providing conditions under which an insurer or insured is not required to pay a claim or charges; requiring the Department of Health to adopt, by rule, a list of diagnostic tests deemed not to be medically necessary and to periodically revise the list; providing procedures and requirements with respect to statements of and bills for charges for emergency services and care; directing the Financial Services Commission to adopt by rule a disclosure and acknowledgment form to be countersigned by claimants upon receipt of medical services; providing procedures and requirements with respect to investigation of claims of improper billing by a physician or other medical provider; prohibiting insurers from systematically downcoding with intent to deny reimbursement; requiring insureds to comply with all terms of the medical care coverage policy, including submission to examinations under oath; limiting the scope of questioning during such examinations under oath; providing that compliance with policy terms is a condition precedent to the receipt of medical care coverage benefits; providing that it is an unfair method of competition or an unfair or deceptive trade practice for an insurer, as a general business practice, to request examinations under oath without a reasonable basis; providing for insurers to inspect the physical premises of providers seeking payment of medical care coverage benefits; providing that when an insured fails to appear for two or more mental or physical examinations, the medical care coverage carrier is not liable for subsequent medical care coverage benefits; creating a rebuttable presumption that an insured's failure to appear for two examinations is an unreasonable refusal to appear; creating an attorney fee cap; prohibiting the use of contingency risk multipliers in calculating attorney fee awards; requiring that an insurer must be provided with written notice of an intent to initiate litigation as a condition precedent to filing any action for benefits; providing requirements with respect to a demand letter; providing procedures and requirements with respect to payment of an overdue claim; providing for the tolling of the time period for an action against an insurer; providing that failure to pay valid claims with specified frequency constitutes an unfair or deceptive trade practice; providing penalties; providing circumstances under which an insurer has a cause of action; providing for fraud advisory notice; requiring that all claims related to the same health care provider for the same injured person be brought in one action unless good cause is shown; authorizing the electronic transmission of notices and communications under certain conditions; creating s. 627.7486, F.S.; providing an exemption from tort liability for certain damages in legal actions under the Florida Motor Vehicle No-Fault Medical Care Coverage Law in certain circumstances; providing for recovery of tort damages in certain circumstances; providing for motions to dismiss action on specified grounds; prohibiting the award of punitive damages; creating s. 627.7487, F.S.; providing for optional deductibles and limitations of coverage for medical care coverage policies; requiring a specified notice to policyholders; creating s. 627.7488, F.S.; requiring the commission to adopt by rule a form for the notification of insureds of their right to receive medical care coverage benefits; speci-

fying contents of such notice; providing requirements for the mailing or delivery of such notice; creating s. 627.7489, F.S.; providing for mandatory joinder of specified claims; creating s. 627.749, F.S.; providing for an insurer's right of reimbursement for medical care benefits paid to a person injured by a commercial motor vehicle under specified circumstances; providing an exception; creating s. 627.7491, F.S.; providing for application of the Florida Motor Vehicle No-Fault Medical Care Coverage Law; providing for requirements for forms and rates for policies issued or renewed on or after a specified date; requiring a specified notice to existing policyholders; amending ss. 316.646, 318.18, 320.02, 320.0609, 320.27, 320.771, 322.251, 322.34, 324.021, 324.0221, 324.032, 324.171, 400.9935, 409.901, 409.910, 456.057, 456.072, 626.9541, 627.06501, 627.0652, 627.0653, 627.4132, 627.6482, 627.7263, 627.727, 627.7275, 627.728, 627.7295, 627.8405, 627.915, 628.909, 705.184, and 713.78, F.S.; conforming provisions; amending s. 817.234, F.S.; providing that it is insurance fraud to present a claim for personal injury protection benefits payable to a person or entity that knowingly submitted false, misleading, or fraudulent applications or other documents relating to licensure as a health care clinic; conforming provisions; providing a directive to the Division of Statutory Revision; providing applicability; providing for severability; providing effective dates.

House Amendment 1 (941519) to Senate Amendment 1 (with title amendment)—Remove lines 5-1546 of the amendment and insert:

Section 1. Subsection (1) of section 316.066, Florida Statutes, is amended to read:

316.066 Written reports of crashes.—

(1)(a) A Florida Traffic Crash Report, Long Form *must* ~~is required to~~ be completed and submitted to the department within 10 days after ~~completing~~ an investigation *is completed* by *the* ~~every~~ law enforcement officer who in the regular course of duty investigates a motor vehicle crash that:

1. Resulted in death *of,* ~~or~~ personal injury *to, or any indication of complaints of pain or discomfort by any of the parties or passengers involved in the crash;*~~.~~

2. Involved a violation of s. 316.061(1) or s. 316.193*;*~~.~~

3. Rendered a vehicle inoperable to a degree that required a wrecker to remove it from the scene of the crash; or

4. Involved a commercial motor vehicle.

(b) The Florida Traffic Crash Report, Long Form must include:

1. The date, time, and location of the crash.

2. A description of the vehicles involved.

3. The names and addresses of the parties involved, including all drivers and passengers, and the identification of the vehicle in which each was a driver or a passenger.

4. The names and addresses of witnesses.

5. The name, badge number, and law enforcement agency of the officer investigating the crash.

6. The names of the insurance companies for the respective parties involved in the crash.

(c)~~(b)~~ In *any* ~~every~~ crash for which a Florida Traffic Crash Report, Long Form is not required by this section *and which occurs on the public roadways of this state*, the law enforcement officer *shall* ~~may~~ complete a short-form crash report or provide a driver exchange-of-information form*,* to be completed by *all drivers and passengers* ~~each party~~ involved in the crash*, which requires the identification of each vehicle that the drivers and passengers were in*. The short-form report must include:

1. The date, time, and location of the crash.

2. A description of the vehicles involved.

3. The names and addresses of the parties involved, including all drivers and passengers*, and the identification of the vehicle in which each was a driver or a passenger*.

4. The names and addresses of witnesses.

5. The name, badge number, and law enforcement agency of the officer investigating the crash.

6. The names of the insurance companies for the respective parties involved in the crash.

(d)~~(c)~~ Each party to the crash must provide the law enforcement officer with proof of insurance, which must be documented in the crash report. If a law enforcement officer submits a report on the crash, proof of insurance must be provided to the officer by each party involved in the crash. Any party who fails to provide the required information commits a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318, unless the officer determines that due to injuries or other special circumstances such insurance information cannot be provided immediately. If the person provides the law enforcement agency, within 24 hours after the crash, proof of insurance that was valid at the time of the crash, the law enforcement agency may void the citation.

(e)~~(d)~~ The driver of a vehicle that was in any manner involved in a crash resulting in damage to *a* ~~any~~ vehicle or other property *which does not require a law enforcement report* ~~in an amount of $500 or more which was not investigated by a law enforcement agency,~~ shall, within 10 days after the crash, submit a written report of the crash to the department. *The report shall be submitted on a form approved by the department.* ~~The entity receiving the report may require witnesses of the crash to render reports and may require any driver of a vehicle involved in a crash of which a written report must be made to file supplemental written reports if the original report is deemed insufficient by the receiving entity.~~

(f)~~(e)~~ *Long-form and* short-form crash reports prepared by law enforcement *must be submitted to the department and may* ~~shall~~ be maintained by the law enforcement officer's agency.

Section 2. Subsection (4) of section 400.9905, Florida Statutes, is amended to read:

400.9905 Definitions.—

(4) "Clinic" means an entity *where* ~~at which~~ health care services are provided to individuals and which tenders charges for reimbursement for such services, including a mobile clinic and a portable equipment provider. *As used in* ~~For purposes of~~ this part, the term does not include and the licensure requirements of this part do not apply to:

(a) Entities licensed or registered by the state under chapter 395; ~~or~~ entities licensed or registered by the state and providing only health care services within the scope of services authorized under their respective licenses ~~granted~~ under ss. 383.30-383.335, chapter 390, chapter 394, chapter 397, this chapter except part X, chapter 429, chapter 463, chapter 465, chapter 466, chapter 478, part I of chapter 483, chapter 484, or chapter 651; end-stage renal disease providers authorized under 42 C.F.R. part 405, subpart U; ~~or~~ providers certified under 42 C.F.R. part 485, subpart B or subpart H; or any entity that provides neonatal or pediatric hospital-based health care services or other health care services by licensed practitioners solely within a hospital licensed under chapter 395.

(b) Entities that own, directly or indirectly, entities licensed or registered by the state pursuant to chapter 395; ~~or~~ entities that own, directly or indirectly, entities licensed or registered by the state and providing only health care services within the scope of services authorized pursuant to their respective licenses ~~granted~~ under ss. 383.30-383.335, chapter 390, chapter 394, chapter 397, this chapter except part X, chapter 429, chapter 463, chapter 465, chapter 466, chapter 478, part I of chapter 483, chapter 484, chapter 651; end-stage renal disease providers authorized under 42 C.F.R. part 405, subpart U; ~~or~~ providers certified under 42 C.F.R. part 485, subpart B or subpart H; or any entity that provides neonatal or pediatric hospital-based health care services by licensed practitioners solely within a hospital licensed under chapter 395.

(c) Entities that are owned, directly or indirectly, by an entity licensed or registered by the state pursuant to chapter 395; ~~or~~ entities that are owned, directly or indirectly, by an entity licensed or registered by the state and providing only health care services within the scope of services authorized pursuant to their respective licenses ~~granted~~ under ss. 383.30-383.335, chapter 390, chapter 394, chapter 397, this chapter except part X, chapter 429, chapter 463, chapter 465, chapter 466, chapter 478, part I of chapter 483, chapter 484, or chapter 651; end-stage renal disease providers authorized under 42 C.F.R. part 405, subpart U; ~~or~~ providers certified under 42 C.F.R. part 485, subpart B or subpart H; or any entity that provides neonatal or pediatric hospital-based health care services by licensed practitioners solely within a hospital under chapter 395.

(d) Entities that are under common ownership, directly or indirectly, with an entity licensed or registered by the state pursuant to chapter 395; ~~or~~ entities that are under common ownership, directly or indirectly, with an entity licensed or registered by the state and providing only health care services within the scope of services authorized pursuant to their respective licenses ~~granted~~ under ss. 383.30-383.335, chapter 390, chapter 394, chapter 397, this chapter except part X, chapter 429, chapter 463, chapter 465, chapter 466, chapter 478, part I of chapter 483, chapter 484, or chapter 651; end-stage renal disease providers authorized under 42 C.F.R. part 405, subpart U; ~~or~~ providers certified under 42 C.F.R. part 485, subpart B or subpart H; or any entity that provides neonatal or pediatric hospital-based health care services by licensed practitioners solely within a hospital licensed under chapter 395.

(e) An entity that is exempt from federal taxation under 26 U.S.C. s. 501(c)(3) or (4), an employee stock ownership plan under 26 U.S.C. s. 409 that has a board of trustees *at least* ~~not less than~~ two-thirds of which are Florida-licensed health care practitioners and provides only physical therapy services under physician orders, any community college or university clinic, and any entity owned or operated by the federal or state government, including agencies, subdivisions, or municipalities thereof.

(f) A sole proprietorship, group practice, partnership, or corporation that provides health care services by physicians covered by s. 627.419, that is directly supervised by one or more of such physicians, and that is wholly owned by one or more of those physicians or by a physician and the spouse, parent, child, or sibling of that physician.

(g) A sole proprietorship, group practice, partnership, or corporation that provides health care services by licensed health care practitioners under chapter 457, chapter 458, chapter 459, chapter 460, chapter 461, chapter 462, chapter 463, chapter 466, chapter 467, chapter 480, chapter 484, chapter 486, chapter 490, chapter 491, or part I, part III, part X, part XIII, or part XIV of chapter 468, or s. 464.012, *and that is* ~~which are~~ wholly owned by one or more licensed health care practitioners, or the licensed health care practitioners set forth in this paragraph and the spouse, parent, child, or sibling of a licensed health care practitioner *if*~~,~~ ~~so long as~~ one of the owners who is a licensed health care practitioner is supervising the business activities and is legally responsible for the entity's compliance with all federal and state laws. However, a health care practitioner may not supervise services beyond the scope of the practitioner's license, except that, for the purposes of this part, a clinic owned by a licensee in s. 456.053(3)(b) *which* ~~that~~ provides only services authorized pursuant to s. 456.053(3)(b) may be supervised by a licensee specified in s. 456.053(3)(b).

(h) Clinical facilities affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows.

(i) Entities that provide only oncology or radiation therapy services by physicians licensed under chapter 458 or chapter 459 or entities that provide oncology or radiation therapy services by physicians licensed under chapter 458 or chapter 459 which are owned by a corporation whose shares are publicly traded on a recognized stock exchange.

(j) Clinical facilities affiliated with a college of chiropractic accredited by the Council on Chiropractic Education at which training is provided for chiropractic students.

(k) Entities that provide licensed practitioners to staff emergency departments or to deliver anesthesia services in facilities licensed under chapter 395 and that derive at least 90 percent of their gross annual revenues from the provision of such services. Entities claiming an exemption from licensure under this paragraph must provide documentation demonstrating compliance.

(l) Orthotic or prosthetic clinical facilities that are a publicly traded corporation or that are wholly owned, directly or indirectly, by a publicly traded corporation. As used in this paragraph, a publicly traded corporation is a corporation that issues securities traded on an exchange registered with the United States Securities and Exchange Commission as a national securities exchange.

Notwithstanding this subsection, an entity shall be deemed a clinic and must be licensed under this part in order to receive reimbursement under the Florida Motor Vehicle No-Fault Law, ss. 627.730-627.7405, unless exempted under s. 627.736(5)(h).

Section 3. Subsection (6) is added to section 400.991, Florida Statutes, to read:

400.991 License requirements; background screenings; prohibitions.—

(6) All agency forms for licensure application or exemption from licensure under this part must contain the following statement:

INSURANCE FRAUD NOTICE.—A person who knowingly submits a false, misleading, or fraudulent application or other document when applying for licensure as a health care clinic, seeking an exemption from licensure as a health care clinic, or demonstrating compliance with part X of chapter 400, Florida Statutes, with the intent to use the license, exemption from licensure, or demonstration of compliance to provide services or seek reimbursement under the Florida Motor Vehicle No-Fault Law, commits a fraudulent insurance act, as defined in s. 626.989, Florida Statutes. A person who presents a claim for personal injury protection benefits knowing that the payee knowingly submitted such health care clinic application or document, commits insurance fraud, as defined in s. 817.234, Florida Statutes.

Section 4. Subsection (1) of section 626.989, Florida Statutes, is amended to read:

626.989 Investigation by department or Division of Insurance Fraud; compliance; immunity; confidential information; reports to division; division investigator's power of arrest.—

(1) For the purposes of this section*:*~~,~~

(a) A person commits a "fraudulent insurance act" if the person*:*

1. Knowingly and with intent to defraud presents, causes to be presented, or prepares with knowledge or belief that it will be presented, to or by an insurer, self-insurer, self-insurance fund, servicing corporation, purported insurer, broker, or any agent thereof, any written statement as part of, or in support of, an application for the issuance of, or the rating of, any insurance policy, or a claim for payment or other benefit pursuant to any insurance policy, which the person knows to contain materially false information concerning any fact material thereto or if the person conceals, for the purpose of misleading another, information concerning any fact material thereto.

2. Knowingly submits:

a. A false, misleading, or fraudulent application or other document when applying for licensure as a health care clinic, seeking an exemption from licensure as a health care clinic, or demonstrating compliance with part X of chapter 400 with an intent to use the license, exemption from licensure, or demonstration of compliance to provide services or seek reimbursement under the Florida Motor Vehicle No-Fault Law.

b. A claim for payment or other benefit pursuant to a personal injury protection insurance policy under the Florida Motor Vehicle No-Fault Law if the person knows that the payee knowingly submitted a false, misleading, or fraudulent application or other document when applying for licensure as a health care clinic, seeking an exemption from licensure as a health care clinic, or demonstrating compliance with part X of chapter 400. ~~For the purposes of this section,~~

(b) The term "insurer" also includes *a* ~~any~~ health maintenance organization*,* and the term "insurance policy" also includes a health maintenance organization subscriber contract.

Section 5. Paragraph (i) of subsection (1) of section 626.9541, Florida Statutes, is amended to read:

626.9541 Unfair methods of competition and unfair or deceptive acts or practices defined.—

(1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS.—The following are defined as unfair methods of competition and unfair or deceptive acts or practices:

(i) Unfair claim settlement practices.—

1. Attempting to settle claims on the basis of an application, when serving as a binder or intended to become a part of the policy, or any other material document which was altered without notice to, or knowledge or consent of, the insured;

2. A material misrepresentation made to an insured or any other person having an interest in the proceeds payable under such contract or policy, for the purpose and with the intent of effecting settlement of such claims, loss, or damage under such contract or policy on less favorable terms than those provided in, and contemplated by, such contract or policy; or

3. Committing or performing with such frequency as to indicate a general business practice any of the following:

a. Failing to adopt and implement standards for the proper investigation of claims;

b. Misrepresenting pertinent facts or insurance policy provisions relating to coverages at issue;

c. Failing to acknowledge and act promptly upon communications with respect to claims;

d. Denying claims without conducting reasonable investigations based upon available information;

e. Failing to affirm or deny full or partial coverage of claims, and, as to partial coverage, the dollar amount or extent of coverage, or failing to provide a written statement that the claim is being investigated, upon the written request of the insured within 30 days after proof-of-loss statements have been completed;

f. Failing to promptly provide a reasonable explanation in writing to the insured of the basis in the insurance policy, in relation to the facts or applicable law, for denial of a claim or for the offer of a compromise settlement;

g. Failing to promptly notify the insured of any additional information necessary for the processing of a claim; or

h. Failing to clearly explain the nature of the requested information and the reasons why such information is necessary.

i. Failing to pay personal injury protection insurance claims within the time periods required by s. 627.736(4)(b). The office may order the insurer to pay restitution to a policyholder, medical provider, or other claimant, including interest at a rate consistent with the amount set forth in s. 55.03(1), for the time period within which an insurer fails to pay claims as required by law. Restitution is in addition to any other penalties allowed by law, including, but not limited to, the suspension of the insurer's certificate of authority.

4. Failing to pay undisputed amounts of partial or full benefits owed under first-party property insurance policies within 90 days after an insurer receives notice of a residential property insurance claim, determines the amounts of partial or full benefits, and agrees to coverage, unless payment of the undisputed benefits is prevented by an act of God, prevented by the impossibility of performance, or due to actions by the insured or claimant that constitute fraud, lack of cooperation, or intentional misrepresentation regarding the claim for which benefits are owed.

Section 6. Subsection (5) of section 626.9894, Florida Statutes, is amended to read:

626.9894 Gifts and grants.—

(5) Notwithstanding ~~the provisions of~~ s. 216.301 and pursuant to s. 216.351, any balance of moneys deposited into the Insurance Regulatory Trust Fund pursuant to this section *or s. 626.9895* remaining at the end of any fiscal year *is* ~~shall be~~ available for carrying out the duties and responsibilities of the division. The department may request annual appropriations from the grants and donations received pursuant to this section *or s. 626.9895* and cash balances in the Insurance Regulatory Trust Fund for the purpose of carrying out its duties and responsibilities related to the division's anti-fraud efforts, including the funding of dedicated prosecutors and related personnel.

Section 7. Section 626.9895, Florida Statutes, is created to read:

626.9895 Motor vehicle insurance fraud direct-support organization.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Division" means the Division of Insurance Fraud of the Department of Financial Services.

(b) "Motor vehicle insurance fraud" means any act defined as a "fraudulent insurance act" under s. 626.989, which relates to the coverage of motor vehicle insurance as described in part XI of chapter 627.

(c) "Organization" means the direct-support organization established under this section.

(2) ORGANIZATION ESTABLISHED.—The division may establish a direct-support organization, to be known as the "Automobile Insurance Fraud Strike Force," whose sole purpose is to support the prosecution, investigation, and prevention of motor vehicle insurance fraud. The organization shall:

(a) Be a not-for-profit corporation incorporated under chapter 617 and approved by the Department of State.

(b) Be organized and operated to conduct programs and activities; raise funds; request and receive grants, gifts, and bequests of money; acquire, receive, hold, invest, and administer, in its own name, securities, funds, objects of value, or other property, real or personal; and make grants and expenditures to or for the direct or indirect benefit of the division, state attorneys' offices, the statewide prosecutor, the Agency for Health Care Administration, and the Department of Health to the extent that such grants and expenditures are used exclusively to advance the prosecution, investigation, or prevention of motor vehicle insurance fraud. Grants and expenditures may include the cost of salaries or benefits of motor vehicle insurance fraud investigators, prosecutors, or support personnel if such grants and expenditures do not interfere with prosecutorial independence or otherwise create conflicts of interest which threaten the success of prosecutions.

(c) Be determined by the division to operate in a manner that promotes the goals of laws relating to motor vehicle insurance fraud, that is in the best interest of the state, and that is in accordance with the adopted goals and mission of the division.

(d) Use all of its grants and expenditures solely for the purpose of preventing and decreasing motor vehicle insurance fraud, and not for advertising using the likeness or name of any elected official nor for the purpose of lobbying as defined in s. 11.045.

(e) Be subject to an annual financial audit in accordance with s. 215.981.

(3) CONTRACT.—The organization shall operate under written contract with the division. The contract must provide for:

(a) Approval of the articles of incorporation and bylaws of the organization by the division.

(b) Submission of an annual budget for approval of the division. The budget must require the organization to minimize costs to the division

and its members at all times by using existing personnel and property and allowing for telephonic meetings if appropriate.

(c) Certification by the division that the organization is complying with the terms of the contract and in a manner consistent with the goals and purposes of the department and in the best interest of the state. Such certification must be made annually and reported in the official minutes of a meeting of the organization.

(d) Allocation of funds to address motor vehicle insurance fraud.

(e) Reversion of moneys and property held in trust by the organization for motor vehicle insurance fraud prosecution, investigation, and prevention to the division if the organization is no longer approved to operate for the department or if the organization ceases to exist, or to the state if the division ceases to exist.

(f) Specific criteria to be used by the organization's board of directors to evaluate the effectiveness of funding used to combat motor vehicle insurance fraud.

(g) The fiscal year of the organization, which begins July 1 of each year and ends June 30 of the following year.

(h) Disclosure of the material provisions of the contract, and distinguishing between the department and the organization to donors of gifts, contributions, or bequests, including providing such disclosure on all promotional and fundraising publications.

(4) BOARD OF DIRECTORS.—

(a) The board of directors of the organization shall consist of the following eleven members:

1. The Chief Financial Officer, or designee, who shall serve as chair.

2. Two state attorneys, one of whom shall be appointed by the Chief Financial Officer and one of whom shall be appointed by the Attorney General.

3. Two representatives of motor vehicle insurers appointed by the Chief Financial Officer.

4. Two representatives of local law enforcement agencies, one of whom shall be appointed by the Chief Financial Officer and one of whom shall be appointed by the Attorney General.

5. Two representatives of the types of health care providers who regularly make claims for benefits under ss. 627.730-627.7405, one of whom shall be appointed by the President of the Senate and one of whom shall be appointed by the Speaker of the House of Representatives. The appointees may not represent the same type of health care provider.

6. A private attorney that has experience in representing claimants in actions for benefits under ss. 627.730-627.7405, who shall be appointed by the President of the Senate.

7. A private attorney who has experience in representing insurers in actions for benefits under ss. 627.730-627.7405, who shall be appointed by the Speaker of the House of Representatives.

(b) The officer who appointed a member of the board may remove that member for any reason. The term of office of an appointed member expires at the same time as the term of the officer who appointed him or her or at such earlier time as the person ceases to be qualified.

(5) USE OF PROPERTY.—The department may authorize, without charge, appropriate use of fixed property and facilities of the division by the organization, subject to this subsection.

(a) The department may prescribe any condition with which the organization must comply in order to use the division's property or facilities.

(b) The department may not authorize the use of the division's property or facilities if the organization does not provide equal membership and employment opportunities to all persons regardless of race, religion, sex, age, or national origin.

(c) The department shall adopt rules prescribing the procedures by which the organization is governed and any conditions with which the organization must comply to use the division's property or facilities.

(6) CONTRIBUTIONS FROM INSURERS.—Contributions from an insurer to the organization shall be allowed as an appropriate business expense of the insurer for all regulatory purposes.

(7) DEPOSITORY ACCOUNT.—Any moneys received by the organization may be held in a separate depository account in the name of the organization and subject to the contract with the division.

(8) DIVISION'S RECEIPT OF PROCEEDS.—Proceeds received by the division from the organization shall be deposited into the Insurance Regulatory Trust Fund.

Section 8. Section 627.7311, Florida Statutes, is created to read:

627.7311 Effect of law on personal injury protection policies.—The provisions and procedures authorized in ss. 627.730-627.7405 shall be implemented by insurers offering policies pursuant to the Florida Motor Vehicle No-Fault Law. The Legislature intends that these provisions and procedures have full force and effect regardless of their express inclusion in an insurance policy form, and a specific provision or procedure authorized in ss. 627.730-627.7405 shall control over general provisions in an insurance policy form. An insurer is not required to amend its policy form or to expressly notify providers, claimants, or insureds in order to implement and apply such provisions or procedures.

Section 9. Effective January 1, 2013, subsections (16) and (17) are added to section 627.732, Florida Statutes, to read:

627.732 Definitions.—As used in ss. 627.730-627.7405, the term:

(16) "Emergency medical condition" means a medical condition manifesting itself by acute symptoms of sufficient severity, which may include severe pain, such that the absence of immediate medical attention could reasonably be expected to result in any of the following:

(a) Serious jeopardy to patient health.

(b) Serious impairment to bodily functions.

(c) Serious dysfunction of any bodily organ or part.

(17) "Entity wholly owned" means a proprietorship, group practice, partnership, or corporation that provides health care services rendered by licensed health care practitioners and in which licensed health care practitioners are the business owners of all aspects of the business entity, including, but not limited to, being reflected as the business owners on the title or lease of the physical facility, filing taxes as the business owners, being account holders on the entity's bank account, being listed as the principals on all incorporation documents required by this state, and having ultimate authority over all personnel and compensation decisions relating to the entity. However, this definition does not apply to an entity that is wholly owned, directly or indirectly, by a hospital licensed under chapter 395.

Section 10. Effective January 1, 2013, subsections (1), (4), (5), (6), (7), (8), (9), (10), and (11) of section 627.736, Florida Statutes, are amended, and subsection (17) is added to that section, to read:

627.736 Required personal injury protection benefits; exclusions; priority; claims.—

(1) REQUIRED BENEFITS.—*An* ~~Every~~ insurance policy complying with the security requirements of s. 627.733 *must* ~~shall~~ provide personal injury protection to the named insured, relatives residing in the same household, persons operating the insured motor vehicle, passengers in *the* ~~such~~ motor vehicle, and other persons struck by *the* ~~such~~ motor vehicle and suffering bodily injury while not an occupant of a self-propelled vehicle, subject to ~~the provisions of~~ subsection (2) and paragraph (4)(e), to a limit of $10,000 *in medical and disability benefits and $5,000 in death benefits resulting from* ~~for loss sustained by any such person as a result of~~ bodily injury, sickness, disease, or death arising out of the ownership, maintenance, or use of a motor vehicle as follows:

(a) *Medical benefits.*—Eighty percent of all reasonable expenses for medically necessary medical, surgical, X-ray, dental, and rehabilitative

services, including prosthetic devices~~,~~ and medically necessary ambulance, hospital, and nursing services *if the individual receives initial services and care pursuant to subparagraph 1. within 14 days after the motor vehicle accident*. ~~However,~~ The medical benefits ~~shall~~ provide reimbursement only for*:* ~~such~~

1. Initial services and care that are lawfully provided, supervised, ordered, or prescribed by a physician licensed under chapter 458 or chapter 459, a dentist licensed under chapter 466, or a chiropractic physician licensed under chapter 460 or that are provided *in a hospital or in a facility that owns, or is wholly owned by, a hospital. Initial services and care may also be provided by a person or entity licensed under part III of chapter 401 which provides emergency transportation and treatment.*

2. Upon referral by a provider described in subparagraph 1., followup services and care consistent with the underlying medical diagnosis rendered pursuant to subparagraph 1. which may be provided, supervised, ordered, or prescribed only by a physician licensed under chapter 458 or chapter 459, a chiropractic physician licensed under chapter 460, a dentist licensed under chapter 466, or, to the extent permitted by applicable law and under the supervision of such physician, osteopathic physician, chiropractic physician, or dentist, by a physician assistant licensed under chapter 458 or chapter 459 or an advanced registered nurse practitioner licensed under chapter 464. Followup services and care may also be provided by any of the following persons or entities:

a.~~1.~~ A hospital or ambulatory surgical center licensed under chapter 395.

~~2. A person or entity licensed under ss. 401.2101-401.45 that provides emergency transportation and treatment.~~

b.~~3.~~ An entity wholly owned by one or more physicians licensed under chapter 458 or chapter 459, chiropractic physicians licensed under chapter 460, or dentists licensed under chapter 466 or by such ~~practitioner or~~ practitioners and the spouse, parent, child, or sibling of *such* ~~that practitioner or those~~ practitioners.

c.~~4.~~ An entity *that owns or is* wholly owned, directly or indirectly, by a hospital or hospitals.

d. A physical therapist licensed under chapter 486, based upon a referral by a provider described in subparagraph 2.

e.~~5.~~ A health care clinic licensed under *part X of chapter 400 which* ~~ss. 400.990-400.995 that~~ is~~:~~

~~a.~~ accredited by the Joint Commission on Accreditation of Healthcare Organizations, the American Osteopathic Association, the Commission on Accreditation of Rehabilitation Facilities, or the Accreditation Association for Ambulatory Health Care, Inc.,~~;~~ or

~~b. A health care clinic that~~:

(I) Has a medical director licensed under chapter 458, chapter 459, or chapter 460;

(II) Has been continuously licensed for more than 3 years or is a publicly traded corporation that issues securities traded on an exchange registered with the United States Securities and Exchange Commission as a national securities exchange; and

(III) Provides at least four of the following medical specialties:

(A) General medicine.

(B) Radiography.

(C) Orthopedic medicine.

(D) Physical medicine.

(E) Physical therapy.

(F) Physical rehabilitation.

(G) Prescribing or dispensing outpatient prescription medication.

(H) Laboratory services.

3. Reimbursement for services and care provided in subparagraph 1. or subparagraph 2. up to $10,000 if a physician licensed under chapter 458 or chapter 459, a dentist licensed under chapter 466, a physician assistant licensed under chapter 458 or chapter 459, or an advanced registered nurse practitioner licensed under chapter 464 has determined that the injured person had an emergency medical condition.

4. Reimbursement for services and care provided in subparagraph 1. or subparagraph 2. is limited to $2,500 if any provider listed in subparagraph 1. or subparagraph 2. determines that the injured person did not have an emergency medical condition.

5. Medical benefits do not include massage as defined in s. 480.033 or acupuncture as defined in s. 457.102, regardless of the person, entity, or licensee providing massage or acupuncture, and a licensed massage therapist or licensed acupuncturist may not be reimbursed for medical benefits under this section.

6. The Financial Services Commission shall adopt by rule the form that must be used by an insurer and a health care provider specified in *sub-subparagraph 2.b., sub-subparagraph 2.c., or sub-subparagraph 2.e.* ~~subparagraph 3., subparagraph 4., or subparagraph 5.~~ to document that the health care provider meets the criteria of this paragraph, which rule must include a requirement for a sworn statement or affidavit.

(b) *Disability benefits.*—Sixty percent of any loss of gross income and loss of earning capacity per individual from inability to work proximately caused by the injury sustained by the injured person, plus all expenses reasonably incurred in obtaining from others ordinary and necessary services in lieu of those that, but for the injury, the injured person would have performed without income for the benefit of his or her household. All disability benefits payable under this provision *must* ~~shall~~ be paid *at least* ~~not less than~~ every 2 weeks.

(c) *Death benefits.*—Death benefits ~~equal to the lesser~~ of $5,000 ~~or the remainder of unused personal injury protection benefits~~ per individual. *Death benefits are in addition to the medical and disability benefits provided under the insurance policy.* The insurer may pay *death* ~~such~~ benefits to the executor or administrator of the deceased, to any of the deceased's relatives by blood*,* ~~or~~ legal adoption*,* or ~~connection by~~ marriage, or to any person appearing to the insurer to be equitably entitled *to such benefits* ~~thereto~~.

Only insurers writing motor vehicle liability insurance in this state may provide the required benefits of this section, and ~~no~~ such insurer *may not* ~~shall~~ require the purchase of any other motor vehicle coverage other than the purchase of property damage liability coverage as required by s. 627.7275 as a condition for providing such ~~required~~ benefits. Insurers may not require that property damage liability insurance in an amount greater than $10,000 be purchased in conjunction with personal injury protection. Such insurers shall make benefits and required property damage liability insurance coverage available through normal marketing channels. *An* ~~Any~~ insurer writing motor vehicle liability insurance in this state who fails to comply with such availability requirement as a general business practice *violates* ~~shall be deemed to have violated~~ part IX of chapter 626, and such violation *constitutes* ~~shall constitute~~ an unfair method of competition or an unfair or deceptive act or practice involving the business of insurance*. An*~~; and any such~~ insurer committing such violation *is* ~~shall be~~ subject to the penalties *provided under that* ~~afforded in such~~ part, as well as those *provided* ~~which may be afforded~~ elsewhere in the insurance code.

(4) *PAYMENT OF* BENEFITS~~; WHEN DUE~~.—Benefits due from an insurer under ss. 627.730-627.7405 *are* ~~shall be~~ primary, except that benefits received under any workers' compensation law *must* ~~shall~~ be credited against the benefits provided by subsection (1) and *are* ~~shall be~~ due and payable as loss accrues~~,~~ upon receipt of reasonable proof of such loss and the amount of expenses and loss incurred which are covered by the policy issued under ss. 627.730-627.7405. *If* ~~When~~ the Agency for Health Care Administration provides, pays, or becomes liable for medical assistance under the Medicaid program related to injury, sickness, disease, or death arising out of the ownership, maintenance, or use of a motor vehicle, *the* benefits under ss. 627.730-627.7405 *are* ~~shall be~~ subject to ~~the provisions of~~ the Medicaid program. *However, within 30 days after receiving notice that the Medicaid program paid such benefits, the insurer shall repay the full amount of the benefits to the Medicaid program.*

(a) An insurer may require written notice to be given as soon as practicable after an accident involving a motor vehicle with respect to which the policy affords the security required by ss. 627.730-627.7405.

(b) Personal injury protection insurance benefits paid pursuant to this section *are* ~~shall be~~ overdue if not paid within 30 days after the insurer is furnished written notice of the fact of a covered loss and of the amount of same. *However:*

1. If ~~such~~ written notice *of the entire claim* is not furnished to the insurer ~~as to the entire claim~~, any partial amount supported by written notice is overdue if not paid within 30 days after ~~such~~ written notice is furnished to the insurer. Any part or all of the remainder of the claim that is subsequently supported by written notice is overdue if not paid within 30 days after ~~such~~ written notice is furnished to the insurer.

2. If ~~When~~ an insurer pays only a portion of a claim or rejects a claim, the insurer shall provide at the time of the partial payment or rejection an itemized specification of each item that the insurer had reduced, omitted, or declined to pay and any information that the insurer desires the claimant to consider related to the medical necessity of the denied treatment or to explain the reasonableness of the reduced charge *if*~~, provided that~~ this *does* ~~shall~~ not limit the introduction of evidence at trial.~~; and~~ The insurer *must also* ~~shall~~ include the name and address of the person to whom the claimant should respond and a claim number to be referenced in future correspondence.

3. If an insurer pays only a portion of a claim or rejects a claim due to an alleged error in the claim, the insurer, at the time of the partial payment or rejection, shall provide an itemized specification or explanation of benefits due to the specified error. Upon receiving the specification or explanation, the person making the claim, at the person's option and without waiving any other legal remedy for payment, has 15 days to submit a revised claim, which shall be considered a timely submission of written notice of a claim.

4. ~~However,~~ Notwithstanding the fact that written notice has been furnished to the insurer, ~~any~~ payment *is* ~~shall~~ not ~~be deemed~~ overdue *if* ~~when~~ the insurer has reasonable proof ~~to establish~~ that the insurer is not responsible for the payment.

5. For the purpose of calculating the extent to which ~~any~~ benefits are overdue, payment shall be treated as being made on the date a draft or other valid instrument *that* ~~which~~ is equivalent to payment was placed in the United States mail in a properly addressed, postpaid envelope or, if not so posted, on the date of delivery.

6. This paragraph does not preclude or limit the ability of the insurer to assert that the claim was unrelated, was not medically necessary, or was unreasonable or that the amount of the charge was in excess of that permitted under, or in violation of, subsection (5). Such assertion ~~by the insurer~~ may be made at any time, including after payment of the claim or after the 30-day ~~time~~ period for payment set forth in this paragraph.

(c) Upon receiving notice of an accident that is potentially covered by personal injury protection benefits, the insurer must reserve $5,000 of personal injury protection benefits for payment to physicians licensed under chapter 458 or chapter 459 or dentists licensed under chapter 466 who provide emergency services and care, as defined in s. 395.002~~(9)~~, or who provide hospital inpatient care. The amount required to be held in reserve may be used only to pay claims from such physicians or dentists until 30 days after the date the insurer receives notice of the accident. After the 30-day period, any amount of the reserve for which the insurer has not received notice of *such claims* ~~a claim from a physician or dentist who provided emergency services and care or who provided hospital inpatient care~~ may ~~then~~ be used by the insurer to pay other claims. The time periods specified in paragraph (b) for ~~required~~ payment of personal injury protection benefits *are* ~~shall be~~ tolled for the period of time that an insurer is required ~~by this paragraph~~ to hold payment of a claim that is not from *such* ~~a~~ physician or dentist ~~who provided emergency services and care or who provided hospital inpatient care~~ to the extent that the personal injury protection benefits not held in reserve are insufficient to pay the claim. This paragraph does not require an insurer to establish a claim reserve for insurance accounting purposes.

(d) All overdue payments ~~shall~~ bear simple interest at the rate established under s. 55.03 or the rate established in the insurance contract, whichever is greater, for the year in which the payment became overdue, calculated from the date the insurer was furnished with written notice of the amount of covered loss. Interest *is* ~~shall be~~ due at the time payment of the overdue claim is made.

(e) The insurer of the owner of a motor vehicle shall pay personal injury protection benefits for:

1. Accidental bodily injury sustained in this state by the owner while occupying a motor vehicle, or while not an occupant of a self-propelled vehicle if the injury is caused by physical contact with a motor vehicle.

2. Accidental bodily injury sustained outside this state, but within the United States of America or its territories or possessions or Canada, by the owner while occupying the owner's motor vehicle.

3. Accidental bodily injury sustained by a relative of the owner residing in the same household, under the circumstances described in subparagraph 1. or subparagraph 2., *if* ~~provided~~ the relative at the time of the accident is domiciled in the owner's household and is not ~~himself or herself~~ the owner of a motor vehicle with respect to which security is required under ss. 627.730-627.7405.

4. Accidental bodily injury sustained in this state by any other person while occupying the owner's motor vehicle or, if a resident of this state, while not an occupant of a self-propelled vehicle~~,~~ if the injury is caused by physical contact with such motor vehicle, *if* ~~provided~~ the injured person is not ~~himself or herself~~:

a. The owner of a motor vehicle with respect to which security is required under ss. 627.730-627.7405; or

b. Entitled to personal injury benefits from the insurer of the owner ~~or owners~~ of such a motor vehicle.

(f) If two or more insurers are liable *for paying* ~~to pay~~ personal injury protection benefits for the same injury to any one person, the maximum payable *is* ~~shall be~~ as specified in subsection (1), and *the* ~~any~~ insurer paying the benefits *is* ~~shall be~~ entitled to recover from each of the other insurers an equitable pro rata share of the benefits paid and expenses incurred in processing the claim.

(g) It is a violation of the insurance code for an insurer to fail to timely provide benefits as required by this section with such frequency as to constitute a general business practice.

(h) Benefits *are* ~~shall~~ not ~~be~~ due or payable to or on the behalf of an insured person if that person has committed, by a material act or omission, ~~any~~ insurance fraud relating to personal injury protection coverage under his or her policy, if the fraud is admitted to in a sworn statement by the insured or ~~if it is~~ established in a court of competent jurisdiction. Any insurance fraud *voids* ~~shall void~~ all coverage arising from the claim related to such fraud under the personal injury protection coverage of the insured person who committed the fraud, irrespective of whether a portion of the insured person's claim may be legitimate, and any benefits paid *before* ~~prior to~~ the discovery of the ~~insured person's insurance~~ fraud *is* ~~shall be~~ recoverable by the insurer *in its entirety* from the person who committed insurance fraud ~~in their entirety~~. The prevailing party is entitled to its costs and *attorney* ~~attorney's~~ fees in any action in which it prevails in an insurer's action to enforce its right of recovery under this paragraph.

(i) If an insurer has a reasonable belief that a fraudulent insurance act, for the purposes of s. 626.989 or s. 817.234, has been committed, the insurer shall notify the claimant, in writing, within 30 days after submission of the claim that the claim is being investigated for suspected fraud. Beginning at the end of the initial 30-day period, the insurer has an additional 60 days to conduct its fraud investigation. Notwithstanding subsection (10), no later than 90 days after the submission of the claim, the insurer must deny the claim or pay the claim with simple interest as provided in paragraph (d). Interest shall be assessed from the day the claim was submitted until the day the claim is paid. All claims denied for suspected fraudulent insurance acts shall be reported to the Division of Insurance Fraud.

(j) An insurer shall create and maintain for each insured a log of personal injury protection benefits paid by the insurer on behalf of the insured. If litigation is commenced, the insurer shall provide to the insured a copy of the log within 30 days after receiving a request for the log from the insured.

(5) CHARGES FOR TREATMENT OF INJURED PERSONS.—

(a)~~1.~~ *A* ~~Any~~ physician, hospital, clinic, or other person or institution lawfully rendering treatment to an injured person for a bodily injury covered by personal injury protection insurance may charge the insurer and injured party only a reasonable amount pursuant to this section for the services and supplies rendered, and the insurer providing such coverage may pay for such charges directly to such person or institution lawfully rendering such treatment~~,~~ if the insured receiving such treatment or his or her guardian has countersigned the properly completed invoice, bill, or claim form approved by the office upon which such charges are to be paid for as having actually been rendered, to the best knowledge of the insured or his or her guardian. ~~In no event,~~ However, ~~may~~ such a charge *may not exceed* ~~be in excess of~~ the amount the person or institution customarily charges for like services or supplies. *In determining* ~~With respect to a determination of~~ whether a charge for a particular service, treatment, or otherwise is reasonable, consideration may be given to evidence of usual and customary charges and payments accepted by the provider involved in the dispute, ~~and~~ reimbursement levels in the community and various federal and state medical fee schedules applicable to *motor vehicle* ~~automobile~~ and other insurance coverages, and other information relevant to the reasonableness of the reimbursement for the service, treatment, or supply.

1.~~2.~~ The insurer may limit reimbursement to 80 percent of the following schedule of maximum charges:

a. For emergency transport and treatment by providers licensed under chapter 401, 200 percent of Medicare.

b. For emergency services and care provided by a hospital licensed under chapter 395, 75 percent of the hospital's usual and customary charges.

c. For emergency services and care as defined by s. 395.002~~(9)~~ provided in a facility licensed under chapter 395 rendered by a physician or dentist, and related hospital inpatient services rendered by a physician or dentist, the usual and customary charges in the community.

d. For hospital inpatient services, other than emergency services and care, 200 percent of the Medicare Part A prospective payment applicable to the specific hospital providing the inpatient services.

e. For hospital outpatient services, other than emergency services and care, 200 percent of the Medicare Part A Ambulatory Payment Classification for the specific hospital providing the outpatient services.

f. For all other medical services, supplies, and care, 200 percent of the allowable amount under*:*

(I) The participating physicians *fee* schedule of Medicare Part B*, except as provided in sub-sub-subparagraphs (II) and (III).*

(II) Medicare Part B, in the case of services, supplies, and care provided by ambulatory surgical centers and clinical laboratories.

(III) The Durable Medical Equipment Prosthetics/Orthotics and Supplies fee schedule of Medicare Part B, in the case of durable medical equipment.

However, if such services, supplies, or care is not reimbursable under Medicare Part B, *as provided in this sub-subparagraph,* the insurer may limit reimbursement to 80 percent of the maximum reimbursable allowance under workers' compensation, as determined under s. 440.13 and rules adopted thereunder which are in effect at the time such services, supplies, or care is provided. Services, supplies, or care that is not reimbursable under Medicare or workers' compensation is not required to be reimbursed by the insurer.

2.~~3.~~ For purposes of subparagraph *1.* ~~2.~~, the applicable fee schedule or payment limitation under Medicare is the fee schedule or payment limitation in effect *on March 1 of the year in which* ~~at the time~~ the services, supplies, or care *is* ~~was~~ rendered and for the area in which such services*, supplies, or care is* ~~were~~ rendered*, and the applicable fee schedule or payment limitation applies throughout the remainder of that year, notwithstanding any subsequent change made to the fee schedule or payment limitation*, except that it may not be less than the allowable amount under the *applicable* ~~participating physicians~~ schedule of Medicare Part B for 2007 for medical services, supplies, and care subject to Medicare Part B.

3.~~4.~~ Subparagraph *1.* ~~2.~~ does not allow the insurer to apply any limitation on the number of treatments or other utilization limits that apply under Medicare or workers' compensation. An insurer that applies the allowable payment limitations of subparagraph *1.* ~~2.~~ must reimburse a provider who lawfully provided care or treatment under the scope of his or her license, regardless of whether such provider *is* ~~would be~~ entitled to reimbursement under Medicare due to restrictions or limitations on the types or discipline of health care providers who may be reimbursed for particular procedures or procedure codes. *However, subparagraph 1. does not prohibit an insurer from using the Medicare coding policies and payment methodologies of the federal Centers for Medicare and Medicaid Services, including applicable modifiers, to determine the appropriate amount of reimbursement for medical services, supplies, or care if the coding policy or payment methodology does not constitute a utilization limit.*

4.~~5.~~ If an insurer limits payment as authorized by subparagraph *1.* ~~2.~~, the person providing such services, supplies, or care may not bill or attempt to collect from the insured any amount in excess of such limits, except for amounts that are not covered by the insured's personal injury protection coverage due to the coinsurance amount or maximum policy limits.

5. Effective July 1, 2012, an insurer may limit payment as authorized by this paragraph only if the insurance policy includes a notice at the time of issuance or renewal that the insurer may limit payment pursuant to the schedule of charges specified in this paragraph. A policy form approved by the office satisfies this requirement. If a provider submits a charge for an amount less than the amount allowed under subparagraph 1., the insurer may pay the amount of the charge submitted.

(b)1. An insurer or insured is not required to pay a claim or charges:

a. Made by a broker or by a person making a claim on behalf of a broker;

b. For any service or treatment that was not lawful at the time rendered;

c. To any person who knowingly submits a false or misleading statement relating to the claim or charges;

d. With respect to a bill or statement that does not substantially meet the applicable requirements of paragraph (d);

e. For any treatment or service that is upcoded, or that is unbundled when such treatment or services should be bundled, in accordance with paragraph (d). To facilitate prompt payment of lawful services, an insurer may change codes that it determines ~~to~~ have been improperly or incorrectly upcoded or unbundled~~,~~ and may make payment based on the changed codes, without affecting the right of the provider to dispute the change by the insurer, *if,* ~~provided that~~ before doing so, the insurer *contacts* ~~must contact~~ the health care provider and *discusses* ~~discuss~~ the reasons for the insurer's change and the health care provider's reason for the coding, or *makes* ~~make~~ a reasonable good faith effort to do so, as documented in the insurer's file; and

f. For medical services or treatment billed by a physician and not provided in a hospital unless such services are rendered by the physician or are incident to his or her professional services and are included on the physician's bill, including documentation verifying that the physician is responsible for the medical services that were rendered and billed.

2. The Department of Health, in consultation with the appropriate professional licensing boards, shall adopt, by rule, a list of diagnostic tests deemed not to be medically necessary for use in the treatment of persons sustaining bodily injury covered by personal injury protection benefits under this section. The ~~initial~~ list ~~shall be adopted by January 1, 2004, and~~ shall be revised from time to time as determined by the Department of Health, in consultation with the respective professional licensing boards. Inclusion of a test on the list ~~of invalid diagnostic tests~~ shall be based on lack of demonstrated medical value and a level of general acceptance by the relevant provider community and *may* ~~shall~~ not be dependent for results entirely upon subjective patient response. Notwithstanding its inclusion on a fee schedule in this subsection, an

insurer or insured is not required to pay any charges or reimburse claims for *an* ~~any~~ invalid diagnostic test as determined by the Department of Health.

(c)~~1.~~ With respect to any treatment or service, other than medical services billed by a hospital or other provider for emergency services *and care* as defined in s. 395.002 or inpatient services rendered at a hospital-owned facility, the statement of charges must be furnished to the insurer by the provider and may not include, and the insurer is not required to pay, charges for treatment or services rendered more than 35 days before the postmark date or electronic transmission date of the statement, except for past due amounts previously billed on a timely basis under this paragraph, and except that, if the provider submits to the insurer a notice of initiation of treatment within 21 days after its first examination or treatment of the claimant, the statement may include charges for treatment or services rendered up to, but not more than, 75 days before the postmark date of the statement. The injured party is not liable for, and the provider *may* ~~shall~~ not bill the injured party for, charges that are unpaid because of the provider's failure to comply with this paragraph. Any agreement requiring the injured person or insured to pay for such charges is unenforceable.

1.~~2.~~ If~~, however,~~ the insured fails to furnish the provider with the correct name and address of the insured's personal injury protection insurer, the provider has 35 days from the date the provider obtains the correct information to furnish the insurer with a statement of the charges. The insurer is not required to pay for such charges unless the provider includes with the statement documentary evidence that was provided by the insured during the 35-day period demonstrating that the provider reasonably relied on erroneous information from the insured and either:

a. A denial letter from the incorrect insurer; or

b. Proof of mailing, which may include an affidavit under penalty of perjury, reflecting timely mailing to the incorrect address or insurer.

2.~~3.~~ For emergency services and care ~~as defined in s. 395.002~~ rendered in a hospital emergency department or for transport and treatment rendered by an ambulance provider licensed pursuant to part III of chapter 401, the provider is not required to furnish the statement of charges within the time periods established by this paragraph*,*~~;~~ and the insurer *is* ~~shall~~ not ~~be~~ considered to have been furnished with notice of the amount of covered loss for purposes of paragraph (4)(b) until it receives a statement complying with paragraph (d), or copy thereof, which specifically identifies the place of service to be a hospital emergency department or an ambulance in accordance with billing standards recognized by the *federal Centers for Medicare and Medicaid Services* ~~Health Care Finance Administration~~.

3.~~4.~~ Each notice of *the* insured's rights under s. 627.7401 must include the following statement *in at least 12-point type* ~~in type no smaller than 12 points~~:

> BILLING REQUIREMENTS.—Florida *law provides* ~~Statutes provide~~ that with respect to any treatment or services, other than certain hospital and emergency services, the statement of charges furnished to the insurer by the provider may not include, and the insurer and the injured party are not required to pay, charges for treatment or services rendered more than 35 days before the postmark date of the statement, except for past due amounts previously billed on a timely basis, and except that, if the provider submits to the insurer a notice of initiation of treatment within 21 days after its first examination or treatment of the claimant, the statement may include charges for treatment or services rendered up to, but not more than, 75 days before the postmark date of the statement.

(d) All statements and bills for medical services rendered by *a* ~~any~~ physician, hospital, clinic, or other person or institution shall be submitted to the insurer on a properly completed Centers for Medicare and Medicaid Services (CMS) 1500 form, UB 92 forms, or any other standard form approved by the office or adopted by the commission for purposes of this paragraph. All billings for such services rendered by providers *must* ~~shall~~, to the extent applicable, follow the Physicians' Current Procedural Terminology (CPT) or Healthcare Correct Procedural Coding System (HCPCS), or ICD-9 in effect for the year in which services are rendered and comply with the ~~Centers for Medicare and Medicaid Services (~~CMS~~)~~ 1500 form instructions*,* ~~and~~ the American Medical Association ~~Current Procedural Terminology (~~CPT~~)~~ Editorial Panel*,* and *the* ~~Healthcare Correct Procedural Coding System (~~HCPCS~~)~~. All providers*,* other than hospitals*, must* ~~shall~~ include on the applicable claim form the professional license number of the provider in the line or space provided for "Signature of Physician or Supplier, Including Degrees or Credentials." In determining compliance with applicable CPT and HCPCS coding, guidance shall be provided by the Physicians' Current Procedural Terminology (CPT) or the Healthcare Correct Procedural Coding System (HCPCS) in effect for the year in which services were rendered, the Office of the Inspector General ~~(OIG)~~, Physicians Compliance Guidelines, and other authoritative treatises designated by rule by the Agency for Health Care Administration. *A* ~~No~~ statement of medical services may *not* include charges for medical services of a person or entity that performed such services without possessing the valid licenses required to perform such services. For purposes of paragraph (4)(b), an insurer *is* ~~shall~~ not ~~be~~ considered to have been furnished with notice of the amount of covered loss or medical bills due unless the statements or bills comply with this paragraph~~,~~ and ~~unless the statements or bills~~ are properly completed in their entirety as to all material provisions, with all relevant information being provided therein.

(e)1. At the initial treatment or service provided, each physician, other licensed professional, clinic, or other medical institution providing medical services upon which a claim for personal injury protection benefits is based shall require an insured person, or his or her guardian, to execute a disclosure and acknowledgment form, which reflects at a minimum that:

a. The insured, or his or her guardian, must countersign the form attesting to the fact that the services set forth therein were actually rendered;

b. The insured, or his or her guardian, has both the right and affirmative duty to confirm that the services were actually rendered;

c. The insured, or his or her guardian, was not solicited by any person to seek any services from the medical provider;

d. The physician, other licensed professional, clinic, or other medical institution rendering services for which payment is being claimed explained the services to the insured or his or her guardian; and

e. If the insured notifies the insurer in writing of a billing error, the insured may be entitled to a certain percentage of a reduction in the amounts paid by the insured's motor vehicle insurer.

2. The physician, other licensed professional, clinic, or other medical institution rendering services for which payment is being claimed has the affirmative duty to explain the services rendered to the insured, or his or her guardian, so that the insured, or his or her guardian, countersigns the form with informed consent.

3. Countersignature by the insured, or his or her guardian, is not required for the reading of diagnostic tests or other services that are of such a nature that they are not required to be performed in the presence of the insured.

4. The licensed medical professional rendering treatment for which payment is being claimed must sign, by his or her own hand, the form complying with this paragraph.

5. The original completed disclosure and acknowledgment form shall be furnished to the insurer pursuant to paragraph (4)(b) and may not be electronically furnished.

6. *The* ~~This~~ disclosure and acknowledgment form is not required for services billed by a provider ~~for emergency services as defined in s. 395.002,~~ for emergency services and care as defined in s. 395.002 rendered in a hospital emergency department, or for transport and treatment rendered by an ambulance provider licensed pursuant to part III of chapter 401.

7. The Financial Services Commission shall adopt, by rule, a standard disclosure and acknowledgment form *to* ~~that shall~~ be used to fulfill the requirements of this paragraph~~, effective 90 days after such form is adopted and becomes final. The commission shall adopt a proposed rule by October 1, 2003. Until the rule is final, the provider may use a form of its own which otherwise complies with the requirements of this paragraph.~~

8. As used in this paragraph, *the term "countersign" or "countersignature"* ~~"countersigned"~~ means a second or verifying signature, as on a previously signed document, and is not satisfied by the statement "signature on file" or any similar statement.

9. The requirements of this paragraph apply only with respect to the initial treatment or service of the insured by a provider. For subsequent treatments or service, the provider must maintain a patient log signed by the patient, in chronological order by date of service, *which* ~~that~~ is consistent with the services being rendered to the patient as claimed. The *requirement to maintain* ~~requirements of this subparagraph for maintaining~~ a patient log signed by the patient may be met by a hospital that maintains medical records as required by s. 395.3025 and applicable rules and makes such records available to the insurer upon request.

(f) Upon written notification by any person, an insurer shall investigate any claim of improper billing by a physician or other medical provider. The insurer shall determine if the insured was properly billed for only those services and treatments that the insured actually received. If the insurer determines that the insured has been improperly billed, the insurer shall notify the insured, the person making the written notification, and the provider of its findings and ~~shall~~ reduce the amount of payment to the provider by the amount determined to be improperly billed. If a reduction is made due to *a* ~~such~~ written notification by any person, the insurer shall pay to the person 20 percent of the amount of the reduction, up to $500. If the provider is arrested due to the improper billing, ~~then~~ the insurer shall pay to the person 40 percent of the amount of the reduction, up to $500.

(g) An insurer may not systematically downcode with the intent to deny reimbursement otherwise due. Such action constitutes a material misrepresentation under s. 626.9541(1)(i)2.

(h) As provided in s. 400.9905, an entity excluded from the definition of a clinic shall be deemed a clinic and must be licensed under part X of chapter 400 in order to receive reimbursement under ss. 627.730-627.7405. However, this licensing requirement does not apply to:

1. An entity wholly owned by a physician licensed under chapter 458 or chapter 459, or by the physician and the spouse, parent, child, or sibling of the physician;

2. An entity wholly owned by a dentist licensed under chapter 466, or by the dentist and the spouse, parent, child, or sibling of the dentist;

3. An entity wholly owned by a chiropractic physician licensed under chapter 460, or by the chiropractic physician and the spouse, parent, child, or sibling of the chiropractic physician;

4. A hospital or ambulatory surgical center licensed under chapter 395;

5. An entity that wholly owns or is wholly owned, directly or indirectly, by a hospital or hospitals licensed under chapter 395; or

6. An entity that is a clinical facility affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows.

(6) DISCOVERY OF FACTS ABOUT AN INJURED PERSON; DISPUTES.—

(a) ~~Every employer shall,~~ If a request is made by an insurer providing personal injury protection benefits under ss. 627.730-627.7405 against whom a claim has been made, *an employer must* furnish ~~forthwith~~, in a form approved by the office, a sworn statement of the earnings, since the time of the bodily injury and for a reasonable period before the injury, of the person upon whose injury the claim is based.

(b) Every physician, hospital, clinic, or other medical institution providing, before or after bodily injury upon which a claim for personal injury protection insurance benefits is based, any products, services, or accommodations in relation to that or any other injury, or in relation to a condition claimed to be connected with that or any other injury, shall, if requested ~~to do so~~ by the insurer against whom the claim has been made, furnish ~~forthwith~~ a written report of the history, condition, treatment, dates, and costs of such treatment of the injured person and why the items identified by the insurer were reasonable in amount and medically necessary, together with a sworn statement that the treatment or services rendered were reasonable and necessary with respect to the bodily injury sustained and identifying which portion of the expenses for such treatment or services was incurred as a result of such bodily injury, and produce ~~forthwith~~, and *allow* ~~permit~~ the inspection and copying of, his or her or its records regarding such history, condition, treatment, dates, and costs of treatment *if*~~; provided that~~ this *does* ~~shall~~ not limit the introduction of evidence at trial. Such sworn statement *must* ~~shall~~ read as follows: "Under penalty of perjury, I declare that I have read the foregoing, and the facts alleged are true, to the best of my knowledge and belief." *A* ~~No~~ cause of action for violation of the physician-patient privilege or invasion of the right of privacy *may not be brought* ~~shall be permitted~~ against any physician, hospital, clinic, or other medical institution complying with ~~the provisions of~~ this section. The person requesting such records and such sworn statement shall pay all reasonable costs connected therewith. If an insurer makes a written request for documentation or information under this paragraph within 30 days after having received notice of the amount of a covered loss under paragraph (4)(a), the amount or the partial amount *that* ~~which~~ is the subject of the insurer's inquiry *is* ~~shall become~~ overdue if the insurer does not pay in accordance with paragraph (4)(b) or within 10 days after the insurer's receipt of the requested documentation or information, whichever occurs later. *As used in* ~~For purposes of~~ this paragraph, the term "receipt" includes, but is not limited to, inspection and copying pursuant to this paragraph. *An* ~~Any~~ insurer that requests documentation or information pertaining to reasonableness of charges or medical necessity under this paragraph without a reasonable basis for such requests as a general business practice is engaging in an unfair trade practice under the insurance code.

(c) In the event of *a* ~~any~~ dispute regarding an insurer's right to discovery of facts under this section, the insurer may petition a court of competent jurisdiction to enter an order permitting such discovery. The order may be made only on motion for good cause shown and upon notice to all persons having an interest, and *must* ~~it shall~~ specify the time, place, manner, conditions, and scope of the discovery. ~~Such court may,~~ In order to protect against annoyance, embarrassment, or oppression, as justice requires, *the court may* enter an order refusing discovery or specifying conditions of discovery and may order payments of costs and expenses of the proceeding, including reasonable fees for the appearance of attorneys at the proceedings, as justice requires.

(d) The injured person shall be furnished, upon request, a copy of all information obtained by the insurer under ~~the provisions of~~ this section, and ~~shall~~ pay a reasonable charge, if required by the insurer.

(e) Notice to an insurer of the existence of a claim *may* ~~shall~~ not be unreasonably withheld by an insured.

(f) In a dispute between the insured and the insurer, or between an assignee of the insured's rights and the insurer, upon request, the insurer must notify the insured or the assignee that the policy limits under this section have been reached within 15 days after the limits have been reached.

(g) An insured seeking benefits under ss. 627.730–627.7405, including an omnibus insured, must comply with the terms of the policy, which include, but are not limited to, submitting to an examination under oath. The scope of questioning during the examination under oath is limited to relevant information or information that could reasonably be expected to lead to relevant information. Compliance with this paragraph is a condition precedent to receiving benefits. An insurer that, as a general business practice as determined by the office, requests an examination under oath of an insured or an omnibus insured without a reasonable basis is subject to s. 626.9541.

(7) MENTAL AND PHYSICAL EXAMINATION OF INJURED PERSON; REPORTS.—

(a) Whenever the mental or physical condition of an injured person covered by personal injury protection is material to any claim that has been or may be made for past or future personal injury protection insurance benefits, such person shall, upon the request of an insurer, submit to mental or physical examination by a physician or physicians. The costs of any examinations requested by an insurer shall be borne entirely by the insurer. Such examination shall be conducted within the municipality where the insured is receiving treatment, or in a location reasonably accessible to the insured, which, for purposes of this paragraph, means any location within the municipality in which the insured

resides, or any location within 10 miles by road of the insured's residence, provided such location is within the county in which the insured resides. If the examination is to be conducted in a location reasonably accessible to the insured, and if there is no qualified physician to conduct the examination in a location reasonably accessible to the insured, ~~then~~ such examination shall be conducted in an area of the closest proximity to the insured's residence. Personal protection insurers are authorized to include reasonable provisions in personal injury protection insurance policies for mental and physical examination of those claiming personal injury protection insurance benefits. An insurer may not withdraw payment of a treating physician without the consent of the injured person covered by the personal injury protection, unless the insurer first obtains a valid report by a Florida physician licensed under the same chapter as the treating physician whose treatment authorization is sought to be withdrawn, stating that treatment was not reasonable, related, or necessary. A valid report is one that is prepared and signed by the physician examining the injured person or reviewing the treatment records of the injured person and is factually supported by the examination and treatment records if reviewed and that has not been modified by anyone other than the physician. The physician preparing the report must be in active practice, unless the physician is physically disabled. Active practice means that during the 3 years immediately preceding the date of the physical examination or review of the treatment records the physician must have devoted professional time to the active clinical practice of evaluation, diagnosis, or treatment of medical conditions or to the instruction of students in an accredited health professional school or accredited residency program or a clinical research program that is affiliated with an accredited health professional school or teaching hospital or accredited residency program. The physician preparing a report at the request of an insurer and physicians rendering expert opinions on behalf of persons claiming medical benefits for personal injury protection, or on behalf of an insured through an attorney or another entity, shall maintain, for at least 3 years, copies of all examination reports as medical records and shall maintain, for at least 3 years, records of all payments for the examinations and reports. Neither an insurer nor any person acting at the direction of or on behalf of an insurer may materially change an opinion in a report prepared under this paragraph or direct the physician preparing the report to change such opinion. The denial of a payment as the result of such a changed opinion constitutes a material misrepresentation under s. 626.9541(1)(i) 2.; however, this provision does not preclude the insurer from calling to the attention of the physician errors of fact in the report based upon information in the claim file.

(b) If requested by the person examined, a party causing an examination to be made shall deliver to him or her a copy of every written report concerning the examination rendered by an examining physician, at least one of which reports must set out the examining physician's findings and conclusions in detail. After such request and delivery, the party causing the examination to be made is entitled, upon request, to receive from the person examined every written report available to him or her or his or her representative concerning any examination, previously or thereafter made, of the same mental or physical condition. By requesting and obtaining a report of the examination so ordered, or by taking the deposition of the examiner, the person examined waives any privilege he or she may have, in relation to the claim for benefits, regarding the testimony of every other person who has examined, or may thereafter examine, him or her in respect to the same mental or physical condition. If a person unreasonably refuses to submit to *or fails to appear at* an examination, the personal injury protection carrier is no longer liable for subsequent personal injury protection benefits. *An insured's refusal to submit to or failure to appear at two examinations raises a rebuttable presumption that the insured's refusal or failure was unreasonable.*

(8) APPLICABILITY OF PROVISION REGULATING *ATTORNEY* ~~ATTORNEY'S~~ FEES.—With respect to any dispute under the provisions of ss. 627.730-627.7405 between the insured and the insurer, or between an assignee of an insured's rights and the insurer, the provisions of *ss.* ~~s.~~ 627.428 *and 768.79* ~~shall~~ apply, except as provided in subsections (10) and (15)*, and except that any attorney fees recovered must:*

(a) Comply with prevailing professional standards;

(b) Not overstate or inflate the number of hours reasonably necessary for a case of comparable skill or complexity; and

(c) Represent legal services that are reasonable and necessary to achieve the result obtained.

Upon request by either party, a judge must make written findings, substantiated by evidence presented at trial or any hearings associated therewith, that any award of attorney fees complies with this subsection. Notwithstanding s. 627.428, attorney fees recovered under ss. 627.730-627.7405 must be calculated without regard to a contingency risk multiplier.

(9) *PREFERRED PROVIDERS.*—An insurer may negotiate and *contract* ~~enter into contracts~~ with *preferred* ~~licensed health care~~ providers for the benefits described in this section, ~~referred to in this section as "preferred providers,"~~ which ~~shall~~ include health care providers licensed under *chapter* ~~chapters~~ 458, *chapter* 459, *chapter* 460, *chapter* 461, *or chapter* ~~and~~ 463. The insurer may provide an option to an insured to use a preferred provider at the time of *purchasing* ~~purchase of~~ the policy for personal injury protection benefits, if the requirements of this subsection are met. If the insured elects to use a provider who is not a preferred provider, whether the insured purchased a preferred provider policy or a nonpreferred provider policy, the medical benefits provided by the insurer shall be as required by this section. If the insured elects to use a provider who is a preferred provider, the insurer may pay medical benefits in excess of the benefits required by this section and may waive or lower the amount of any deductible that applies to such medical benefits. If the insurer offers a preferred provider policy to a policyholder or applicant, it must also offer a nonpreferred provider policy. The insurer shall provide each *insured* ~~policyholder~~ with a current roster of preferred providers in the county in which the insured resides at the time of purchase of such policy, and shall make such list available for public inspection during regular business hours at the *insurer's* principal office ~~of the insurer~~ within the state.

(10) DEMAND LETTER.—

(a) As a condition precedent to filing any action for benefits under this section, ~~the insurer must be provided with~~ written notice of an intent to initiate litigation *must be provided to the insurer*. Such notice may not be sent until the claim is overdue, including any additional time the insurer has to pay the claim pursuant to paragraph (4)(b).

(b) The notice *must* ~~required shall~~ state that it is a "demand letter under s. 627.736~~(10)~~" and ~~shall~~ state with specificity:

1. The name of the insured upon which such benefits are being sought, including a copy of the assignment giving rights to the claimant if the claimant is not the insured.

2. The claim number or policy number upon which such claim was originally submitted to the insurer.

3. To the extent applicable, the name of any medical provider who rendered to an insured the treatment, services, accommodations, or supplies that form the basis of such claim; and an itemized statement specifying each exact amount, the date of treatment, service, or accommodation, and the type of benefit claimed to be due. A completed form satisfying the requirements of paragraph (5)(d) or the lost-wage statement previously submitted may be used as the itemized statement. To the extent that the demand involves an insurer's withdrawal of payment under paragraph (7)(a) for future treatment not yet rendered, the claimant shall attach a copy of the insurer's notice withdrawing such payment and an itemized statement of the type, frequency, and duration of future treatment claimed to be reasonable and medically necessary.

(c) Each notice required by this subsection must be delivered to the insurer by United States certified or registered mail, return receipt requested. Such postal costs shall be reimbursed by the insurer if ~~so~~ requested by the claimant in the notice, when the insurer pays the claim. Such notice must be sent to the person and address specified by the insurer for the purposes of receiving notices under this subsection. Each licensed insurer, whether domestic, foreign, or alien, shall file with the office ~~designation of~~ the name and address of the *designated* person to whom notices *must* ~~pursuant to this subsection shall~~ be sent which the office shall make available on its Internet website. The name and address on file with the office pursuant to s. 624.422 *are* ~~shall be~~ deemed the authorized representative to accept notice pursuant to this subsection *if* ~~in the event~~ no other designation has been made.

(d) If, within 30 days after receipt of notice by the insurer, the overdue claim specified in the notice is paid by the insurer together with applicable interest and a penalty of 10 percent of the overdue amount paid by the insurer, subject to a maximum penalty of $250, no action may be brought against the insurer. If the demand involves an insurer's withdrawal of payment under paragraph (7)(a) for future treatment not yet rendered, no action may be brought against the insurer if, within 30 days after its receipt of the notice, the insurer mails to the person filing the notice a written statement of the insurer's agreement to pay for such treatment in accordance with the notice and to pay a penalty of 10 percent, subject to a maximum penalty of $250, when it pays for such future treatment in accordance with the requirements of this section. To the extent the insurer determines not to pay any amount demanded, the penalty *is* ~~shall~~ not ~~be~~ payable in any subsequent action. For purposes of this subsection, payment or the insurer's agreement shall be treated as being made on the date a draft or other valid instrument that is equivalent to payment, or the insurer's written statement of agreement, is placed in the United States mail in a properly addressed, postpaid envelope, or if not so posted, on the date of delivery. The insurer is not obligated to pay any *attorney* ~~attorney's~~ fees if the insurer pays the claim or mails its agreement to pay for future treatment within the time prescribed by this subsection.

(e) The applicable statute of limitation for an action under this section shall be tolled for ~~a period of~~ 30 business days by the mailing of the notice required by this subsection.

~~(f) Any insurer making a general business practice of not paying valid claims until receipt of the notice required by this subsection is engaging in an unfair trade practice under the insurance code.~~

(11) FAILURE TO PAY VALID CLAIMS; UNFAIR OR DECEPTIVE PRACTICE.—

(a) ~~If~~ An insurer ~~fails to pay valid claims for personal injury protection with such frequency so as to indicate a general business practice, the insurer~~ is engaging in a prohibited unfair or deceptive practice that is subject to the penalties provided in s. 626.9521 and the office has the powers and duties specified in ss. 626.9561-626.9601 *if the insurer, with such frequency so as to indicate a general business practice:* ~~with respect thereto~~

1. Fails to pay valid claims for personal injury protection; or

2. Fails to pay valid claims until receipt of the notice required by subsection (10).

(b) Notwithstanding s. 501.212, the Department of Legal Affairs may investigate and initiate actions for a violation of this subsection, including, but not limited to, the powers and duties specified in part II of chapter 501.

(17) NONREIMBURSIBLE CLAIMS.-Claims generated as a result of activities that are unlawful pursuant to s. 817.505 are not reimbursable under the Florida Motor Vehicle No-Fault Law.

Section 11. Effective December 1, 2012, subsection (16) of section 627.736, Florida Statutes, is amended to read:

627.736 Required personal injury protection benefits; exclusions; priority; claims.—

(16) SECURE ELECTRONIC DATA TRANSFER.~~—If all parties mutually and expressly agree,~~ A notice, documentation, transmission, or communication of any kind required or authorized under ss. 627.730-627.7405 may be transmitted electronically if it is transmitted by secure electronic data transfer that is consistent with state and federal privacy and security laws.

Section 12. Section 627.7405, Florida Statutes, is amended to read:

627.7405 Insurers' right of reimbursement.—

(1) Notwithstanding ~~any other provisions of~~ ss. 627.730-627.7405, *an* ~~any~~ insurer providing personal injury protection benefits on a private passenger motor vehicle shall have, to the extent of any personal injury protection benefits paid to any person as a benefit arising out of such private passenger motor vehicle insurance, a right of reimbursement against the owner or the insurer of the owner of a commercial motor vehicle, if the benefits paid result from such person having been an occupant of the commercial motor vehicle or having been struck by the commercial motor vehicle while not an occupant of any self-propelled vehicle.

(2) The insurer's right of reimbursement under this section does not apply to an owner or registrant as identified in s. 627.733(1)(b).

Section 13. Subsections (1), (10), and (13) of section 817.234, Florida Statutes, are amended to read:

817.234 False and fraudulent insurance claims.—

(1)(a) A person commits insurance fraud punishable as provided in subsection (11) if that person, with the intent to injure, defraud, or deceive any insurer:

1. Presents or causes to be presented any written or oral statement as part of, or in support of, a claim for payment or other benefit pursuant to an insurance policy or a health maintenance organization subscriber or provider contract, knowing that such statement contains any false, incomplete, or misleading information concerning any fact or thing material to such claim;

2. Prepares or makes any written or oral statement that is intended to be presented to any insurer in connection with, or in support of, any claim for payment or other benefit pursuant to an insurance policy or a health maintenance organization subscriber or provider contract, knowing that such statement contains any false, incomplete, or misleading information concerning any fact or thing material to such claim; ~~or~~

3.a. Knowingly presents, causes to be presented, or prepares or makes with knowledge or belief that it will be presented to any insurer, purported insurer, servicing corporation, insurance broker, or insurance agent, or any employee or agent thereof, any false, incomplete, or misleading information or written or oral statement as part of, or in support of, an application for the issuance of, or the rating of, any insurance policy, or a health maintenance organization subscriber or provider contract; or

b. ~~Who~~ Knowingly conceals information concerning any fact material to such application*; or*~~.~~

4. Knowingly presents, causes to be presented, or prepares or makes with knowledge or belief that it will be presented to any insurer a claim for payment or other benefit under a personal injury protection insurance policy if the person knows that the payee knowingly submitted a false, misleading, or fraudulent application or other document when applying for licensure as a health care clinic, seeking an exemption from licensure as a health care clinic, or demonstrating compliance with part X of chapter 400.

(b) All claims and application forms *must* ~~shall~~ contain a statement that is approved by the Office of Insurance Regulation of the Financial Services Commission which clearly states in substance the following: "Any person who knowingly and with intent to injure, defraud, or deceive any insurer files a statement of claim or an application containing any false, incomplete, or misleading information is guilty of a felony of the third degree." This paragraph *does* ~~shall~~ not apply to reinsurance contracts, reinsurance agreements, or reinsurance claims transactions.

(10) *A licensed health care practitioner who is found guilty of insurance fraud under this section for an act relating to a personal injury protection insurance policy loses his or her license to practice for 5 years and may not receive reimbursement for personal injury protection benefits for 10 years.* ~~As used in this section, the term "insurer" means any insurer, health maintenance organization, self-insurer, self-insurance fund, or other similar entity or person regulated under chapter 440 or chapter 641 or by the Office of Insurance Regulation under the Florida Insurance Code.~~

(13) As used in this section*, the term*:

(a) "Insurer" means any insurer, health maintenance organization, self-insurer, self-insurance fund, or similar entity or person regulated under chapter 440 or chapter 641 or by the Office of Insurance Regulation under the Florida Insurance Code.

(b)~~(a)~~ "Property" means property as defined in s. 812.012.

(c)~~(b)~~ "Value" means value as defined in s. 812.012.

Section 14. Subsection (4) of section 316.065, Florida Statutes, is amended to read:

316.065 Crashes; reports; penalties.—

(4) Any person who knowingly repairs a motor vehicle without having made a report as required by subsection (3) is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. The owner and driver of a vehicle involved in a crash who makes a report thereof in accordance with subsection (1) ~~or s. 316.066(1)~~ is not liable under this section.

Section 15. *(1) Within 60 days after the effective date of this section, the Office of Insurance Regulation shall enter into a contract with an independent consultant to calculate the savings expected as a result of this act. The contract shall require the use of generally accepted actuarial techniques and standards as provided in s. 627.0651, Florida Statutes, in determining the expected impact on losses and expenses. By September 15, 2012, the office shall submit to the Governor, the President of Senate, and the Speaker of the House of Representatives a report concerning the results of the independent consultant's calculations.*

(2) By October 1, 2012, an insurer writing private passenger automobile personal injury protection insurance in this state shall make a rate filing with the Office of Insurance Regulation. A rate certification is not sufficient to satisfy this requirement. If the insurer requests a rate in excess of a 10-percent reduction as applied to the current rate in its overall base rate for personal injury protection insurance, the insurer must include in its rate filing a detailed explanation of the reasons for failure to achieve a 10-percent reduction.

(3) By January 1, 2014, an insurer writing private passenger automobile personal injury protection insurance in this state shall make a rate filing with the Office of Insurance Regulation. A rate certification is not sufficient to satisfy this requirement. If the insurer requests a rate in excess of a 25-percent reduction as applied to the rate in effect as of the effective date of this act in its overall base rate for personal injury protection insurance since the effective date of this act, the insurer must include in its rate filing a detailed explanation of the reasons for failure to achieve a 25-percent reduction.

(4) If an insurer fails to provide the detailed explanation required by subsection (2) or subsection (3), the Office of Insurance Regulation shall order the insurer to stop writing new personal injury protection policies in this state until it provides the required explanation.

(5) The sum of $200,000 of nonrecurring revenue is appropriated from the Insurance Regulatory Trust Fund to the Office of Insurance Regulation for the purpose of implementing the requirements of subsection (1) during the 2011-2012 fiscal year. Any unexpended balance of the appropriation at the end of the fiscal year shall be carried forward and be available for expenditure during the 2012-2013 fiscal year. Notwithstanding s. 287.057, Florida Statutes, the office may retain an independent consultant to implement the requirements of subsection (1) without a competitive solicitation.

(6) This section shall take effect upon this act becoming a law.

Section 16. *The Office of Insurance Regulation shall perform a comprehensive personal injury protection data call and publish the results by January 1, 2015. It is the intent of the Legislature that the office design the data call with the expectation that the Legislature will use the data to help evaluate market conditions relating to the Florida Motor Vehicle No-Fault Law and the impact on the market of reforms to the law made by this act. The elements of the data call must address, but need not be limited to, the following components of the Florida Motor Vehicle No-Fault Law:*

(1) Quantity of personal injury protection claims.

(2) Type or nature of claimants.

(3) Amount and type of personal injury protection benefits paid and expenses incurred.

(4) Type and quantity of, and charges for, medical benefits.

(5) Attorney fees related to bringing and defending actions for benefits.

(6) Direct earned premiums for personal injury protection coverage, pure loss ratios, pure premiums, and other information related to premiums and losses.

(7) Licensed drivers and accidents.

(8) Fraud and enforcement.

Section 17. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

Section 18. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2012.

And the title is amended as follows:

Remove lines 1553-1667 of the amendment and insert: A bill to be entitled An act relating to motor vehicle personal injury protection insurance; amending s. 316.066, F.S.; revising the conditions for completing the long-form traffic crash report; revising the information contained in the short-form and long-form reports; revising the requirements relating to the driver's responsibility for submitting a report for crashes not requiring a law enforcement report; amending s. 400.9905, F.S.; providing that certain entities exempt from licensure as a health care clinic must nonetheless be licensed in order to receive reimbursement for the provision of personal injury protection benefits; amending s. 400.991, F.S.; requiring that an application for licensure, or exemption from licensure, as a health care clinic include a statement regarding insurance fraud; amending s. 626.989, F.S.; providing that knowingly submitting false, misleading, or fraudulent documents relating to licensure as a health care clinic, or submitting a claim for personal injury protection relating to clinic licensure documents, is a fraudulent insurance act under certain conditions; amending s. 626.9541, F.S.; specifying an additional unfair claim settlement practice; creating s. 626.9895, F.S.; providing definitions; authorizing the Division of Insurance Fraud of the Department of Financial Services to establish a direct-support organization for the purpose of prosecuting, investigating, and preventing motor vehicle insurance fraud; providing requirements for, and duties of, the organization; requiring that the organization operate pursuant to a contract with the division; providing for the requirements of the contract; providing for a board of directors; authorizing the organization to use the division's property and facilities subject to certain requirements; requiring that the department adopt rules relating to procedures for the organization's governance and relating to conditions for the use of the division's property or facilities; authorizing contributions from insurers; authorizing any moneys received by the organization to be held in a separate depository account in the name of the organization; requiring that the division deposit certain proceeds into the Insurance Regulatory Trust Fund; creating s. 627.7311, F.S.; specifying the effects of the Florida Motor Vehicle No-Fault Law; requiring compliance with provisions regardless of their expression in policy forms; amending s. 627.732, F.S.; providing definitions; amending s. 627.736, F.S.; revising the cap on benefits to provide that death benefits are in addition to medical and disability benefits; revising medical benefits; distinguishing between initial and followup services; excluding massage and acupuncture from medical benefits that may be reimbursed under the Florida Motor Vehicle No-Fault Law; adding physical therapists to the list of providers that may provide services; requiring that an insurer repay any benefits covered by the Medicaid program; requiring that an insurer provide a claimant an opportunity to revise claims that contain errors; authorizing an insurer to provide notice to the claimant and conduct an investigation if fraud is suspected; requiring that an insurer create and maintain a log of personal injury protection benefits paid and that the insurer provide to the insured or an assignee of the insured, upon request, a copy of the log if litigation is commenced; revising the Medicare fee schedules that an insurer may use as a basis for limiting reimbursement of personal injury protection benefits; providing that the Medicare fee schedule in effect on a specific date applies for purposes of limiting reimbursement; requiring that an insurer that limits payments based on the statutory fee schedule

include a notice in insurance policies at the time of issuance or renewal; deleting obsolete provisions; providing that certain entities exempt from licensure as a clinic must nonetheless be licensed to receive reimbursement for the provision of personal injury protection benefits; providing exceptions; requiring that an insurer notify parties in disputes over personal injury protection claims when policy limits are reached; providing that an insured must comply with the terms of the policy, including submission to examinations under oath; requiring that an insured not fail to appear at an examination; providing for a rebuttable presumption that a refusal of or failure to appear at an examination is unreasonable in certain circumstances; providing criteria for the award of attorney fees; providing a presumption regarding the use of a contingency risk multiplier; consolidating provisions relating to unfair or deceptive practices under certain conditions; specifying that claims generated as a result of certain unlawful activities are not reimbursable; eliminating a requirement that all parties mutually and expressly agree to the use of electronic transmission of data; amending s. 627.7405, F.S.; providing an exception from an insurer's right of reimbursement for certain owners or registrants; amending s. 817.234, F.S.; providing that it is insurance fraud to present a claim for personal injury protection benefits payable to a person or entity that knowingly submitted false, misleading, or fraudulent documents relating to licensure as a health care clinic; providing that a licensed health care practitioner guilty of certain insurance fraud loses his or her license and may not receive reimbursement for personal injury protection benefits for a specified period; defining the term "insurer"; amending s. 316.065, F.S.; conforming a cross-reference; authorizing the Office of Insurance Regulation to make contracts for certain purposes; requiring a report; requiring insurers writing private passenger automobile personal injury protection insurance to make certain rate filings; providing sanctions for failure to make the filings as required; providing an appropriation; providing for carryforward of any unexpended balance of the appropriation; requiring that the Office of Insurance Regulation perform a data call relating to personal injury protection; prescribing required elements of the data call; providing for severability; providing effective dates.

SENATOR BENNETT PRESIDING

THE PRESIDENT PRESIDING

On motion by Senator Negron, the Senate concurred in House Amendment 1 to Senate Amendment 1.

The vote was:

Yeas—21

Mr. President	Flores	Negron
Alexander	Gaetz	Norman
Altman	Gardiner	Oelrich
Benacquisto	Hays	Richter
Bogdanoff	Latvala	Simmons
Detert	Lynn	Thrasher
Evers	Montford	Wise

Nays—19

Bennett	Garcia	Sachs
Braynon	Gibson	Siplin
Bullard	Jones	Smith
Dean	Joyner	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Rich	
Fasano	Ring	

CS for CS for HB 119 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—22

Mr. President	Detert	Hays
Alexander	Evers	Latvala
Altman	Flores	Lynn
Benacquisto	Gaetz	Margolis
Bogdanoff	Gardiner	Montford
Negron	Richter	Wise
Norman	Simmons	
Oelrich	Thrasher	

Nays—17

Bennett	Fasano	Ring
Braynon	Garcia	Siplin
Bullard	Gibson	Smith
Dean	Jones	Sobel
Diaz de la Portilla	Joyner	Storms
Dockery	Rich	

Vote after roll call:

Nay—Sachs

MOTION

On motion by Senator Thrasher, the rules were waived and time of recess was extended until 11:59 p.m.

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON SB 1998

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 1998, 1st Eng., same being:

An act relating to transportation.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House of Representatives recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley *s/ Mike Horner*

Chair
s/ Gary Aubuchon, At Large
s/ Jeffrey "Jeff" Brandes
s/ Douglas Vaughn "Doug" Broxson
Chris Dorworth, At Large
s/ Brad Drake
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Peter Nehr
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck At Large
s/ Ritch Workman
Lead Manager
Mack Bernard
s/ Jason T. Brodeur
s/ Rachel V. Burgin
Charles S. "Chuck" Chestnut IV At Large
s/ James C. "Jim" Frishe, At Large
Dorothy L. Hukill, At Large
s/ John Legg, At Large
s/ Seth McKeel, At Large
Hazelle P. "Hazel" Rogers
Ron Saunders, At Large
s/ William D. Snyder, At Large
s/ Will W. Weatherford, At Large

Managers on the part of the House

The Conference Committee Amendment for SB 1998, relating to transportation, provides for the following:

- Redirects a portion of title fees from the General Revenue Fund to the State Transportation Trust Fund, resulting in $200 million of new revenue for transportation, which will be transferred to the General Revenue Fund in Fiscal Year 2012-13;

- Beginning in Fiscal Year 2013-14, the revenues will be allocated to transportation priorities, including:

  - $10 M – Seaport Investment Program ($100 M Bonded);

  - $35 M - Turnpike Enterprise ($350 M Bonded);

  - $10 M - Transportation Disadvantaged Program;

  - $10 M - Small County Outreach Program; and

  - $135 M - Strategic Transportation Projects

- FDOT, utilizing it's unique commitment based financing, can leverage the funding for Small County Outreach and Strategic Transportation Projects ($145 million) to program $285 million of new commitment in FY 2013-14 and $915 million over the 5 Year Work Program.

- Transfers the Transportation Economic Development "Road Fund" program from the Department of Economic Opportunity to the Department of Transportation (FDOT or department);

- Renames ch. 311, F.S., "Seaport Programs and Facilities"; and substantially amends the Florida Seaport Transportation and Economic Development (FSTED) program;

- Provides a minimum of $15 million per year from the State Transportation Trust Fund for the FSTED grant program;

- Creates s. 311.10, F.S., entitled the Strategic Port Investment Initiative, which directs $35 million annually towards projects which are selected jointly by FDOT and the deepwater ports listed in s. 311.09, F.S.;

- Creates s. 311.101, F.S., entitled the Intermodal Logistics Center Infrastructure Support Program, which allocates $5 million per year towards funding up to 50% of the eligible costs of local government or private projects that meet certain criteria;

- Amends several sections of law relating to highway safety and commercial driver licenses to bring the state law into compliance with federal law and regulations;

- Repeals the transfer of $5 million annually from the Highway Safety Operating Trust Fund to the Transportation Disadvantaged Trust Fund;

- Repeals the Toll Facility Revolving Trust Fund and transfers those revenues and future revenues to the State Transportation Trust Fund;

- Provides financial protection to the state for its obligations for Wekiva Parkway construction;

- Creates s. 339.139, F.S. entitled Transportation Debt Assessment, which implements a transportation debt assessment policy requiring the department to submit a debt load report in conjunction with the tentative work program;

- Creates s. 339.2825, F.S., entitled Approval of contractor-financed projects, which requires the department to notify the Governor and Legislature prior to advancing a project in the 5-year work program utilizing funds provided by a public-private partnership to be reimbursed as programmed in the adopted work program;

- Mandates certain actions by FDOT when they receive an inspection report which either recommends a limit on a bridge, or recommends closing a bridge;

- Enhances FDOT's authority to establish tolls on certain future limited access facilities in the State Highway System;

- Allows for bond issuance on high-occupancy toll lanes or express lanes, with certain restrictions on usage;

- Revises the definition of "economically feasible" as it relates to turnpike projects;

- Allows private sector entities and off-system toll facilities to use FDOT's toll collection and video billing systems in order to increase toll revenues or add convenience or other value for its customers;

- Mandates that the FDOT secretary designate a facility which meets the definition of an intermodal logistics center and has been designated as such in the local comprehensive plan as part of the Strategic Intermodal System, upon the facilities request; and

- Provides a process for summary proceedings within 30 days for a challenge to a consolidated environmental resource permit or associated variance or a sovereign submerged lands authorization issued by the Department of Environmental Protection in connection with the state's deepwater ports.

Conference Committee Amendment (478778)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *Section 288.063, Florida Statutes, is repealed.*

Section 2. Paragraph (a) of subsection (7) of section 288.0656, Florida Statutes, is amended to read:

288.0656 Rural Economic Development Initiative.—

(7)(a) REDI may recommend to the Governor up to three rural areas of critical economic concern. The Governor may by executive order designate up to three rural areas of critical economic concern which will establish these areas as priority assignments for REDI as well as to allow the Governor, acting through REDI, to waive criteria, requirements, or similar provisions of any economic development incentive. Such incentives shall include, but not be limited to: the Qualified Target Industry Tax Refund Program under s. 288.106, the Quick Response Training Program under s. 288.047, the Quick Response Training Program for participants in the welfare transition program under s. 288.047(8), transportation projects under s. *339.2821* ~~288.063~~, the brownfield redevelopment bonus refund under s. 288.107, and the rural job tax credit program under ss. 212.098 and 220.1895.

Section 3. *Chapter 311, Florida Statutes, is retitled "SEAPORT PROGRAMS AND FACILITIES."*

Section 4. Section 311.07, Florida Statutes, is amended to read:

311.07 Florida seaport transportation and economic development funding.—

(1) There is created the Florida Seaport Transportation and Economic Development Program within the Department of Transportation to finance port transportation or port facilities projects that will improve the movement and intermodal transportation of cargo or passengers in commerce and trade and that will support the interests, purposes, and requirements of *the* ports *listed in s. 311.09* ~~located in this state~~.

(2) A minimum of *$15* ~~$8~~ million per year shall be made available from the State Transportation Trust Fund to fund the Florida Seaport Transportation and Economic Development Program. *The Florida Seaport Transportation and Economic Development Council created in s. 311.09 shall develop guidelines for project funding. Council staff, the Department of Transportation, and the Department of Economic Opportunity shall work in cooperation to review projects and allocate funds in accordance with the schedule required for the Department of Transportation to include these projects in the tentative work program developed pursuant to s. 339.135(4).*

(3)(a) *Florida Seaport Transportation and Economic Development* Program funds shall be used to fund approved projects on a 50-50 matching basis with any of the deepwater ports, as listed in *s. 311.09* ~~s. 403.021(9)(b)~~, which is governed by a public body or any other deepwater port which is governed by a public body and which complies with the water quality provisions of s. 403.061, the comprehensive master plan requirements of s. 163.3178(2)(k), and the local financial management and reporting provisions of part III of chapter 218. However, program funds used to fund projects that involve the rehabilitation of wharves, docks, berths, bulkheads, or similar structures shall require a 25-percent match of funds. Program funds also may be used by the Seaport Transportation and Economic Development Council *for data and analysis that* ~~to develop trade data information products which~~ will assist Florida's seaports and international trade.

(b) Projects eligible for funding by grants under the program are limited to the following port facilities or port transportation projects:

1. Transportation facilities within the jurisdiction of the port.

2. The dredging or deepening of channels, turning basins, or harbors.

3. The construction or rehabilitation of wharves, docks, structures, jetties, piers, storage facilities, cruise terminals, automated people mover systems, or any facilities necessary or useful in connection with any of the foregoing.

4. The acquisition of vessel tracking systems, container cranes, or other mechanized equipment used in the movement of cargo or passengers in international commerce.

5. The acquisition of land to be used for port purposes.

6. The acquisition, improvement, enlargement, or extension of existing port facilities.

7. Environmental protection projects which are necessary because of requirements imposed by a state agency as a condition of a permit or other form of state approval; which are necessary for environmental mitigation required as a condition of a state, federal, or local environmental permit; which are necessary for the acquisition of spoil disposal sites and improvements to existing and future spoil sites; or which result from the funding of eligible projects listed in this paragraph.

8. Transportation facilities as defined in s. 334.03(31) which are not otherwise part of the Department of Transportation's adopted work program.

9. ~~Seaport~~ Intermodal access projects ~~identified in the 5-year Florida Seaport Mission Plan as provided in s. 311.09(3)~~.

10. Construction or rehabilitation of port facilities as defined in s. 315.02, excluding any park or recreational facilities, in ports listed in s. 311.09(1) with operating revenues of $5 million or less, provided that such projects create economic development opportunities, capital improvements, and positive financial returns to such ports.

11. Seaport master plan or strategic plan development or updates, including the purchase of data to support such plans.

(c) To be eligible for consideration by the council pursuant to this section, a project must be consistent with the port comprehensive master plan which is incorporated as part of the approved local government comprehensive plan as required by s. 163.3178(2)(k) or other provisions of the Community Planning Act, part II of chapter 163.

~~(4) A port eligible for matching funds under the program may receive a distribution of not more than $7 million during any 1 calendar year and a distribution of not more than $30 million during any 5-calendar-year period.~~

(4)~~(5)~~ Any port which receives funding under the program shall institute procedures to ensure that jobs created as a result of the state funding shall be subject to equal opportunity hiring practices in the manner provided in s. 110.112.

(5)~~(6)~~ The Department of Transportation *may* ~~shall~~ subject any project that receives funds pursuant to this section and s. 320.20 to a final audit. The department may adopt rules and perform such other acts as are necessary or convenient to ensure that the final audits are conducted and that any deficiency or questioned costs noted by the audit are resolved.

Section 5. Subsections (4) through (13) of section 311.09, Florida Statutes, are amended to read:

311.09 Florida Seaport Transportation and Economic Development Council.—

(4) The council shall adopt rules for evaluating projects which may be funded under ss. 311.07 and 320.20. The rules shall provide criteria for evaluating the *potential project, including, but not limited to, such factors as consistency with appropriate plans, economic benefit, readiness for construction, noncompetition with other Florida ports, and capacity within the seaport system* ~~economic benefit of the project, measured by the potential for the proposed project to maintain or increase cargo flow, cruise passenger movement, international commerce, port revenues, and the number of jobs for the port's local community~~.

(5) The council shall review and approve or disapprove each project eligible to be funded pursuant to the Florida Seaport Transportation and Economic Development Program. The council shall annually submit to the Secretary of Transportation and the executive director of the Department of Economic Opportunity, or his or her designee, a list of projects which have been approved by the council. The list shall specify the recommended funding level for each project; and, if staged implementation of the project is appropriate, the funding requirements for each stage shall be specified.

~~(6) The Department of Community Affairs shall review the list of projects approved by the council to determine consistency with approved local government comprehensive plans of the units of local government in which the port is located and consistency with the port master plan. The Department of Community Affairs shall identify and notify the council of those projects which are not consistent, to the maximum extent feasible, with such comprehensive plans and port master plans.~~

(6)~~(7)~~ The Department of Transportation shall review the list of *project applications* ~~projects~~ approved by the council for consistency with the Florida Transportation Plan*, the Statewide Seaport and Waterways System Plan,* and the department's adopted work program. In evaluating the consistency of a project, the department shall *assess the transportation impacts and economic benefits for each project* ~~determine whether the transportation impact of the proposed project is adequately handled by existing state-owned transportation facilities or by the construction of additional state-owned transportation facilities as identified in the Florida Transportation Plan and the department's adopted work program. In reviewing for consistency a transportation facility project as defined in s. 334.03(31) which is not otherwise part of the department's work program, the department shall evaluate whether the project is needed to provide for projected movement of cargo or passengers from the port to a state transportation facility or local road. If the project is needed to provide for projected movement of cargo or passengers, the project shall be approved for consistency as a consideration to facilitate the economic development and growth of the state in a timely manner~~. The Department of Transportation shall identify those projects *that* ~~which~~ are inconsistent with the Florida Transportation Plan*, the Statewide Seaport and Waterways System Plan, or* ~~and~~ the adopted work program and shall notify the council of projects found to be inconsistent.

(7)~~(8)~~ The Department of Economic Opportunity shall review the list of *project applications* ~~projects~~ approved by the council to evaluate the economic benefit of the project and to determine whether the project is consistent with the Florida Seaport Mission Plan *and with state economic development goals and policies*. The Department of Economic Opportunity shall review the *proposed project's consistency with state,*

regional, and local plans, as appropriate, and the economic benefits of each project based upon the rules adopted pursuant to subsection (4). The Department of Economic Opportunity shall identify those projects *that* ~~which~~ it has determined do not offer an economic benefit to the state*, are not consistent with an appropriate plan,* or are not consistent with the Florida Seaport Mission Plan *or state economic development goals and policies* and shall notify the council of its findings.

(8)~~(9)~~ The council shall review the findings of the Department of Economic Opportunity and the Department of Transportation. Projects found to be inconsistent pursuant to subsections (6)~~,~~ *or* (7)~~, and (8)~~ *or* ~~and~~ projects *that* ~~which~~ have been determined not to offer an economic benefit to the state pursuant to subsection *(7)* ~~(8)~~ *may* ~~shall~~ not be included in the list of projects to be funded.

(9)~~(10)~~ The Department of Transportation shall include *no less than $15 million per year* in its annual legislative budget request *for the* ~~a~~ Florida Seaport Transportation and Economic Development ~~grant~~ Program *funded under s. 311.07* ~~for expenditure of funds of not less than $8 million per year~~. Such budget shall include funding for projects approved by the council which have been determined by each agency to be consistent ~~and which have been determined by the Department of Economic Opportunity to be economically beneficial~~. The department shall include the specific approved *Florida Seaport Transportation and Economic Development Program* ~~seaport~~ projects to be funded under *s. 311.07* ~~this section~~ during the ensuing fiscal year in the tentative work program developed pursuant to s. 339.135(4). The total amount of funding to be allocated to *Florida Seaport Transportation and Economic Development Program* ~~seaport~~ projects under s. 311.07 during the successive 4 fiscal years shall also be included in the tentative work program developed pursuant to s. 339.135(4). The council may submit to the department a list of approved projects that could be made production-ready within the next 2 years. The list shall be submitted by the department as part of the needs and project list prepared pursuant to s. 339.135(2)(b). However, the department shall, upon written request of the Florida Seaport Transportation and Economic Development Council, submit work program amendments pursuant to s. 339.135(7) to the Governor within 10 days after the later of the date the request is received by the department or the effective date of the amendment, termination, or closure of the applicable funding agreement between the department and the affected seaport, as required to release the funds from the existing commitment. Notwithstanding s. 339.135(7)(c), any work program amendment to transfer prior year funds from one approved seaport project to another seaport project is subject to the procedures in s. 339.135(7)(d). Notwithstanding any provision of law to the contrary, the department may transfer unexpended budget between the seaport projects as identified in the approved work program amendments.

(10)~~(11)~~ The council shall meet at the call of its chairperson, at the request of a majority of its membership, or at such times as may be prescribed in its bylaws. However, the council must meet at least semiannually. A majority of voting members of the council constitutes a quorum for the purpose of transacting the business of the council. All members of the council are voting members. A vote of the majority of the voting members present is sufficient for any action of the council, except that a member representing the Department of Transportation or the Department of Economic Opportunity may vote to overrule any action of the council approving a project pursuant to subsection (5). The bylaws of the council may require a greater vote for a particular action.

(11)~~(12)~~ Members of the council shall serve without compensation but are entitled to receive reimbursement for per diem and travel expenses as provided in s. 112.061. The council may elect to provide an administrative staff to provide services to the council on matters relating to the Florida Seaport Transportation and Economic Development Program and the council. The cost for such administrative services shall be paid by all ports that receive funding from the Florida Seaport Transportation and Economic Development Program, based upon a pro rata formula measured by each recipient's share of the funds as compared to the total funds disbursed to all recipients during the year. The share of costs for administrative services shall be paid in its total amount by the recipient port upon execution by the port and the Department of Transportation of a joint participation agreement for each council-approved project, and such payment is in addition to the matching funds required to be paid by the recipient port. Except as otherwise exempted by law, all moneys derived from the Florida Seaport Transportation and Economic Development Program shall be expended in accordance with the provisions of s. 287.057. Seaports subject to competitive negotiation requirements of a local governing body shall abide by the provisions of s. 287.055.

(12)~~(13)~~ Until July 1, 2014, Citrus County may apply for a grant through the Florida Seaport Transportation and Economic Development Council to perform a feasibility study regarding the establishment of a port in Citrus County. The council shall evaluate such application pursuant to subsections *(5)-(8)* ~~(5)-(9)~~ and, if approved, the Department of Transportation shall include the feasibility study in its budget request pursuant to subsection *(9)* ~~(10)~~. If the study determines that a port in Citrus County is not feasible, the membership of Port Citrus on the council shall terminate.

Section 6. Section 311.10, Florida Statutes, is created to read:

311.10 Strategic Port Investment Initiative.—

(1) There is created the Strategic Port Investment Initiative within the Department of Transportation. Beginning in fiscal year 2012-2013, a minimum of $35 million annually shall be made available from the State Transportation Trust Fund to fund the Strategic Port Investment Initiative. The Department of Transportation shall work with the deepwater ports listed in s. 311.09 to develop and maintain a priority list of strategic investment projects. Project selection shall be based on projects that meet the state's economic development goal of becoming a hub for trade, logistics, and export-oriented activities by:

(a) Providing important access and major on-port capacity improvements;

(b) Providing capital improvements to strategically position the state to maximize opportunities in international trade, logistics, or the cruise industry;

(c) Achieving state goals of an integrated intermodal transportation system; and

(d) Demonstrating the feasibility and availability of matching funds through local or private partners.

(2) Before making final project allocations, the Department of Transportation shall schedule a publicly noticed workshop with the Department of Economic Opportunity and the deepwater ports listed in s. 311.09 to review the proposed projects. After considering the comments received, the Department of Transportation shall finalize a prioritized list of potential projects.

(3) The Department of Transportation shall, to the maximum extent feasible, include the seaport projects proposed to be funded under this section in the tentative work program developed under s. 339.135(4).

Section 7. Section 311.101, Florida Statutes, is created to read:

311.101 Intermodal Logistics Center Infrastructure Support Program.—

(1) There is created within the Department of Transportation the Intermodal Logistics Center Infrastructure Support Program. The purpose of the program is to provide funds for roads, rail facilities, or other means for the conveyance or shipment of goods through a seaport, thereby enabling the state to respond to private sector market demands and meet the state's economic development goal of becoming a hub for trade, logistics, and export-oriented activities. The department may provide funds to assist with local government projects or projects performed by private entities which meet the public purpose of enhancing transportation facilities for the conveyance or shipment of goods through a seaport to or from an intermodal logistics center.

(2) As used in this section, the term "intermodal logistics center" means a facility or group of facilities, including, but not limited to, an inland port, serving as a point of intermodal transfer of freight in a specific area physically separated from a seaport where activities relating to transport, logistics, goods distribution, consolidation, or value-added activities are carried out and whose activities and services are designed to support or be supported by conveyance or shipping through one or more seaports listed in s. 311.09.

(3) The department must consider, but is not limited to, the following criteria when evaluating a project for Intermodal Logistics Center Infrastructure Support Program assistance:

(a) The ability of the project to serve a strategic state interest.

(b) The ability of the project to facilitate the cost-effective and efficient movement of goods.

(c) The extent to which the project contributes to economic activity, including job creation, increased wages, and revenues.

(d) The extent to which the project efficiently interacts with and supports the transportation network.

(e) A commitment of a funding match.

(f) The amount of investment or commitments made by the owner or developer of the existing or proposed facility.

(g) The extent to which the owner has commitments, including memorandums of understanding or memorandums of agreements, with private sector businesses planning to locate operations at the intermodal logistics center.

(h) Demonstrated local financial support and commitment to the project.

(4) The department shall coordinate and consult with the Department of Economic Opportunity in the selection of projects to be funded by this program.

(5) The department may administer contracts on behalf of the entity selected to receive funding for a project under this section.

(6) The department shall provide up to 50 percent of project costs for eligible projects.

(7) Beginning in fiscal year 2012-2013, up to $5 million per year shall be made available from the State Transportation Trust Fund for the program. The Department of Transportation shall include projects proposed to be funded under this section in the tentative work program developed pursuant so s. 339.135(4).

(8) The Department of Transportation may adopt rules to administer this section.

Section 8. Subsection (2) of section 311.22, Florida Statutes, is amended to read:

311.22 Additional authorization for funding certain dredging projects.—

(2) The council shall adopt rules for evaluating the projects that may be funded pursuant to this section. The rules must provide criteria for evaluating the economic benefit of the project. The rules must include the creation of an administrative review process by the council which is similar to the process described in s. *311.09(5)-(11)* ~~311.09(5)-(12)~~, and provide for a review by the Department of Transportation and the Department of Economic Opportunity of all projects submitted for funding under this section.

Section 9. Paragraph (b) of subsection (1) and paragraph (c) of subsection (2) of section 316.302, Florida Statutes, are amended to read:

316.302 Commercial motor vehicles; safety regulations; transporters and shippers of hazardous materials; enforcement.—

(1)

(b) Except as otherwise provided in this section, all owners or drivers of commercial motor vehicles that are engaged in intrastate commerce are subject to the rules and regulations contained in 49 C.F.R. parts 382, 385, and 390-397, with the exception of 49 C.F.R. s. 390.5 as it relates to the definition of bus, as such rules and regulations existed on October 1, *2011* ~~2009~~.

(2)

(c) Except as provided in 49 C.F.R. s. 395.1, a person who operates a commercial motor vehicle solely in intrastate commerce not transporting any hazardous material in amounts that require placarding pursuant to 49 C.F.R. part 172 may not drive after having been on duty more than 70 hours in any period of 7 consecutive days or more than 80 hours in any period of 8 consecutive days if the motor carrier operates every day of the week. Thirty-four consecutive hours off duty shall constitute the end of any such period of 7 or 8 consecutive days. This weekly limit does not apply to a person who operates a commercial motor vehicle solely within this state while transporting, during harvest periods, any unprocessed agricultural products or unprocessed food or fiber that is subject to seasonal harvesting from place of harvest to the first place of processing or storage or from place of harvest directly to market or while transporting livestock, livestock feed, or farm supplies directly related to growing or harvesting agricultural products. Upon request of the *Department of Highway Safety and Motor Vehicles* ~~Department of Transportation~~, motor carriers shall furnish time records or other written verification to that department so that the *Department of Highway Safety and Motor Vehicles* ~~Department of Transportation~~ can determine compliance with this subsection. These time records must be furnished to the *Department of Highway Safety and Motor Vehicles* ~~Department of Transportation~~ within 2 days after receipt of that department's request. Falsification of such information is subject to a civil penalty not to exceed $100. The provisions of this paragraph do not apply to *operators of farm labor vehicles operated during a state of emergency declared by the Governor or operated pursuant to s. 570.07(21), and do not apply to* drivers of utility service vehicles as defined in 49 C.F.R. s. 395.2.

Section 10. Subsections (9) and (10) of section 318.14, Florida Statutes, are amended to read:

318.14 Noncriminal traffic infractions; exception; procedures.—

(9) Any person who does not hold a commercial *driver* ~~driver's~~ license and who is cited *while driving a noncommercial motor vehicle* for an infraction under this section other than a violation of s. 316.183(2), s. 316.187, or s. 316.189 when the driver exceeds the posted limit by 30 miles per hour or more, s. 320.0605, s. 320.07(3)(a) or (b), s. 322.065, s. 322.15(1), s. 322.61, or s. 322.62 may, in lieu of a court appearance, elect to attend in the location of his or her choice within this state a basic driver improvement course approved by the Department of Highway Safety and Motor Vehicles. In such a case, adjudication must be withheld and points, as provided by s. 322.27, may not be assessed. However, a person may not make an election under this subsection if the person has made an election under this subsection in the preceding 12 months. A person may *not* make ~~no~~ more than five elections within his or her lifetime under this subsection. The requirement for community service under s. 318.18(8) is not waived by a plea of nolo contendere or by the withholding of adjudication of guilt by a court. If a person makes an election to attend a basic driver improvement course under this subsection, 18 percent of the civil penalty imposed under s. 318.18(3) shall be deposited in the State Courts Revenue Trust Fund; however, that portion is not revenue for purposes of s. 28.36 and may not be used in establishing the budget of the clerk of the court under that section or s. 28.35.

(10)(a) Any person who does not hold a commercial *driver* ~~driver's~~ license and who is cited *while driving a noncommercial motor vehicle* for an offense listed under this subsection may, in lieu of payment of fine or court appearance, elect to enter a plea of nolo contendere and provide proof of compliance to the clerk of the court, designated official, or authorized operator of a traffic violations bureau. In such case, adjudication shall be withheld; however, *a person may not make an* ~~no~~ election ~~shall be made~~ under this subsection if *the* ~~such~~ person has made an election under this subsection in the *preceding* 12 months ~~preceding election hereunder~~. *A* ~~No~~ person may *not* make more than three elections under this subsection. This subsection applies to the following offenses:

1. Operating a motor vehicle without a valid *driver* ~~driver's~~ license in violation of ~~the provisions of~~ s. 322.03, s. 322.065, or s. 322.15(1), or operating a motor vehicle with a license that has been suspended for failure to appear, failure to pay civil penalty, or failure to attend a driver improvement course pursuant to s. 322.291.

2. Operating a motor vehicle without a valid registration in violation of s. 320.0605, s. 320.07, or s. 320.131.

3. Operating a motor vehicle in violation of s. 316.646.

4. Operating a motor vehicle with a license that has been suspended under s. 61.13016 or s. 322.245 for failure to pay child support or for failure to pay any other financial obligation as provided in s. 322.245; however, this subparagraph does not apply if the license has been suspended pursuant to s. 322.245(1).

5. Operating a motor vehicle with a license that has been suspended under s. 322.091 for failure to meet school attendance requirements.

(b) Any person cited for an offense listed in this subsection shall present proof of compliance *before* ~~prior to~~ the scheduled court appearance date. For the purposes of this subsection, proof of compliance shall consist of a valid, renewed, or reinstated *driver* ~~driver's~~ license or registration certificate and proper proof of maintenance of security as required by s. 316.646. Notwithstanding waiver of fine, any person establishing proof of compliance shall be assessed court costs of $25, except that a person charged with violation of s. 316.646(1)-(3) may be assessed court costs of $8. One dollar of such costs shall be remitted to the Department of Revenue for deposit into the Child Welfare Training Trust Fund of the Department of Children and Family Services. One dollar of such costs shall be distributed to the Department of Juvenile Justice for deposit into the Juvenile Justice Training Trust Fund. Fourteen dollars of such costs shall be distributed to the municipality and $9 shall be deposited by the clerk of the court into the fine and forfeiture fund established pursuant to s. 142.01, if the offense was committed within the municipality. If the offense was committed in an unincorporated area of a county or if the citation was for a violation of s. 316.646(1)-(3), the entire amount shall be deposited by the clerk of the court into the fine and forfeiture fund established pursuant to s. 142.01, except for the moneys to be deposited into the Child Welfare Training Trust Fund and the Juvenile Justice Training Trust Fund. This subsection *does* ~~shall~~ not ~~be construed to~~ authorize the operation of a vehicle without a valid *driver* ~~driver's~~ license, without a valid vehicle tag and registration, or without the maintenance of required security.

Section 11. Section 319.32, Florida Statutes, is amended to read:

319.32 Fees; service charges; disposition.—

(1) The department shall charge a fee of $70 for each original certificate of title, except for a certificate of title for a motor vehicle for hire registered under s. 320.08(6) for which the title fee shall be $49; $70 for each duplicate copy of a certificate of title, except for a certificate of title for a motor vehicle for hire registered under s. 320.08(6) for which the title fee shall be $49; $2 for each salvage certificate of title; and $3 for each assignment by a lienholder. The department shall also charge a fee of $2 for noting a lien on a title certificate, which fee includes the services for the subsequent issuance of a corrected certificate or cancellation of lien when that lien is satisfied. If an application for a certificate of title is for a vehicle that is required by s. 319.14(1)(b) to have a physical examination, the department shall charge an additional fee of $40 for the initial examination and $20 for each subsequent examination. The initial examination fee shall be deposited into the General Revenue Fund, and each subsequent examination fee shall be deposited into the Highway Safety Operating Trust Fund. The physical examination of the vehicle includes, but is not limited to, verification of the vehicle identification number and verification of the bill of sale or title for major components. In addition to all other fees charged, a sum of $1 shall be paid for the issuance of an original or duplicate certificate of title to cover the cost of materials used for security purposes. A service fee of $2.50, to be deposited into the Highway Safety Operating Trust Fund, shall be charged for shipping and handling for each paper title mailed by the department.

(2)(a) There shall be a service charge of $4.25 for each application *that* ~~which~~ is handled in connection with the issuance, duplication, or transfer of any certificate of title. There shall be a service charge of $1.25 for each application *that* ~~which~~ is handled in connection with the recordation or notation of a lien on a motor vehicle or mobile home which is not in connection with the purchase of such vehicle.

(b) The service charges specified in paragraph (a) shall be collected by the department on any application handled directly from its office. Otherwise, these service charges shall be collected and retained by the tax collector who handles the application.

(3) The department shall charge a fee of $10 in addition to that charged in subsection (1) for each original certificate of title issued for a vehicle previously registered outside this state.

(4) The department shall charge a fee of $7 for each lien placed on a motor vehicle by the state child support enforcement program pursuant to s. 319.24.

(5)*(a) Forty-seven dollars of each fee collected, except for fees charged on a certificate of title for a motor vehicle for hire registered under s. 320.08(6), for each applicable original certificate of title and each applicable duplicate copy of a certificate of title, after deducting the service charges imposed by s. 215.20, shall be deposited into the State Transportation Trust Fund. Deposits to the State Transportation Trust Fund pursuant to this paragraph may not exceed $200 million in any fiscal year and any collections in excess of that amount during the fiscal year shall be paid into the General Revenue Fund.*

(b) All fees collected pursuant to subsection (3) shall be paid into the Nongame Wildlife Trust Fund. Twenty-one dollars of each fee*, except for fees charged on a certificate of title for a motor vehicle for hire registered under s. 320.08(6),* for each applicable original certificate of title and each applicable duplicate copy of a certificate of title, after deducting the service charges imposed by s. 215.20, shall be deposited into the State Transportation Trust Fund. All other fees collected by the department under this chapter shall be paid into the General Revenue Fund.

(6) Notwithstanding chapter 116, *each* ~~every~~ county officer within this state authorized to collect funds provided for in this chapter shall pay all sums officially received by the officer into the State Treasury no later than 5 working days after the close of the business day in which the officer received the funds. Payment by county officers to the state shall be made by means of electronic funds transfer.

Section 12. *Funds that result from increased revenues to the State Transportation Trust Fund derived from the amendments to s. 319.32(5)(a), Florida Statutes, made by this act must be used as follows, notwithstanding any other provision of law:*

(1)(a) In the 2012-2013 fiscal year, $200 million, or actual receipts up to $200 million, shall be transferred to the General Revenue Fund.

(b) The Department of Transportation shall transfer the actual receipts monthly to the General Revenue Fund. These transfers shall be made in the month following the deposit of those receipts into the State Transportation Trust Fund.

(2) Beginning in 2013-2014 fiscal year and annually for up to 30 years thereafter, $10 million shall be for the purpose of funding any seaport project identified in the adopted work program of the Department of Transportation, to be known as the Seaport Investment Program. The revenues may be assigned, pledged, or set aside as a trust for the payment of principal or interest on bonds, tax anticipation certificates, or other forms of indebtedness issued by an individual port or appropriate local government having jurisdiction thereof, or collectively by interlocal agreement among any of the ports, or used to purchase credit support to permit such borrowings. However, the debt is not a general obligation of the state. The state covenants with holders of the revenue bonds or other instruments of indebtedness issued pursuant to this subsection that it will not repeal or impair or amend this subsection in any manner that will materially or adversely affect the rights of holders so long as bonds authorized by this subsection are outstanding. The proceeds of any bonds or other indebtedness secured by a pledge of the funding, after payment of costs of issuance and establishment of any required reserves, shall be invested in projects approved by the Department of Transportation and included in the department's adopted work program, by amendment if necessary. Any revenues that are not pledged to the repayment of bonds as authorized by this section may be used for purposes authorized under the Florida Seaport Transportation and Economic Development Program. This revenue source is in addition to any amounts provided for and appropriated in accordance with ss. 311.07 and 320.20(3) and (4), Florida Statutes. Revenue bonds shall be issued by the Division of Bond Finance at the request of the Department of Transportation pursuant to the State Bond Act.

(3) Beginning in the 2013-2014 fiscal year and annually for up to 30 years thereafter, $35 million shall be transferred to Florida's Turnpike Enterprise, to be used in accordance with Florida Turnpike Enterprise

Law, to the maximum extent feasible for feeder roads, structures, interchanges, appurtenances, and other rights to create or facilitate access to the existing turnpike system.

(4) Beginning in the 2013-2014 fiscal year and annually thereafter, $10 million shall be transferred to the Transportation Disadvantaged Trust Fund, to be used as specified in s. 427.0159, Florida Statutes.

(5) Beginning in the 2013-2014 fiscal year and annually thereafter, $10 million shall be allocated to the Small County Outreach Program, to be used as specified in s. 339.2818, Florida Statutes. These funds are in addition to the funds provided in s. 201.15(1)(c)1.b., Florida Statutes.

(6) After the distributions required pursuant to subsections (1)-(5), the remaining funds shall be used annually for transportation projects within this state for existing or planned strategic transportation projects which connect major markets within this state or between this state and other states, which focus on job creation, and which increase this state's viability in the national and global markets.

(7) Pursuant to s. 339.135(7), Florida Statutes, the department shall amend the work program to add the projects provided for in this section.

Section 13. Subsections (3) and (4) of section 320.20, Florida Statutes, are amended to read:

320.20 Disposition of license tax moneys.—The revenue derived from the registration of motor vehicles, including any delinquent fees and excluding those revenues collected and distributed under the provisions of s. 320.081, must be distributed monthly, as collected, as follows:

(3) Notwithstanding any other provision of law except subsections (1) and (2), ~~on July 1, 1996, and annually thereafter,~~ $15 million shall be deposited *annually into* ~~in~~ the State Transportation Trust Fund solely for the purposes of funding the Florida Seaport Transportation and Economic Development Program as provided ~~for~~ in chapter 311. Such revenues shall be distributed on a 50-50 matching basis to any port listed in s. 311.09(1) to be used for funding projects as described in s. 311.07(3)(b). Such revenues may be assigned, pledged, or set aside as a trust for the payment of principal or interest on bonds, tax anticipation certificates, or any other form of indebtedness issued by an individual port or appropriate local government having jurisdiction thereof, or collectively by interlocal agreement among any of the ports, or used to purchase credit support to permit such borrowings. However, such debt *is* ~~shall~~ not ~~constitute~~ a general obligation of the state ~~of Florida~~. The state *covenants* ~~does hereby covenant~~ with holders of such revenue bonds or other instruments of indebtedness issued ~~hereunder~~ that it will not repeal or impair or amend in any manner *that* ~~which~~ will materially and adversely affect the rights of such holders so long as bonds authorized by this section are outstanding. Any revenues *that* ~~which~~ are not pledged to the repayment of bonds ~~as~~ authorized by this section may be *used* ~~utilized~~ for purposes authorized under the Florida Seaport Transportation and Economic Development Program. This revenue source is in addition to any amounts provided ~~for~~ and appropriated in accordance with s. 311.07. The Florida Seaport Transportation and Economic Development Council shall approve *the* distribution of funds to ports for projects *that* ~~which~~ have been approved pursuant to s. *311.09(5)-(8)* ~~311.09(5)-(9)~~. The council and the Department of Transportation *may* ~~are authorized to~~ perform ~~such~~ acts ~~as are~~ required to facilitate and implement the provisions of this subsection. To better enable the ports to cooperate to their mutual advantage, the governing body of each port may exercise powers provided to municipalities or counties in s. 163.01(7)(d) subject to ~~the provisions of~~ chapter 311 and special acts, if any, pertaining to a port. The use of funds provided pursuant to this subsection are limited to eligible projects listed in this subsection. Income derived from a project completed with the use of program funds, beyond operating costs and debt service, *is* ~~shall be~~ restricted *solely* to further port capital improvements consistent with maritime purposes ~~and for no other purpose~~. Use of such income for nonmaritime purposes is prohibited. ~~The provisions of s. 311.07(4) do not apply to any funds received pursuant to this subsection.~~ The revenues available under this subsection *may* ~~shall~~ not be pledged to the payment of any bonds other than the Florida Ports Financing Commission Series 1996 and Series 1999 Bonds currently outstanding; ~~provided,~~ however, such revenues may be pledged to secure payment of refunding bonds to refinance the Florida Ports Financing Commission Series 1996 and Series 1999 Bonds. ~~No~~ Refunding bonds secured by revenues available under this subsection may *not* be issued with a final maturity later than the final maturity of the Florida Ports Financing Commission Series 1996 and Series 1999 Bonds or which provide for higher debt service in any year than is currently payable on such bonds. Any revenue bonds or other indebtedness issued after July 1, 2000, other than refunding bonds shall be issued by the Division of Bond Finance at the request of the Department of Transportation pursuant to the State Bond Act.

(4) Notwithstanding any other provision of law except subsections (1), (2), and (3), ~~on July 1, 1999, and annually thereafter,~~ $10 million shall be deposited *annually into* ~~in~~ the State Transportation Trust Fund solely for the purposes of funding the Florida Seaport Transportation and Economic Development Program as provided in chapter 311 and for funding seaport intermodal access projects of statewide significance as provided in s. 341.053. Such revenues shall be distributed to any port listed in s. 311.09(1), to be used for funding projects as follows:

(a) For any seaport intermodal access projects that are identified in the 1997-1998 Tentative Work Program of the Department of Transportation, up to the amounts needed to offset the funding requirements of this section.

(b) For seaport intermodal access projects as described in s. 341.053(5) *which* ~~that~~ are identified in the 5-year Florida Seaport Mission Plan as provided in s. 311.09(3). Funding for such projects shall be on a matching basis as mutually determined by the Florida Seaport Transportation and Economic Development Council and the Department of Transportation *if*~~, provided~~ a minimum of 25 percent of total project funds ~~shall~~ come from any port funds, local funds, private funds, or specifically earmarked federal funds.

(c) On a 50-50 matching basis for projects as described in s. 311.07(3)(b).

(d) For seaport intermodal access projects that involve the dredging or deepening of channels, turning basins, or harbors; or the rehabilitation of wharves, docks, or similar structures. Funding for such projects *requires* ~~shall require~~ a 25 percent match of the funds received pursuant to this subsection. Matching funds *must* ~~shall~~ come from any port funds, federal funds, local funds, or private funds.

Such revenues may be assigned, pledged, or set aside as a trust for the payment of principal or interest on bonds, tax anticipation certificates, or ~~any~~ other form of indebtedness issued by an individual port or appropriate local government having jurisdiction thereof, or collectively by interlocal agreement among any of the ports, or used to purchase credit support to permit such borrowings. However, such debt *is* ~~shall~~ not ~~constitute~~ a general obligation of the state. This state *covenants* ~~does hereby covenant~~ with holders of such revenue bonds or other instruments of indebtedness issued hereunder that it will not repeal or impair or amend this subsection in any manner *that* ~~which~~ will materially and adversely affect the rights of holders so long as bonds authorized by this subsection are outstanding. Any revenues that are not pledged to the repayment of bonds as authorized by this section may be *used* ~~utilized~~ for purposes authorized under the Florida Seaport Transportation and Economic Development Program. This revenue source is in addition to any amounts provided for and appropriated in accordance with s. 311.07 and subsection (3). The Florida Seaport Transportation and Economic Development Council shall approve distribution of funds to ports for projects that have been approved pursuant to s. *311.09(5)-(8)* ~~311.09(5)-(9)~~, or for seaport intermodal access projects identified in the 5-year Florida Seaport Mission Plan as provided in s. 311.09(3) and mutually agreed upon by the FSTED Council and the Department of Transportation. All contracts for actual construction of projects authorized by this subsection must include a provision encouraging employment of participants in the welfare transition program. The goal for *such* employment ~~of participants in the welfare transition program~~ is 25 percent of all new employees employed specifically for the project, unless the Department of Transportation and the Florida Seaport Transportation and Economic Development Council demonstrate that such a requirement would severely hamper the successful completion of the project. In such an instance, Workforce Florida, Inc., shall establish an appropriate percentage of employees *who are* ~~that must be~~ participants in the welfare transition program. The council and the Department of Transportation *may* ~~are authorized to~~ perform such acts as are required to facilitate and implement the provisions of this subsection. To better enable the ports to cooperate to their mutual advantage, the governing body of each port may exercise powers provided to municipalities or counties in s. 163.01(7)(d) subject to the provisions of chapter 311 and special acts, if

any, pertaining to a port. The use of funds provided pursuant to this subsection is limited to eligible projects listed in this subsection. ~~The provisions of s. 311.07(4) do not apply to any funds received pursuant to this subsection.~~ The revenues available under this subsection *may* ~~shall~~ not be pledged to the payment of any bonds other than the Florida Ports Financing Commission Series 1996 and Series 1999 Bonds currently outstanding; ~~provided,~~ however, such revenues may be pledged to secure payment of refunding bonds to refinance the Florida Ports Financing Commission Series 1996 and Series 1999 Bonds. ~~No~~ Refunding bonds secured by revenues available under this subsection may *not* be issued with a final maturity later than the final maturity of the Florida Ports Financing Commission Series 1996 and Series 1999 Bonds or which provide for higher debt service in any year than is currently payable on such bonds. Any revenue bonds or other indebtedness issued after July 1, 2000, other than refunding bonds shall be issued by the Division of Bond Finance at the request of the Department of Transportation pursuant to the State Bond Act.

Section 14. *Section 320.204, Florida Statutes, is repealed.*

Section 15. Subsection (3) of section 322.07, Florida Statutes, is amended to read:

322.07 Instruction permits and temporary licenses.—

(3) Any person who, except for his or her lack of instruction in operating a commercial motor vehicle, would otherwise be qualified to obtain a commercial *driver* ~~driver's~~ license under this chapter, may apply for a temporary commercial instruction permit. The department shall issue such a permit entitling the applicant, while having the permit in his or her immediate possession, to drive a commercial motor vehicle on the highways, *if* ~~provided that~~:

(a) The applicant possesses a valid *Florida driver* ~~driver's~~ license ~~issued in any state~~; and

(b) The applicant, while operating a commercial motor vehicle, is accompanied by a licensed driver who is 21 years of age or older, who is licensed to operate the class of vehicle being operated, and who is ~~actually~~ occupying the closest seat to the right of the driver.

Section 16. Subsection (2) of section 322.53, Florida Statutes, is amended to read:

322.53 License required; exemptions.—

(2) The following persons are exempt from the requirement to obtain a commercial *driver* ~~driver's~~ license:

(a) Drivers of authorized emergency vehicles.

(b) Military personnel driving vehicles operated for military purposes.

(c) Farmers transporting *agricultural products,* farm supplies*,* or farm machinery *to or from their farms and* within 150 miles of their *farms* ~~farm~~*, if the vehicle operated under this exemption is not used in the operations of a common or contract motor carrier* ~~or transporting agricultural products to or from the first place of storage or processing or directly to or from market, within 150 miles of their farm~~.

(d) Drivers of recreational vehicles, as defined in s. 320.01.

(e) Drivers who operate straight trucks, as defined in s. 316.003, *and who* ~~that~~ are ~~exclusively~~ transporting *exclusively* their own tangible personal property*,* which is not for sale.

(f) *Employees* ~~An employee~~ of a publicly owned transit system who *are* ~~is~~ limited to moving vehicles for maintenance or parking purposes exclusively within the restricted-access confines of a transit system's property.

Section 17. Subsection (2) of section 322.54, Florida Statutes, is amended to read:

322.54 Classification.—

(2) The department shall issue, pursuant to the requirements of this chapter, *driver* ~~drivers'~~ licenses in accordance with the following classifications:

(a) Any person who drives a motor vehicle combination having a gross vehicle weight rating *or gross vehicle weight* of 26,001 pounds or more must possess a valid Class A *driver* ~~driver's~~ license, *if* ~~provided~~ the gross vehicle weight rating *or gross vehicle weight* of the vehicle being towed is more than 10,000 pounds. Any person who possesses a valid Class A *driver* ~~driver's~~ license may, subject to the appropriate restrictions and endorsements, drive any class of motor vehicle within this state.

(b) Any person, except a person who possesses a valid Class A *driver* ~~driver's~~ license, who drives a motor vehicle having a gross vehicle weight rating *or gross vehicle weight* of 26,001 pounds or more must possess a valid Class B *driver* ~~driver's~~ license. Any person, except a person who possesses a valid Class A *driver* ~~driver's~~ license, who drives such vehicle towing a vehicle having a gross vehicle weight rating of 10,000 pounds or less must possess a valid Class B *driver* ~~driver's~~ license. Any person who possesses a valid Class B *driver* ~~driver's~~ license may, subject to the appropriate restrictions and endorsements, drive any class of motor vehicle, other than the type of motor vehicle for which a Class A *driver* ~~driver's~~ license is required, within this state.

(c) Any person, except a person who possesses a valid Class A or a valid Class B *driver* ~~driver's~~ license, who drives a motor vehicle having a gross vehicle weight rating of less than 26,001 pounds and who is required to obtain an endorsement pursuant to paragraph (1)(b), paragraph (1)(c), or paragraph (1)(e) of s. 322.57, must possess a valid Class C *driver* ~~driver's~~ license. Any person who possesses a valid Class C *driver* ~~driver's~~ license may, subject to the appropriate restrictions and endorsements, drive any class of motor vehicle, other than the type of motor vehicle for which a Class A or a Class B *driver* ~~driver's~~ license is required, within this state.

(d) Any person, except a person who possesses a valid Class A, valid Class B, or valid Class C *driver* ~~driver's~~ license, who drives a motor vehicle must possess a valid Class E *driver* ~~driver's~~ license. Any person who possesses a valid Class E *driver* ~~driver's~~ license may, subject to the appropriate restrictions and endorsements, drive any type of motor vehicle, other than the type of motor vehicle for which a Class A, Class B, or Class C *driver* ~~driver's~~ license is required, within this state.

Section 18. Section 322.59, Florida Statutes, is amended to read:

322.59 Possession of medical examiner's certificate.—

(1) The department *may* ~~shall~~ not issue a commercial *driver* ~~driver's~~ license to *a* ~~any~~ person who is required by the laws of this state or by federal law to possess a medical examiner's certificate, unless *the* ~~such~~ person presents a valid certificate*, as described in 49 C.F.R. s. 383.71, before* ~~prior to~~ licensure.

(2) *The department shall disqualify a driver from operating a commercial motor vehicle if the driver holds a commercial driver license and fails to comply with the medical certification requirements in 49 C.F.R. s. 383.71* ~~This section does not expand the requirements as to who must possess a medical examiner's certificate~~.

(3) A person who is disqualified from operating a commercial motor vehicle under this section may, if otherwise qualified, be issued a Class E driver license pursuant to s. 322.251.

Section 19. Subsections (3) and (5) of section 322.61, Florida Statutes, are amended to read:

322.61 Disqualification from operating a commercial motor vehicle.—

(3)(a) Except as provided in subsection (4), any person who is convicted of one of the offenses listed in paragraph (b) while operating a commercial motor vehicle shall, in addition to any other applicable penalties, be disqualified from operating a commercial motor vehicle for a period of 1 year.~~:~~

(b) Except as provided in subsection (4), any holder of a commercial *driver* ~~driver's~~ license who is convicted of one of the offenses listed in this paragraph while operating a noncommercial motor vehicle shall, in ad-

dition to any other applicable penalties, be disqualified from operating a commercial motor vehicle for a period of 1 year:

1. Driving a motor vehicle while he or she is under the influence of alcohol or a controlled substance;

2. Driving a commercial motor vehicle while the alcohol concentration of his or her blood, breath, or urine is .04 percent or higher;

3. Leaving the scene of a crash involving a motor vehicle driven by such person;

4. Using a motor vehicle in the commission of a felony;

5. Driving a commercial motor vehicle while in possession of a controlled substance;

6. Refusing to submit to a test to determine his or her alcohol concentration while driving a motor vehicle;

7. Driving a commercial vehicle while the licenseholder's commercial *driver* ~~driver's~~ license is suspended, revoked, or canceled or while the licenseholder is disqualified from driving a commercial vehicle; or

8. Causing a fatality through the negligent operation of a commercial motor vehicle.

(5) *A* ~~Any~~ person who is convicted of two violations specified in subsection (3) which were committed while operating a commercial motor vehicle, or any combination thereof, arising in separate incidents shall be permanently disqualified from operating a commercial motor vehicle. *A* ~~Any~~ holder of a commercial *driver* ~~driver's~~ license who is convicted of two violations specified in subsection (3) which were committed while operating *any* ~~a noncommercial~~ motor vehicle~~, or any combination thereof,~~ arising in separate incidents shall be permanently disqualified from operating a commercial motor vehicle. The penalty provided in this subsection is in addition to any other applicable penalty.

Section 20. Present subsections (8) through (13) of section 334.30, Florida Statutes, are redesignated as subsections (7) through (12), respectively, and present subsection (7) of that section is amended, to read:

334.30 Public-private transportation facilities.—The Legislature finds and declares that there is a public need for the rapid construction of safe and efficient transportation facilities for the purpose of traveling within the state, and that it is in the public's interest to provide for the construction of additional safe, convenient, and economical transportation facilities.

~~(7) The department may lend funds from the Toll Facilities Revolving Trust Fund, as outlined in s. 338.251, to private entities that construct projects on the State Highway System containing toll facilities that are approved under this section. To be eligible, a private entity must comply with s. 338.251 and must provide an indication from a nationally recognized rating agency that the senior bonds for the project will be investment grade, or must provide credit support such as a letter of credit or other means acceptable to the department, to ensure that the loans will be fully repaid. The state's liability for the funding of a facility is limited to the amount approved for that specific facility in the department's 5-year work program adopted pursuant to s. 339.135.~~

Section 21. Subsection (5) is added to section 335.074, Florida Statutes, to read:

335.074 Safety inspection of bridges.—

(5) Upon receipt of an inspection report that recommends reducing the weight, size, or speed limit on a bridge, the governmental entity having maintenance responsibility for the bridge shall reduce the maximum limits for the bridge in accordance with the inspection report and shall post the limits in accordance with s. 316.555. The governmental entity shall, within 30 days after receipt of an inspection report recommending lower limits, notify the department that the limitations have been implemented and the limits have been posted accordingly. If the required actions are not taken within 30 days after receipt of an inspection report, the department shall post the limits on the bridge in accordance with the recommendations in the inspection report. The costs incurred by the department in connection with providing notice of the bridge's limitations or restrictions shall be assessed against and collected from the governmental entity having maintenance responsibility for the bridge. If an inspection report recommends closure of a bridge, the bridge shall be immediately closed. If the governmental entity does not close the bridge immediately upon receipt of an inspection report recommending closure, the department shall close the bridge. The costs incurred by the department in connection with the bridge closure shall be assessed against and collected from the governmental entity having maintenance responsibility for the bridge. This subsection does not alter existing jurisdictional responsibilities for the operation and maintenance of bridges.

Section 22. Section 338.151, Florida Statutes, is created to read:

338.151 Authority of the department to establish tolls on the State Highway System.—Notwithstanding s. 338.165(8), the department may establish tolls on new limited access facilities on the State Highway System, lanes added to existing limited access facilities on the State Highway System, new major bridges on the State Highway System over waterways, and replacements for existing major bridges on the State Highway System over waterways to pay, fully or partially, for the cost of such projects. Except for high-occupancy vehicle lanes, express lanes, the turnpike system, and as otherwise authorized by law, the department may not establish tolls on lanes of limited access facilities that exist on July 1, 2012, unless tolls were in effect for the lanes before that date. The authority provided in this section is in addition to the authority provided under the Florida Turnpike Enterprise Law and s. 338.166.

Section 23. Subsection (1) of section 338.155, Florida Statutes, is amended to read:

338.155 Payment of toll on toll facilities required; exemptions.—

(1) *A person may not* ~~No persons are permitted to~~ use any toll facility without payment of tolls, except employees of the agency operating the toll project when using the toll facility on official state business, state military personnel while on official military business, handicapped persons as provided in this section, persons exempt from toll payment by the authorizing resolution for bonds issued to finance the facility, and persons exempt on a temporary basis where use of such toll facility is required as a detour route. Any law enforcement officer operating a marked official vehicle is exempt from toll payment when on official law enforcement business. Any person operating a fire vehicle when on official business or a rescue vehicle when on official business is exempt from toll payment. Any person participating in the funeral procession of a law enforcement officer or firefighter killed in the line of duty is exempt from toll payment. The secretary~~,~~ or the secretary's designee~~,~~ may suspend the payment of tolls on a toll facility when necessary to assist in emergency evacuation. The failure to pay a prescribed toll constitutes a noncriminal traffic infraction, punishable as a moving violation *as provided in* ~~pursuant to~~ s. 318.18. The department *may* ~~is authorized to~~ adopt rules relating to the payment, collection, and enforcement of tolls, as authorized in chapters 316, 318, 320, 322, and 338, including, but not limited to, rules for the implementation of video or other image billing and variable pricing. *The department may by rule allow the use of toll facilities that it manages by public transit vehicles or by vehicles participating in a funeral procession for an active-duty military service member without the payment of tolls if the revenues of these toll facilities are not pledged to repayment of bonds.*

Section 24. Section 338.161, Florida Statutes, is amended to read:

338.161 ~~Authority of department or toll agencies to advertise and promote electronic toll collection;~~ Expanded uses of electronic toll collection system~~; studies authorized~~.—

(1) The department *may* ~~is authorized to~~ incur expenses for paid advertising, marketing, and promotion of toll facilities and electronic toll collection products and services. Promotions may include discounts and free products.

(2) The department *may* ~~is authorized to~~ receive funds from advertising placed on electronic toll collection products and promotional materials to defray the costs of products and services.

(3)~~(a)~~ The department or any toll agency created by statute may incur expenses to advertise or promote its electronic toll collection system to consumers on or off the turnpike or toll system.

(4)~~(b)~~ If the department or ~~any~~ toll agency created by statute finds that it can increase nontoll revenues or add convenience or other value for its customers, the department or toll agency may enter into agreements with *a* ~~any~~ private or public entity allowing the use of its electronic toll collection system to pay parking fees for vehicles equipped with a transponder or similar device. The department or toll agency may initiate feasibility studies of *other* ~~additional~~ future uses of its electronic toll collection system and make recommendations to the Legislature to authorize such uses.

(5) If the department finds that it can increase nontoll revenues or add convenience or other value for its customers, and if a public or private transportation facility owner agrees that its facility will become interoperable with the department's electronic toll collection and video billing systems, the department may enter into an agreement with the owner of such facility under which the department uses its systems to collect and enforce for the owner tolls, fares, administrative fees, and other applicable charges due in connection with use of the owner's facility.

Section 25. Subsection (10) is added to section 338.165, Florida Statutes, to read:

338.165 Continuation of tolls.—

(10) The department's Beachline-East Expressway may be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law. Any funds expended by the Florida Turnpike Enterprise for the acquisition of the Beachline-East Expressway shall be deposited into the State Transportation Trust Fund, and, notwithstanding any other law to the contrary, such funds shall first be allocated by the department to fund the department's obligation to construct Wekiva Parkway. The term "Wekiva Parkway" means a limited access highway or expressway constructed between State Road 429 and Interstate 4 specifically incorporating the corridor alignment recommended by Recommendation 2 of the Wekiva River Basin Area Task Force final report dated January 15, 2003, and the recommendations of the SR 429 Working Group which were adopted January 16, 2004, and related transportation facilities.

Section 26. Section 338.166, Florida Statutes, is amended to read:

338.166 High-occupancy toll lanes or express lanes.—

(1) Under s. 11, Art. VII of the State Constitution, the department may request the Division of Bond Finance to issue bonds secured by toll revenues collected on high-occupancy toll lanes or express lanes *established on facilities owned by the department* ~~located on Interstate 95 in Miami-Dade and Broward Counties~~.

(2) The department may continue to collect the toll on the high-occupancy toll lanes or express lanes after the discharge of any bond indebtedness related to such project. All tolls so collected shall first be used to pay the annual cost of the operation, maintenance, and improvement of the high-occupancy toll lanes or express lanes project or associated transportation system.

(3) Any remaining toll revenue from the high-occupancy toll lanes or express lanes shall be used by the department for the construction, maintenance, or improvement of any road on the State Highway System *within the county or counties in which the toll revenues were collected or to support express bus service on the facility where the toll revenues were collected*.

(4) The department may implement variable rate tolls on high-occupancy toll lanes or express lanes.

(5) Except for high-occupancy toll lanes or express lanes, tolls may not be charged for use of an interstate highway where tolls were not charged as of July 1, 1997.

(6) This section does not apply to the turnpike system as defined under the Florida Turnpike Enterprise Law.

Section 27. Paragraph (a) of subsection (8) of section 338.221, Florida Statutes, is amended to read:

338.221 Definitions of terms used in ss. 338.22-338.241.—As used in ss. 338.22-338.241, the following words and terms have the following meanings, unless the context indicates another or different meaning or intent:

(8) "Economically feasible" means:

(a) For a proposed turnpike project, that, as determined by the department before the issuance of revenue bonds for the project, the estimated net revenues of the proposed turnpike project, excluding feeder roads and turnpike improvements, will be sufficient to pay at least 50 percent of the *annual* debt service on the bonds *associated with the project* by the end of the 12th year of operation and to pay at least 100 percent of the debt service on the bonds by the end of the *30th* ~~22nd~~ year of operation. In implementing this paragraph, up to 50 percent of the adopted work program costs of the project may be funded from turnpike revenues.

This subsection does not prohibit the pledging of revenues from the entire turnpike system to bonds issued to finance or refinance a turnpike project or group of turnpike projects.

Section 28. Paragraphs (a) and (b) of subsection (1) of section 338.223, Florida Statutes, are amended to read:

338.223 Proposed turnpike projects.—

(1)(a) Any proposed project to be constructed or acquired as part of the turnpike system and any turnpike improvement shall be included in the tentative work program. *A* ~~No~~ proposed project or group of proposed projects *may not* ~~shall~~ be added to the turnpike system unless such project or projects are determined to be economically feasible and a statement of environmental feasibility has been completed for such project or projects and such projects are determined to be consistent, to the maximum extent feasible, with approved local government comprehensive plans of the local governments in which such projects are located. The department may authorize engineering studies, traffic studies, environmental studies, and other expert studies of the location, costs, economic feasibility, and practicality of proposed turnpike projects throughout the state and may proceed with the design phase of such projects. The department *may* ~~shall~~ not request legislative approval of a proposed turnpike project until the design phase of that project is at least *30* ~~60~~ percent complete. If a proposed project or group of proposed projects is found to be economically feasible, consistent, to the maximum extent feasible, with approved local government comprehensive plans of the local governments in which such projects are located, and a favorable statement of environmental feasibility has been completed, the department, with the approval of the Legislature, shall, after the receipt of all necessary permits, construct, maintain, and operate such turnpike projects.

(b) Any proposed turnpike project or improvement shall be developed in accordance with the Florida Transportation Plan and the work program pursuant to s. 339.135. Turnpike projects that add capacity, alter access, affect feeder roads, or affect the operation of the local transportation system shall be included in the transportation improvement plan of the affected metropolitan planning organization. If such turnpike project does not fall within the jurisdiction of a metropolitan planning organization, the department shall notify the affected county and provide for public hearings in accordance with s. 339.155(6)(c).

Section 29. *Section 338.251, Florida Statutes, is repealed.*

Section 30. Paragraph (f) of subsection (1) of section 339.08, Florida Statutes, is amended to read:

339.08 Use of moneys in State Transportation Trust Fund.—

(1) The department shall expend moneys in the State Transportation Trust Fund accruing to the department, in accordance with its annual budget. The use of such moneys shall be restricted to the following purposes:

(f) To pay the cost of economic development transportation projects in accordance with s. *339.2821* ~~288.063~~.

Section 31. Section 339.139, Florida Statutes, is created to read:

339.139 Transportation debt assessment.—

(1) It is the policy of the state to manage the financing of transportation infrastructure in a manner that ensures the fiscal integrity of the State Transportation Trust Fund.

(2) The department shall provide a debt and debtlike contractual obligations load report to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the legislative appropriations committees in conjunction with the tentative work program required under s. 339.135. The debt and debtlike contractual obligations load report must include the following data on current and planned department commitments that are payable from the State Transportation Trust Fund:

(a) Debt service payments that are required to be made under any resolution for the issuance of bonds secured by a lien on federal highway aid reimbursements or motor fuel and diesel fuel taxes.

(b) Funding for seaports which has been pledged to the payment of principal and interest on bonds issued by the Florida Ports Financing Commission pursuant to s. 320.20.

(c) Commitments of the department to pay the costs of operating, maintaining, repairing, and rehabilitating expressway and bridge systems under the terms of lease-purchase agreements which are enforceable by the holders of bonds issued by expressway and bridge authorities pursuant to chapter 348.

(d) Availability, milestone, and final acceptance payments that are required by public-private partnerships pursuant to s. 334.30 and that are not payments for the cost of operation or maintenance of a facility.

(e) Agreed-on payments to a department contractor for work performed in the current fiscal year for which payment is deferred to a later fiscal year pursuant to s. 334.30.

(f) Reimbursements to local governments for work performed on a project if the reimbursement is deferred to a later fiscal year pursuant to s. 339.12.

(g) Loan repayments on state infrastructure bank loans extended to a department district pursuant to s. 339.55.

(3) The department shall manage all levels of debt to ensure that by the beginning of the 2017–2018 fiscal year, not more than 20 percent of total projected available state and federal revenues from the State Transportation Trust Fund, together with any local funds committed to department projects, are committed to the obligations identified in subsection (2) in any year.

(4) If the department believes that a critical project would justify exceeding the limitation established in this section, the department shall notify the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees. The notification must identify the critical project and the projected impact on the department's total debt load. The department may proceed with the project upon approval by the Governor. If either chair of the legislative appropriations committees, the President of the Senate, or the Speaker of the House of Representatives objects in writing to a proposed project within 14 days after submittal of a department request to exceed debt limits and specifies the reasons for such objection, the Governor may not approve the project.

(5) The department shall prepare a separate report on debt obligations that are secured by and payable solely from pledged revenues. The department shall provide the report on pledged revenue debt to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the legislative appropriations committees in conjunction with the tentative work program required under s. 339.135.

Section 32. Section 339.2821, Florida Statutes, is created to read:

339.2821 Economic development transportation projects.—

(1)(a) The department, in consultation with the Department of Economic Opportunity, may make and approve expenditures and contract with the appropriate governmental body for the direct costs of transportation projects. The Department of Economic Opportunity and the Department of Environmental Protection may formally review and comment on recommended transportation projects, although the department has final approval authority for any project authorized under this section.

(b) As used in this section, the term:

1. "Governmental body" means an instrumentality of the state or a county, municipality, district, authority, board, or commission, or an agency thereof, within which jurisdiction the transportation project is located and which is responsible to the department for the transportation project.

2. "Transportation project" means a transportation facility, as defined in s. 334.03, which the department, in consultation with the Department of Economic Opportunity, deems necessary to facilitate the economic development and growth of the state.

(2) The department, in consultation with the Department of Economic Opportunity, shall review each transportation project for approval and funding. In the review, the department must consider:

(a) The cost per job created or retained considering the amount of transportation funds requested;

(b) The average hourly rate of wages for jobs created;

(c) The reliance on any program as an inducement for determining the transportation project's location;

(d) The amount of capital investment to be made by a business;

(e) The demonstrated local commitment;

(f) The location of the transportation project in an enterprise zone as designated in s. 290.0055;

(g) The location of the transportation project in a spaceport territory as defined in s. 331.304;

(h) The unemployment rate of the surrounding area; and

(i) The poverty rate of the community.

The department may contact any agency it deems appropriate for additional information regarding the approval of a transportation project. A transportation project must be approved by the department to be eligible for funding.

(3)(a) The department must approve a transportation project if it determines that the transportation project will:

1. Attract new employment opportunities to the state or expand or retain employment in existing companies operating within the state.

2. Allow for the construction or expansion of a state or federal correctional facility in a county having a population of 75,000 or fewer which creates new employment opportunities or expands or retains employment in the county.

(b) The department must ensure that small and minority businesses have equal access to participate in transportation projects funded pursuant to this section.

(c) In addition to administrative costs and equipment purchases specified in the contract, funds for approved transportation projects may be used for expenses that are necessary for building new, or improving existing, transportation facilities. Funds made available pursuant to this section may not be expended for the relocation of a business from one community to another community in this state unless the department determines that, without the relocation, the business will move outside the state or determines that the business has a compelling economic reason for the relocation, such as creating additional jobs.

(4) A contract between the department and a governmental body for a transportation project must:

(a) Specify that the transportation project is for the construction of a new or expanding business and specify the number of full-time permanent jobs that will result from the project.

(b) Identify the governmental body and require that the governmental body award the construction of the particular transportation project to the lowest and best bidder in accordance with applicable state and federal statutes or rules unless the transportation project can be constructed using existing local governmental employees within the contract period specified by the department.

(c) Require that the governmental body provide the department with quarterly progress reports. Each quarterly progress report must contain:

1. A narrative description of the work completed and whether the work is proceeding according to the transportation project schedule;

2. A description of each change order executed by the governmental body;

3. A budget summary detailing planned expenditures compared to actual expenditures; and

4. The identity of each small or minority business used as a contractor or subcontractor.

(d) Require that the governmental body make and maintain records in accordance with accepted governmental accounting principles and practices for each progress payment made for work performed in connection with the transportation project, each change order executed by the governmental body, and each payment made pursuant to a change order. The records are subject to financial audit as required by law.

(e) Require that the governmental body, upon completion and acceptance of the transportation project, certify to the department that the transportation project has been completed in compliance with the terms and conditions of the contract between the department and the governmental body and meets the minimum construction standards established in accordance with s. 336.045.

(f) Specify that the department transfer funds to the governmental body not more often than quarterly, upon receipt of a request for funds from the governmental body and consistent with the needs of the transportation project. The governmental body shall expend funds received from the department in a timely manner. The department may not transfer funds unless construction has begun on the facility of a business on whose behalf the award was made. A contract totaling less than $200,000 is exempt from the transfer requirement.

(g) Require that funds be used only on a transportation project that has been properly reviewed and approved in accordance with the criteria set forth in this section.

(h) Require that the governing board of the governmental body adopt a resolution accepting future maintenance and other attendant costs occurring after completion of the transportation project if the transportation project is constructed on a county or municipal system.

(5) For purposes of this section, Space Florida may serve as the governmental body or as the contracting agency for a transportation project within spaceport territory as defined by s. 331.304.

(6) Each governmental body receiving funds under this section shall submit to the department a financial audit of the governmental body conducted by an independent certified public accountant. The department, in consultation with the Department of Economic Opportunity, shall develop procedures to ensure that audits are received and reviewed in a timely manner and that deficiencies or questioned costs noted in the audit are resolved.

(7) The department shall monitor the construction or building site for each transportation project that receives funding under this section, including, but not limited to, the construction of the business facility, to ensure compliance with contractual requirements.

Section 33. *In order to implement sections 1 and 32 of this act, which transfer the responsibility of administering economic development transportation projects from the Department of Economic Opportunity to the Department of Transportation, with minimal disruption of services, the Department of Economic Opportunity shall transfer the following to the Department of Transportation:*

(1) All powers, duties, functions, records, pending issues, existing contracts, administrative authority, administrative rules, and unexpended balances of appropriations, allocations, or other funds relating to the Economic Development Transportation program.

(2) Any unexpended balances of released appropriations and appropriations that remain unreleased, and any funds remaining in the Economic Development Trust Fund relating to economic development transportation projects.

(3) Any binding contract or interagency agreement in effect between the Department of Economic Opportunity and any other agency, entity, or person shall continue as a binding contract or agreement for the remainder of the term of such contract or agreement on the successor department responsible for the program.

Section 34. Section 339.2825, Florida Statutes, is created to read:

339.2825 Approval of contractor-financed projects.—

(1) Before the department solicits proposals pursuant to s. 334.30 to advance a project programmed in the adopted 5-year work program or in the 10-year Strategic Intermodal Plan using funds provided by a public-private partnership or a private entity to be reimbursed from department funds for the project as programmed in the adopted work program, the department must provide a summary of the proposed project to the Executive Office of the Governor, the chair of each legislative appropriations committee, the President of the Senate, and the Speaker of the House of Representatives. The summary must include a description of any anticipated commitment by the department for the years outside the adopted work program, a description of the anticipated impacts on the department's overall debt load, and sufficient information to demonstrate that the project will not cause the department to exceed the overall debt limitation provided in s. 339.139. The department may proceed with the project upon approval of the Governor. If the chair of either legislative appropriations committee, the President of the Senate, or the Speaker of the House of Representatives objects to the proposed project in writing within 14 days after receipt of the summary, the Governor may not approve the project.

(2) If the department receives an unsolicited proposal pursuant to s. 334.30 to advance a project programmed in the adopted 5-year work program or in the 10-year Strategic Intermodal Plan using funds provided by public-private partnerships or private entities to be reimbursed from department funds for the project as programmed in the adopted work program, the department shall provide a summary of the proposed project to the Executive Office of the Governor, the chair of each legislative appropriations committee, the President of the Senate, and the Speaker of the House of Representatives before the department advertises receipt of the proposal as provided in s. 334.30. The summary must include a description of any anticipated commitments by the department for the years outside the adopted work program, a description of any anticipated impacts on the department's overall debt load, and sufficient information to demonstrate that the project will not cause the department to exceed the overall debt limitation provided in s. 339.14. The department may not accept the unsolicited proposal, advertise receipt of the unsolicited proposal, or solicit other proposals for the same project purpose without the approval of the Executive Office of the Governor. If the chair of either legislative appropriations committee, the President of the Senate, or the Speaker of the House of Representatives objects to the proposed project in writing within 14 days after receipt of the summary, the Executive Office of the Governor may not approve the proposed project.

(3) This section does not apply to a public-private partnership agreement authorized in s. 334.30(2)(a).

Section 35. Subsection (5) is added to section 339.63, Florida Statutes, to read:

339.63 System facilities designated; additions and deletions.—

(5)(a) The Secretary of Transportation shall designate a planned facility as part of the Strategic Intermodal System upon request of the facility if it meets the criteria and thresholds established by the department pursuant to subsection (4), meets the definition of an intermodal logistics center, and has been designated in a local comprehensive plan or local government development order as an intermodal logistics center or an equivalent planning term. For the purpose of this section, the term "in-

termodal logistics center" means a facility or group of facilities, including, but not limited to, an inland port, serving as a point of intermodal transfer of freight in a specific area physically separated from a seaport whose activities relating to transport, logistics, goods distribution, consolidation, or value-added activities are carried out and whose activities and services are designed to support or be supported by one or more seaports, as provided in s. 311.09, or an airport whose activities and services are designed to support the transport, logistics, goods distribution, consolidation, or value added activities related to airborne cargo.

(b) A facility designated part of the Strategic Intermodal System pursuant to paragraph (a) which is within the jurisdiction of a local government and which maintains a transportation concurrency system shall receive a waiver of transportation concurrency requirements applicable to Strategic Intermodal System facilities in order to accommodate any development at the facility which occurs pursuant to a building permit issued on or before December 31, 2017, but only if such facility is located:

1. Within an area designated pursuant to s. 288.0656(7) as a rural area of critical economic concern;

2. Within a rural enterprise zone as defined in s. 290.004(5); or

3. Within 15 miles of the boundary of a rural area of critical economic concern or a rural enterprise zone.

Section 36. Section 348.7546, Florida Statutes, is amended to read:

348.7546 Wekiva Parkway, construction authorized; financing.— ~~Notwithstanding s. 338.2275,~~

(1) The Orlando-Orange County Expressway Authority is ~~hereby~~ authorized to exercise its condemnation powers *and to*~~,~~ construct, finance, operate, own, and maintain *those portions of* the Wekiva Parkway *which are identified by agreement between the authority and the department and which are included* as part of the authority's long-range capital improvement plan. The "Wekiva Parkway" means any limited access highway or expressway constructed between State Road 429 and Interstate 4 specifically incorporating the corridor alignment recommended by Recommendation 2 of the Wekiva River Basin Area Task Force final report dated January 15, 2003, and the recommendations of the SR 429 Working Group *which* ~~that~~ were adopted January 16, 2004. This project may be financed with any funds available to the authority for such purpose or revenue bonds issued by the authority under s. 11, Art. VII of the State Constitution and s. 348.755(1)(b). *This section does not invalidate the exercise by the authority of its condemnation powers or the acquisition of any property for the Wekiva Parkway before July 1, 2012.*

(2) Notwithstanding any other provision of law to the contrary, in order to ensure that funds are available to the department for its portion of the Wekiva Parkway, beginning July 1, 2012, the authority shall repay the expenditures by the department for costs of operation and maintenance of the Orlando-Orange County Expressway System in accordance with the terms of the memorandum of understanding between the authority and the department as ratified by the authority board on February 22, 2012, which requires the authority to pay the department $10 million on July 1, 2012, and $20 million on each successive July 1 until the department has been fully reimbursed for all costs of the Orlando-Orange County Expressway System which were paid, advanced, or reimbursed to the authority by the department, with a final payment in the amount of the balance remaining. Notwithstanding any other law to the contrary, the funds paid to the department pursuant to this subsection shall be allocated by the department for construction of the Wekiva Parkway.

(3) The department's obligation to construct its portions of the Wekiva Parkway is contingent upon the timely payment by the authority of the annual payments required of the authority, and receipt of the required environmental permits and approvals by the Federal Government.

Section 37. Subsection (6) is added to section 348.755, Florida Statutes, to read:

348.755 Bonds of the authority.—

(6) Notwithstanding any other provision of law to the contrary, on and after July 1, 2012, the authority may not issue any bonds except as permitted under the terms of the memorandum of understanding between the authority and the department as ratified by the authority board on February 22, 2012.

Section 38. Subsections (8) and (9) are added to section 348.757, Florida Statutes, to read:

348.757 Lease-purchase agreement.—

(8) The only lease-purchase agreement authorized by this section is the lease-purchase agreement between the department and the authority dated December 23, 1985, as supplemented by a first supplement to the lease-purchase agreement dated November 25, 1986, and a second supplement to the lease-purchase agreement dated October 27, 1988.

(9) Upon the earlier of the defeasance, redemption, or payment in full of the authority bonds issued before July 1, 2012, or the earlier date to which the purchasers of the authority bonds have consented:

(a) The obligations of the department under the lease- purchase agreement with the authority, including any obligation to pay any cost of operation, maintenance, repair, or rehabilitation of the expressway system, terminate;

(b) The lease purchase agreement terminates;

(c) The expressway system remains the property of the authority and may not be transferred to the department; and

(d) The authority remains obligated to reimburse the department in accordance with the terms of the memorandum of understanding between the authority and the department as ratified by the authority board on February 22, 2012.

Section 39. Subsections (2) and (5) of section 369.317, Florida Statutes, are amended to read:

369.317 Wekiva Parkway.—

(2) The Wekiva Parkway and related transportation facilities shall follow the design criteria contained in the recommendations of the Wekiva River Basin Area Task Force adopted by reference by the Wekiva River Basin Coordinating Committee in its final report of March 16, 2004, and the recommendations of the Wekiva Coordinating Committee contained in its final report of March 16, 2004, subject to reasonable environmental, economic, and engineering considerations. *For those activities associated with the Wekiva Parkway and related transportation facilities which require authorization pursuant to part IV of chapter 373, the Department of Environmental Protection is the exclusive permitting authority.*

(5) In Seminole County, ~~the Seminole County Expressway Authority,~~ the Department of Transportation~~, and the Florida Turnpike Enterprise~~ shall locate the precise corridor and interchanges for the Wekiva Parkway consistent with the legislative intent expressed in this act and other provisions of this act.

Section 40. Paragraph (a) of subsection (4) of section 377.809, Florida Statutes, is amended to read:

377.809 Energy Economic Zone Pilot Program.—

(4)(a) Beginning July 1, 2012, all the incentives and benefits provided for enterprise zones pursuant to state law shall be available to the energy economic zones designated pursuant to this section on or before July 1, 2010. In order to provide incentives, by March 1, 2012, each local governing body that has jurisdiction over an energy economic zone must, by local ordinance, establish the boundary of the energy economic zone, specify applicable energy-efficiency standards, and determine eligibility criteria for the application of state and local incentives and benefits in the energy economic zone. However, in order to receive benefits provided under s. 288.106, a business must be a qualified target industry business under s. 288.106 for state purposes. An energy economic zone's boundary may be revised by local ordinance. Such incentives and benefits include those in ss. 212.08, 212.096, 220.181, 220.182, 220.183, 288.106, and 624.5105 and the public utility discounts provided in s. 290.007(8). The exemption provided in s. 212.08(5)(c) shall be for renewable energy as defined in s. 377.803. For purposes of this section, any applicable requirements for employee residency for higher refund or credit thresholds must be based on employee residency in the energy economic zone or an

enterprise zone. A business in an energy economic zone may also be eligible for funding under ss. 288.047 and 445.003, and a transportation project in an energy economic zone shall be provided priority in funding under s. *339.2821* ~~288.063~~. Other projects shall be given priority ranking to the extent practicable for grants administered under state energy programs.

Section 41. *The funds in the Toll Facilities Revolving Trust Fund and all future payments of obligated funds shall be deposited into the State Transportation Trust Fund to be expended for the purposes specified in s. 339.08, Florida Statutes.*

Section 42. *Notwithstanding s. 120.569, s. 120.57, or s. 373.427, Florida Statutes, or any other provision of law to the contrary, a challenge to a consolidated environmental resource permit or an associated variance or a sovereign submerged lands authorization proposed or issued by the Department of Environmental Protection in connection with the state's deepwater ports, as listed in s. 403.021(9), Florida Statutes, shall be conducted pursuant to the summary hearing provisions of s. 120.574, Florida Statutes. However, the summary proceeding shall be conducted within 30 days after a party files a motion for a summary hearing, regardless of whether the parties agree to the summary proceeding, and the administrative law judge's decision shall be in the form of a recommended order and does not constitute final agency action of the department. The Department of Environmental Protection shall issue the final order within 45 working days after receipt of the administrative law judge's recommended order. The summary hearing provisions of this section apply to pending administrative proceedings, however, s. 120.574(1)(b) and (d) and (2)(a)3. and 5., Florida Statutes, do not apply to pending administrative proceedings. This section shall take effect upon this act becoming a law.*

Section 43. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2012.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to transportation; repealing s. 288.063, F.S., relating to contract requirements for transportation projects; amending s. 288.0656, F.S.; conforming a cross-reference; revising the title of ch. 311, F.S.; amending s. 311.07, F.S.; revising provisions for the financing of port transportation or port facilities projects; increasing funding for the Florida Seaport Transportation and Economic Development Program; directing the Florida Seaport Transportation and Economic Development Council to develop guidelines for project funding; directing council staff, the Department of Transportation, and the Department of Economic Opportunity to work in cooperation to review projects and allocate funds as specified; revising certain authorized uses of program funds; revising the list of projects eligible for funding under the program; removing a cap on distribution of program funds; removing a requirement for a specified audit; authorizing the Department of Transportation to subject projects funded under the program to a specified audit; amending s. 311.09, F.S.; revising provisions for rules of the council for evaluating certain projects; removing provisions for review by the Department of Community Affairs of the list of projects approved by the council; revising provisions for review and evaluation of such projects by the Department of Transportation and the Department of Economic Opportunity; increasing the amount of funding the Department of Transportation is required to include in its annual legislative budget request for the Florida Seaport Transportation and Economic Development Program; revising provisions relating to funding to be included in the budget; creating s. 311.10, F.S.; establishing the Strategic Port Investment Initiative within the Department of Transportation; providing for a minimum annual amount from the State Transportation Trust Fund to fund the initiative; directing the department to work with deepwater ports to develop and maintain a priority list of strategic investment projects; providing project selection criteria; requiring the department to schedule a publicly noticed workshop with the Department of Economic Opportunity and the deepwater ports to review the proposed projects; directing the department to finalize a prioritized list of potential projects after considering comments received in the workshop; directing the department to include the proposed seaport projects in the tentative work program; creating s. 311.101, F.S.; creating the Intermodal Logistics Center Infrastructure Support Program within the Department of Transportation; providing purpose of the program; defining the term "intermodal logistics center"; providing criteria for consideration by the department when evaluating projects for program assistance; directing the department to coordinate and consult with the Department of Economic Opportunity in the selection of projects to be funded; authorizing the department to administer contracts on behalf of the entity selected to receive funding; providing for the department's share of project costs; providing for a certain amount of funds in the State Transportation Trust Fund to be made available for eligible projects; directing the department to include the proposed projects in the tentative work program; authorizing the department to adopt rules; amending s. 311.22, F.S.; conforming a cross-reference; amending s. 316.302, F.S.; requiring owners or drivers of commercial motor vehicles that are engaged in intrastate commerce to be subject to specified federal rules and regulations as such rules and regulations existed on a certain date; providing that certain restrictions on the number of consecutive hours that a commercial motor vehicle may operate do not apply to a farm labor vehicle operated during a state of emergency or during an emergency pertaining to agriculture; correcting terminology; amending s. 318.14, F.S.; authorizing a person who does not hold a commercial driver license and who is cited for a noncriminal traffic infraction while driving a noncommercial motor vehicle to elect to attend a basic driver improvement course in lieu of a court appearance; authorizing a person who does not hold a commercial driver license and who is cited for certain offenses while driving a noncommercial motor vehicle to elect to enter a plea of nolo contendere and to provide proof of compliance in lieu of payment of fine or court appearance; amending s. 319.32, F.S.; increasing the amount of the fees deposited into the State Transportation Trust Fund from original and duplicate certificates of title issued for motor vehicles; specifying the allocation and purposes of funds received from increasing the amount of the fees from original and duplicate certificates of title issued for motor vehicles; providing for the transfer of funds to the State Transportation Trust Fund that result from increased revenues from the seaport programs; amending s. 320.20, F.S.; conforming provisions to changes made by the act; repealing s. 320.204, F.S., relating to the transfer of funds from the Highway Safety Operating Trust Fund to the Transportation Disadvantaged Trust Fund; amending s. 322.07, F.S.; revising provisions relating to temporary commercial instruction permits; amending s. 322.53, F.S.; revising an exemption from the requirement to obtain a commercial driver license for farmers transporting agricultural products, farm supplies, or farm machinery under certain circumstances; providing that such exemption applies if the vehicle is not used in the operations of a common or contract motor carrier; amending s. 322.54, F.S.; requiring that persons who drive a motor vehicle having a gross vehicle weight rating or gross vehicle weight of a specified amount or more possess certain classifications of driver licenses; amending s. 322.59, F.S.; revising provisions relating to the possession of a medical examiner's certificate; requiring that the department disqualify a driver from operating a commercial motor vehicle if the driver holds a commercial driver license and fails to comply with the medical certification requirements; authorizing the department to issue, under certain circumstances, a Class E driver license to a person who is disqualified from operating a commercial motor vehicle; amending s. 322.61, F.S.; revising provisions relating to the disqualification from operating a commercial motor vehicle; providing that any holder of a commercial driver license who is convicted of two violations committed while operating any motor vehicle is permanently disqualified from operating a commercial motor vehicle; amending s. 334.30, F.S., relating to public-private transportation facilities; deleting obsolete provisions relating to the Toll Facilities Revolving Trust Fund; amending s. 335.074, F.S., relating to bridge safety inspection reports; requiring the governmental entity having maintenance responsibility for a bridge to reduce the maximum weight, size, or speed limit for the bridge or to close the bridge upon receipt of a report recommending the reduction or closure; requiring the entity to post the reduced limits and notify the department; requiring the department to post the reduced limits or to close the bridge under certain circumstances; requiring costs associated with the department posting the revised limits or closure of the bridge to be assessed against and collected from the governmental entity; creating s. 338.151, F.S.; authorizing the department to establish tolls on certain transportation facilities to pay for the cost of such project; prohibiting the department from establishing tolls on certain lanes of limited access facilities; providing an exception; providing for application; amending s. 338.155, F.S.; authorizing the department adopt rules to allow public transit vehicles and certain military-service-related funeral processions to use certain toll facilities without payment of tolls; amending s. 338.161, F.S.; authorizing the Department of Transportation to enter into certain agreements with a public or private transportation facility owner if it can increase nontoll revenues or add con-

venience or other value; providing criteria; amending s. 338.165, F.S.; authorizing the Department of Transportation to transfer the Beachline-East Expressway to the turnpike system; providing for the deposit of any funds expended by the Florida Turnpike Enterprise for the acquisition of the Beachline-East Expressway into the State Transportation Trust Fund for allocation to construct the Wekiva Parkway; defining the term "Wekiva Parkway"; amending s. 338.166, F.S.; revising a provision for issuance of bonds secured by toll revenues collected on high-occupancy toll lanes or express lanes; revising authorized uses of such toll revenues; providing restrictions on such use; amending s. 338.221, F.S.; revising the definition of the term "economically feasible" for purposes of proposed turnpike projects; amending s. 338.223, F.S.; revising provisions for department requests for legislative approval of proposed turnpike projects; conforming a cross-reference; repealing s. 338.251, F.S., relating to the Toll Facilities Revolving Trust Fund; amending s. 339.08, F.S.; conforming a cross-reference; creating s. 339.139, F.S.; declaring that management of transportation infrastructure financing to ensure the fiscal integrity of the State Transportation Trust Fund is state policy; requiring that the department provide a debt and debtlike contractual obligations load report to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the legislative appropriations committees; requiring that the load report provide certain data; requiring that the department manage levels of debt to ensure that no more than a certain percentage of revenues is committed; providing exceptions that allow the limitation to be exceeded; requiring that the department prepare a report on debt obligations that are secured by and payable from pledged revenues; requiring that the department provide the report to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the legislative appropriations committees; creating s. 339.2821, F.S.; authorizing the Department of Transportation, in consultation with the Department of Economic Opportunity, to make and approve expenditures and enter into contracts with an appropriate governmental body for the direct costs of transportation projects; providing definitions; authorizing the Department of Economic Opportunity and the Department of Environmental Protection to review and comment on recommended transportation projects; providing criteria that the Department of Transportation must follow when reviewing a contract for approval; providing criteria for the transportation contract with a governmental body; providing that Space Florida may serve as a governmental body or as a contracting agency for transportation projects within spaceport territory; requiring each governmental body to submit a financial audit by an independent certified public accountant to the department; requiring that the department monitor each construction site receiving funding; assigning and transferring the rights and obligations of the Department of Economic Opportunity under certain contracts to the Department of Transportation; requiring the contracts to be administered by the Department of Transportation; creating s. 339.2825, F.S.; requiring the Department of Transportation to submit a summary of proposed public-private transportation projects to the Executive Office of the Governor, each legislative appropriations committee, the President of the Senate, and the Speaker of the House of Representatives; providing criteria for the summary; providing for the department to proceed with a project upon approval by the Governor; prohibiting the Governor from approving a transportation project if a legislative appropriations committee, the President of the Senate, or the Speaker of the House of Representatives objects within a certain period after receipt of the summary; providing for receipt by the department of an unsolicited proposal for certain transportation projects; exempting a public-private partnership agreement involving the lease of a toll facility from the requirements of the approval process; amending s. 339.63, F.S.; adding military access facilities to the types of facilities included in the Strategic Intermodal System and the Emerging Strategic Intermodal System which form components of an interconnected transportation system; providing that an intermodal logistics center meeting certain criteria shall be designated as part of the Strategic Intermodal System; providing for a waiver of transportation concurrency for such facility if it is located within a described area; amending s. 348.7546, F.S.; authorizing the Orlando-Orange County Expressway Authority to construct, finance, operate, own, and maintain those portions of the Wekiva Parkway which are identified by agreement between the authority and the department; providing that the authority's exercise of certain condemnation powers or acquisition of any property; requiring the authority to repay certain expenditures by the department; requiring that the funds paid to the department be allocated for construction of the Wekiva Parkway; providing that the department's obligations to construct certain portions of the Wekiva Parkway are contingent upon timely payment by the authority and receipt of all required permits and approvals; amending s. 348.755, F.S.; prohibiting the authority from issuing any bonds, except as permitted under the terms of a certain memorandum of understanding between the authority and the department; amending s. 348.757, F.S.; limiting certain authorized lease-purchase agreements; providing for the termination of the department's obligations under certain lease-purchase agreements; amending s. 369.317, F.S.; providing for the Department of Environmental Protection to have exclusive permitting authority for certain activities associated with the Wekiva Parkway and related transportation facilities; requiring the department to locate the precise corridor and interchanges for the Wekiva Parkway to be located in Seminole County; amending s. 377.809, F.S.; conforming a cross-reference; transferring funds and all future payments of obligated funds in the Toll Facilities Revolving Trust Fund to the State Transportation Trust Fund; requiring that a challenge to a consolidated environmental resource permit or an associated variance or a sovereign submerged lands authorization proposed or issued by the Department of Environmental Protection in connection with the state's deepwater ports be conducted pursuant to certain summary hearing provisions; providing a timeframe when the summary proceeding must be conducted; requiring the administrative law judge's decision be in the form of a recommended order; providing that the recommended order does not constitute final agency action of the department; requiring the department to issue the final order within 45 working days after receipt of the recommended order; providing exceptions for pending administrative proceedings; providing effective dates.

On motion by Senator Benacquisto, the Conference Committee Report on **SB 1998** was adopted. **SB 1998** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—2

Dockery	Rich

Vote after roll call:

Nay to Yea—Rich

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5505, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5505

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5505, same being:

An act relating to the Department of Financial Services.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
Charles S. "Chuck" Chestnut IV
At Large
Joseph A. "Joe" Gibbons
Dorothy L. Hukill, At Large
s/ John Legg, At Large
s/ Debbie Mayfield
s/ Bryan Nelson
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
s/ Will W. Weatherford, At Large

s/ Ed Hooper
Lead Manager
Lori Berman
Chris Dorworth, At Large
s/ James C. "Jim" Frishe, At Large
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Seth McKeel, At Large
s/ Jimmy Patronis
Ron Saunders, At Large
s/ William D. Snyder, At Large
Barbara Watson
s/ Michael B. "Mike" Weinstein

Managers on the part of the House

The Conference Committee Amendment for HB 5505, Department of Financial Services, provides for the following:

- Allows for the electronic submission of workers' compensation exemption applications, with streamlined reporting requirements (e.g., elimination of notarization requirement and, for construction industry exemptions, the filing of copies of stock certificates).

  - Requires additional data elements to be reported by all applicants filing electronically to include:

    - Date of birth, Florida driver's license number or identification card number.

    - For construction industry applicants, statement of ownership interest.

  - Provides that exemptions issued after January 1, 2013, are valid for two years.

- Repeals the requirement for the Department of Financial Services to prepare an annual report on the administration of the workers' compensation laws of the prior year.

- Provides for a cost savings of nine positions and $348,289 incorporated into the Fiscal Year 2012-13 General Appropriations Act.

- Amends the delinquent finance charge related to consumer finance loans by adjusting the current $10 fee annually based on the consumer price index.

- Provides that revenues collected for money transmitter functions will be deposited into the Financial Institutions Regulatory Trust Fund rather than the Regulatory Trust Fund.

- Authorizes the Governor, at his option, to direct the State Board of Administration to create the Florida Insurance Premium Tax Pre-Payment Program in order to provide an additional funding mechanism for the Florida Hurricane Catastrophe Fund.

Conference Committee Amendment (473923)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (15) of section 440.02, Florida Statutes, is amended to read:

440.02 Definitions.—When used in this chapter, unless the context clearly requires otherwise, the following terms shall have the following meanings:

(15)

(b) "Employee" includes any person who is an officer of a corporation and who performs services for remuneration for such corporation within this state, whether or not such services are continuous.

1. Any officer of a corporation may elect to be exempt from this chapter by filing ~~written~~ notice of the election with the department as provided in s. 440.05.

2. As to officers of a corporation who are engaged in the construction industry, no more than three officers of a corporation or of any group of affiliated corporations may elect to be exempt from this chapter by filing ~~written~~ notice of the election with the department as provided in s. 440.05. Officers must be shareholders, each owning at least 10 percent of the stock of such corporation and listed as an officer of such corporation with the Division of Corporations of the Department of State, in order to elect exemptions under this chapter. For purposes of this subparagraph, the term "affiliated" means and includes one or more corporations or entities, any one of which is a corporation engaged in the construction industry, under the same or substantially the same control of a group of business entities which are connected or associated so that one entity controls or has the power to control each of the other business entities. The term "affiliated" includes, but is not limited to, the officers, directors, executives, shareholders active in management, employees, and agents of the affiliated corporation. The ownership by one business entity of a controlling interest in another business entity or a pooling of equipment or income among business entities shall be prima facie evidence that one business is affiliated with the other.

3. An officer of a corporation who elects to be exempt from this chapter by filing a ~~written~~ notice of the election with the department as provided in s. 440.05 is not an employee.

Services are presumed to have been rendered to the corporation if the officer is compensated by other than dividends upon shares of stock of the corporation which the officer owns.

Section 2. Subsections (3) and (6) of section 440.05, Florida Statutes, are amended to read:

440.05 Election of exemption; revocation of election; notice; certification.—

(3) Each officer of a corporation who is engaged in the construction industry and who elects an exemption from this chapter or who, after electing such exemption, revokes that exemption, must *electronically submit* ~~mail~~ a ~~written~~ notice to such effect to the department on a form prescribed by the department. ~~The notice of election to be exempt from the provisions of this chapter must be notarized and under oath.~~ The notice of election to be exempt which is *electronically* submitted to the department by the officer of a corporation who is allowed to claim an exemption as provided by this chapter must list the name, federal tax

identification number, *date of birth, Florida driver license number or Florida identification card* ~~social security~~ number, all certified or registered licenses issued pursuant to chapter 489 held by the person seeking the exemption, ~~a copy of relevant documentation as to employment status filed with the Internal Revenue Service as specified by the department, a copy of the relevant occupational license in the primary jurisdiction of the business, and~~ the registration number of the corporation filed with the Division of Corporations of the Department of State*, and the percentage of ownership* ~~along with a copy of the stock certificate~~ evidencing the required ownership under this chapter. The notice of election to be exempt must identify each corporation that employs the person electing the exemption and must list the social security number or federal tax identification number of each such employer and the additional documentation required by this section. In addition, the notice of election to be exempt must provide that the officer electing an exemption is not entitled to benefits under this chapter, must provide that the election does not exceed exemption limits for officers provided in s. 440.02, and must certify that any employees of the corporation whose officer elects an exemption are covered by workers' compensation insurance. Upon receipt of the notice of the election to be exempt, receipt of all application fees, and a determination by the department that the notice meets the requirements of this subsection, the department shall issue a certification of the election to the officer, unless the department determines that the information contained in the notice is invalid. The department shall revoke a certificate of election to be exempt from coverage upon a determination by the department that the person does not meet the requirements for exemption or that the information contained in the notice of election to be exempt is invalid. The certificate of election must list the name of the corporation listed in the request for exemption. A new certificate of election must be obtained each time the person is employed by a new or different corporation that is not listed on the certificate of election. A copy of the certificate of election must be sent to each workers' compensation carrier identified in the request for exemption. Upon filing a notice of revocation of election, an officer who is a subcontractor or an officer of a corporate subcontractor must notify her or his contractor. Upon revocation of a certificate of election of exemption by the department, the department shall notify the workers' compensation carriers identified in the request for exemption.

(6) A construction industry certificate of election to be exempt which is issued in accordance with this section shall be valid for 2 years after the effective date stated thereon. Both the effective date and the expiration date must be listed on the face of the certificate by the department. The construction industry certificate must expire at midnight, 2 years from its issue date, as noted on the face of the exemption certificate. A construction industry certificate of election to be exempt may be revoked before its expiration by the officer for whom it was issued or by the department for the reasons stated in this section. At least 60 days *before* ~~prior to~~ the expiration date of a construction industry certificate of exemption ~~issued after December 1, 1998~~, the department shall send notice of the expiration date ~~and an application for renewal~~ to the certificateholder at the address on the certificate *or to the e-mail address on file with the department*.

Section 3. Effective January 1, 2013, subsection (6) of section 440.05, Florida Statutes, as amended by this act, is amended to read:

440.05 Election of exemption; revocation of election; notice; certification.—

(6) A ~~construction industry~~ certificate of election to be exempt which is issued *on or after January 1, 2013,* in accordance with this section shall be valid for 2 years after the effective date stated thereon. Both the effective date and the expiration date must be listed on the face of the certificate by the department. The ~~construction industry~~ certificate must expire at midnight, 2 years from its issue date, as noted on the face of the exemption certificate. A ~~construction industry~~ certificate of election to be exempt may be revoked before its expiration by the officer for whom it was issued or by the department for the reasons stated in this section. At least 60 days before the expiration date of a ~~construction industry~~ certificate of exemption, the department shall send notice of the expiration date to the certificateholder at the address on the certificate or to the e-mail address on file with the department.

Section 4. *Section 440.59, Florida Statutes, is repealed.*

Section 5. Paragraph (a) of subsection (3) of section 516.031, Florida Statutes, is amended to read:

516.031 Finance charge; maximum rates.—

(3) OTHER CHARGES.—

(a) In addition to the interest, delinquency, and insurance charges herein provided for, no further or other charges or amount whatsoever for any examination, service, commission, or other thing or otherwise shall be directly or indirectly charged, contracted for, or received as a condition to the grant of a loan, except:

1. An amount not to exceed $25 to reimburse a portion of the costs for investigating the character and credit of the person applying for the loan;

2. An annual fee of $25 on the anniversary date of each line-of-credit account;

3. Charges paid for brokerage fee on a loan or line of credit of more than $10,000, title insurance, and the appraisal of real property offered as security when paid to a third party and supported by an actual expenditure;

4. Intangible personal property tax on the loan note or obligation when secured by a lien on real property;

5. The documentary excise tax and lawful fees, if any, actually and necessarily paid out by the licensee to any public officer for filing, recording, or releasing in any public office any instrument securing the loan, which fees may be collected when the loan is made or at any time thereafter;

6. The premium payable for any insurance in lieu of perfecting any security interest otherwise required by the licensee in connection with the loan, if the premium does not exceed the fees which would otherwise be payable, which premium may be collected when the loan is made or at any time thereafter;

7. Actual and reasonable attorney's fees and court costs as determined by the court in which suit is filed;

8. Actual and commercially reasonable expenses of repossession, storing, repairing and placing in condition for sale, and selling of any property pledged as security; or

9. A delinquency charge not to exceed $10 for each payment in default for a period of not less than 10 days, if the charge is agreed upon, in writing, between the parties before imposing the charge. *Such delinquency charge shall be adjusted annually on July 1 by the Chief Financial Officer to correspond to the percentage, if any, by which the Consumer Price Index (CPI) for Urban Wage Earners and Clerical Workers for the most recent calendar year exceeds the CPI for the calendar year immediately preceding. The adjusted charge shall be rounded to the nearest hundredth of a dollar.*

Any charges, including interest, in excess of the combined total of all charges authorized and permitted by this chapter constitute a violation of chapter 687 governing interest and usury, and the penalties of that chapter apply. In the event of a bona fide error, the licensee shall refund or credit the borrower with the amount of the overcharge immediately but within 20 days from the discovery of such error.

Section 6. Subsections (3) and (4) of section 560.1092, Florida Statutes, are renumbered as subsections (2) and (3), respectively, and present subsection (2) of that section is amended to read:

560.1092 Examination expenses.—

~~(2) All moneys collected from licensees for examinations shall be deposited into the Regulatory Trust Fund, and the office may make deposits into such fund from moneys appropriated for the operation of the office.~~

Section 7. Section 560.144, Florida Statutes, is amended to read:

560.144 Deposit of fees and assessments.—License application fees, license renewal fees, late payment penalties, civil penalties, administrative fines, *examination fees,* and other fees, costs, or penalties provided for in this chapter shall be paid directly to the office. *Proceeds from part II of this chapter shall be deposited into the Financial Institutions'*

Regulatory Trust Fund. Proceeds from part III of this chapter shall be deposited~~, which shall deposit such proceeds~~ into the Regulatory Trust Fund ~~and use the proceeds to pay the costs of the office as necessary to carry out its responsibilities under this chapter~~.

Section 8. *Florida Insurance Premium Tax Prepayment Program.—The Governor may direct the State Board of Administration to create the Florida Insurance Premium Tax Prepayment Program for the purpose of creating an additional funding mechanism for the Florida Hurricane Catastrophe Fund.*

(1) DEFINITIONS.—As used in this section, the term:

(a) "Affiliate" means:

1. A person who directly or indirectly:

a. Beneficially owns 10 percent or more of the outstanding voting securities or other ownership interests of the other person, whether through rights, options, convertible interests, or otherwise; or

b. Controls or holds power to vote 10 percent or more of the outstanding voting securities or other ownership interests of the other person;

2. A person with 10 percent or more of the outstanding voting securities or other ownership interests, of which are directly or indirectly:

a. Beneficially owned by the other person, whether through rights, options, convertible interest, or otherwise; or

b. Controlled or held with power to vote by the other person;

3. A partnership in which the other person is a general partner; or

4. An officer, employee, or agent of the other person, or an immediate family member of the officer, employee, or agent.

(b) "Certificate" means an instrument issued by the state as authorized by the program in exchange for the prepayment of insurance premium taxes by purchasers which does not extend beyond the 11th calendar year following the calendar year of the fund allocation date to which the certificate relates, except as otherwise provided in paragraph (4)(d).

(c) "Corporation" means the Florida Hurricane Catastrophe Fund Finance Corporation.

(d) "Full tax credit amount" means the aggregate stated amount of all certificates issued by the state to purchasers evidencing prepayment of the purchaser's premium taxes.

(e) "Fund" means the Florida Hurricane Catastrophe Fund.

(f) "Fund allocation date" means the date on which the state board receives premium tax prepayments from purchasers in return for the issuance of the certificates that entitle the purchasers to receive an allocation of the full tax credit amount authorized by the program.

(g) "Manager" means a person, including its principals, partners, subsidiaries, affiliates, or subcontractors, designated pursuant to the program to arrange for the sale of certificates and the receipt of prepayments of insurance premium taxes.

(h) "Manager costs" means a fee of up to 150 basis points, as determined by the state board, of the stated amount of the certificates issued and sold for all of the manager's costs related to configuring and selling the certificates.

(i) "Person" means any natural person, corporation, limited liability company, partnership, joint venture, trust, incorporated or unincorporated association, joint stock company, governmental agency or political subdivision thereof, or other entity of any kind.

(j) "Premium tax year" means the 12-month period used under state law to measure an insurer's premium tax liability, which begins on January 1 of each calendar year and ends on the following December 31 of such calendar year.

(k) "Premium taxes" means the taxes imposed pursuant to ss. 624.509 and 624.5091, Florida Statutes, and chapter 220, Florida Statutes.

(l) "Principal" means:

1. A senior officer or director of a corporation;

2. An individual manager of a limited liability company or a principal of an entity manager;

3. An individual general partner of a partnership or limited partnership or a principal of an entity that serves as a general partner; or

4. An individual in a position of similar authority in an entity not specifically named in this paragraph.

(m) "Program" means the Florida Insurance Premium Tax Prepayment Program.

(n) "Purchaser" means an insurer authorized to transact insurance in this state which has a liability for insurance premium taxes under ss. 624.509 and 624.5091, Florida Statutes, or corporate income and excise taxes under chapter 220, Florida Statutes, which prepays its insurance premium taxes or corporate and excise taxes as provided under the program.

(o) "State board" or "board" means the State Board of Administration.

(p) "Tax credits" means credits against insurance premium tax liability under ss. 624.509 and 624.5091, Florida Statutes, and corporate income and emergency excise tax liability under chapter 220, Florida Statutes, arising from the prepayment of an insurer's insurance premium taxes as authorized under the program.

(2) STATE BOARD OF ADMINISTRATION DUTIES.—Upon receiving direction from the Governor to create the program, the state board shall administer the program, and shall have the following powers and duties necessary or proper to conduct the program, including, but not limited to:

(a) Making and executing contracts and other necessary instruments.

(b) Authorizing the issuance and sale of up to $1.5 billion in certificates to offset insurance premium tax liability under ss. 624.509 and 624.5091, Florida Statutes, or corporate income and emergency excise tax liability under chapter 220, Florida Statutes.

(c) Arranging for the sale of the certificates. The funds derived from the sale of the certificates shall be deposited into a separate account established within the state board as provided in paragraph (d).

(d) Simultaneously with the deposit of sale proceeds of the certificates as provided in paragraph (c), loaning such proceeds to the fund or the corporation, as determined by board based on the recommendations of the manager. Such loan shall be memorialized in a written statement by the board and filed with the board and the corporation, setting forth the terms and details of the loan, including, but not limited to, the rate of interest, if any, to be borne by the loan; the dates for the payment of principal and interest, if any, on the loan; the principal amortization schedule for the loan; and sources and priority of payments for the loan, all of which must be in accordance with s. 215.555, Florida Statutes; and all outstanding obligations associated with or relating to the fund. In determining the terms and details of the loan, the state board must reasonably protect the interests of the state to have the loan fully repaid in a timely manner and design the schedule of loan repayments in each state fiscal year to equal the amount of tax credits that are expected to be applied to reduce state tax liabilities in such fiscal year. If the state board deems it helpful, the corporation may execute such agreements as the board prepares and presents to the corporation relating to or associated with the loan. The state board and the corporation are each granted such duties, rights, and powers as may be necessary or helpful in carrying out the purposes of this paragraph. The loan must be repaid in accordance with its terms. Loan repayments received by the board shall be transferred to the State Treasury for deposit into the General Revenue Fund within 5 days after receipt.

(e) Soliciting proposals and selecting a manager in accordance with subsection (3), and contracting for such other services as deemed necessary or useful by the board for structuring the program and implementing the sale of certificates, and paying the manager costs thereof from the proceeds of the sale of the certificates.

(f) Reviewing and approving or disapproving proposals from prospective purchasers solicited and structured by the manager, agreeing or disagreeing with the recommendation of the manager to sell the certificates to the purchasers in a public or private sale, approving or disapproving the price or prices to be paid by purchasers for the certificates, determining the form and denominations of the certificates, and determining such other administrative details regarding the certificates as deemed useful by the state board. All such determinations, together with such other matters deemed appropriate by the state board, shall be memorialized in a written statement by the board and filed with the state board and the corporation.

(g) Determining the amount of the tax credits evidenced by the certificates, the calendar years to which the tax credits apply, and the amount of tax credits applicable to each calendar year subject to the following:

1. The aggregate amount of tax credits evidenced by the certificates may not exceed $1.5 billion;

2. The calendar years to which the tax credits apply shall be any of the calendar years 2012 through 2023, inclusive, as determined by the board;

3. The aggregate amount of the tax credits applicable to any individual calendar year may not exceed $150 million; and

4. In recognition of the time value of money, the sale price of any certificate shall be less than the future tax credit evidenced by the certificate, as determined by the board.

(h) The Department of Revenue must notify the fund and the corporation by June 30 of each year of the total amount of tax credits under the program applied against premium taxes for the preceding premium tax year.

(3) MANAGER APPLICATION AND DESIGNATION; FUND ALLOCATION DATE.—

(a) Within 30 days after receiving directions from the Governor, the state board, based upon the recommendation of the Division of Bond Finance, shall select one manager to be the exclusive manager for all purposes under the program and provide a statement of the services to be provided, which may include the services contained in paragraph (d); the time and date for the receipt of proposals and of the public opening; and all of the terms and conditions applicable to the designation of the manager, including the criteria contained in paragraph (b).

(b) An applicant for manager must demonstrate in its response to the request for proposals that it meets all of the following criteria:

1. Have experience in structuring and marketing notes repaid all or in part with insurance premium tax credits. If a subcontractor is used to meet the requirements of this subsection, the subcontractor must have been authorized to do business in this state on or before January 1, 2012.

2. Have experience during the previous calendar year with underwriting and marketing Florida state and local government securities.

3. Has more than $5 billion in equity capital.

4. Have experience during the previous calendar year in managing a minimum of 50 state and local government financing transactions nationwide, each in excess of $50 million.

(c) The fund allocation date may not be later than 120 days following the designation of the manager.

(d) The state board may require the manager to provide all of the following services:

1. Before the board determines the aggregate amount of tax credits applicable to any single calendar year, the manager must estimate the amounts of and the dates for payments of the principal and interest, if any, on the loan provided in paragraph (2)(d) such that all such payments:

a. Are consistent with s. 215.555, Florida Statutes, and all outstanding obligations associated with or relating to the fund; and

b. Are estimated to offset in each state fiscal year the amount of state revenues expected not to be collected due to the sale of the certificates.

2. To assist the state board in structuring the program in a manner complying with the provisions of this section.

3. Such additional services relating to the duties of the board as the board shall reasonably determine and set forth in the statement of services referenced in paragraph (a).

(4) PURCHASER TAX CREDITS.—

(a) Each purchaser that prepays its insurance premium taxes shall earn vested tax credits against future taxes under ss. 624.509 and 624.5091, Florida Statutes, and chapter 220, Florida Statutes, equal to the stated amount of the certificates issued to the purchasers and evidencing their prepayment of insurance premium taxes in cash. The aggregate tax credits available to purchasers in the form of certificates may not exceed $1.5 billion. Tax credits vest on the fund allocation date.

(b) Each purchaser prepaying its insurance premium tax obligation through the purchase of certificates authorized under the program may:

1. Take the vested tax credits against purchaser's insurance premium taxes or income taxes each premium tax year in accordance with the terms of the certificate; and

2. Reduce its estimated payments of tax liability for each year, on a quarterly and an annual basis, for which tax credits are available to offset tax liability by all or part of the same percentage as the percentage payment due on each estimated payment date.

(c) The tax credits that are used by a purchaser with respect to any year may not exceed the full tax liability of the purchaser for that year.

(d) Notwithstanding any limitation set forth in any other provision of the program, any tax credits that a purchaser is permitted to use under paragraph (a) or paragraph (b), but is unable to use because of paragraph (c), may be carried forward until the end of the 10th year following the expiration date set forth in the certificate to which the tax credit relates and be used to offset the purchaser's liability in any subsequent year in which the purchaser has sufficient tax liability, including in a year in which the purchaser also uses tax credits that are allocated to that year pursuant to paragraph (b).

(e) A purchaser that has purchased certificates is not required to reduce the amount of tax liability included by the purchaser in connection with the ratemaking for a insurance contract written because of a reduction in the purchaser's assessment derived from the tax credits granted under the program.

(f) If the taxes that a purchaser does not pay by virtue of the tax credits purchased under this program would constitute a credit against another tax or assessment if paid, the insurer shall continue to earn the credit as though the tax credits evidenced by the certificates were paid by cash.

(g) A purchaser may transfer any certificate authorized under the program to another purchaser if the transferor delivers to the Commissioner of Insurance Regulation within 30 days after the transfer a written notice indicating the name of the transferee, the stated amount of certificates being transferred, and the year or years to which the tax credits evidenced by the certificate are allocable as provided in paragraph (b) and such other information, if any, as required in the body of the certificate being transferred.

(h) A purchaser claiming a tax credit against its premium tax liability earned through the prepayment of insurance premium taxes evidenced by a certificate does not have to pay any additional retaliatory tax levied pursuant to s. 624.5091, Florida Statutes, as a result of claiming that tax credit.

(i) For statutory accounting purposes, a purchaser may treat the transferable tax credits as an admitted asset, pursuant to the National Association of Insurance Commissioners Accounting Practices and Procedures Manual and Statement of Statutory Accounting Principle No. 94.

(j) The general revenue service charge payable by a trust fund may not be reduced by the tax credits taken under this program.

(5) MANAGER REPORTS.—Within 30 days after the fund allocation date, the manager shall report all of the following to the state board and the Office of Insurance Regulation:

(a) The name of each purchaser from whom prepayment of insurance premium taxes was received, including the purchaser's identification number.

(b) The stated amount of certificates purchased by each purchaser.

(c) The date on which such purchase was made.

Section 9. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2012.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the Department of Financial Services; amending s. 440.02, F.S.; redefining the term "employee" for purposes of workers' compensation; amending s. 440.05, F.S.; revising requirements for submitting a notice of election of exemption; revising duties of the Department of Financial Services relating to the expiration of certificates of exemption; expanding applicability of requirements relating to certificates of exemption; repealing s. 440.59, F.S., relating to the duty of the Department of Financial Services to make an annual report on the administration of ch. 440, F.S., the Workers' Compensation Law, to specified officials; amending s. 516.031, F.S.; revising the amount that a lender may impose as a delinquency charge; amending s. 560.1092, F.S.; deleting a provision that provides for the deposit of funds collected from money services business licensees; amending s. 560.144, F.S.; requiring examination fees to be paid directly to the Office of Financial Regulation; providing for the deposit of certain proceeds; providing for the establishment of the Florida Insurance Premium Tax Prepayment Program, to be administered by the State Board of Administration, to help fund the Florida Hurricane Catastrophe Fund; providing definitions; providing the duties of the State Board of Administration with respect to the program; providing for the selection of a program manager; providing manager duties; providing that an insurer who prepays its insurance premium taxes shall be issued a certificate representing tax credits against future taxes; providing for the use and transfer of such credits; requiring a manager report; providing effective dates.

On motion by Senator Hays, the Conference Committee Report on **HB 5505** was adopted. **HB 5505** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Gibson	Ring
Bennett	Hays	Sachs
Bogdanoff	Jones	Simmons
Braynon	Latvala	Siplin
Bullard	Lynn	Smith
Dean	Margolis	Sobel
Detert	Montford	Storms
Diaz de la Portilla	Negron	Thrasher
Flores	Norman	Wise

Nays—3

Dockery	Fasano	Joyner

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5201, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5201

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5201, same being:

An act relating to postsecondary education funding.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Mike Haridopolos
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Joseph A. "Joe" Gibbons
Acting Co-Chair
s/ Larry Ahern
Dwight M. Bullard
Chris Dorworth, At Large
s/ James C. "Jim" Frishe, At Large
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Jeanette M. Nunez
s/ Kathleen C. Passidomo
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
Dwayne L. Taylor
s/ Will W. Weatherford, At Large

s/ H. Marlene O'Toole
Chair
s/ William L. "Bill" Proctor
Acting Co-Chair
s/ Gary Aubuchon, At Large
Charles S. "Chuck" Chestnut IV
At Large
s/ Shawn Harrison
Dorothy L. Hukill, At Large
s/ John Legg, At Large
s/ Seth McKeel, At Large
s/ Jose R. Oliva
Betty Reed
Ron Saunders, At Large
s/ William D. Snyder, At Large
s/ Kelli Stargel
s/ Carlos Trujillo
Alan B. Williams

Managers on the part of the House

The Conference Committee Amendment for HB 5201, Postsecondary Education Funding, provides for the following:

- Establishes the Florida Virtual Campus to provide access to online student and library support services and serve as a statewide resource and clearinghouse for postsecondary education distance learning courses and degree programs and to increase student access and completion of degrees.

• Establishes a Degree Completion Pilot Program to recruit, recover, and retain adult learners and assist them in completing degrees aligned to high-wage, high-skill, and workforce needs.

• Increases the surcharge for excess credit hours.

• Authorizes the Board of Governors to transfer unused Student and Other Fees Trust Fund authority between institutions, and restricts universities' ability to transfer funds in excess of $1 million to and from satellite campuses.

• Maintains the salary limitation on the amount of state funds that may be used for salaries of Florida College System and State University presidents and administrative employees in Fiscal Year 2012-13.

• Provides that a full-time student, co-enrolled in a K-12 education program and an adult general education program, may be reported for funding for two courses in an adult education program in Fiscal Year 2012-2013.

• Shortens the length of time from 3 years to 2 years that a student is eligible to accept the initial Bright Futures Scholarship after high school graduation.

• Clarifies that students enrolled in the Spring/Summer University of Florida pilot program are authorized to receive a Bright Futures Scholarship award for only two semesters each year.

• Clarifies that students are required to annually submit the Free Application for Federal Student Aid (FAFSA).

• Limits allowable uses for the Bright Futures Gold Seal Vocational Scholarship to vocational programs.

• Requires the Florida Fund for Minority Teachers (FFMT) and the Florida Education Fund (FEF) to provide financial reports on an annual basis.

• Requires the FFMT to use a contingency collection agency to recoup scholarship repayments from students in default.

• Eliminates a statutory FEF law scholarship program which is no longer utilized.

• Revises matching requirements for the FEF, the Jose Marti and Mary McLeod Bethune Scholarship Programs.

• Requires coalitions to maximize purchasing power for higher education institutions.

• Requires the Auditor General to notify the Joint Legislative Auditing Committee of any audit review which indicates that a state university or state college has failed to take corrective action in response to a recommendation which was included in the two preceding audit reports.

• Requires audits with significant findings for the Florida College System, State University System, and School Boards to be presented and discussed in a public board meeting.

• Authorizes the University of Florida to exceed the 5% bonding limitation on the Activity and Service (A&S) fee to fund the renovation and expansion of the student union.

• Establishes a Workforce Education scholarship pilot program for Adults with Disabilities for up to 30 students for 2 years in Hardee, DeSoto, Manatee, and Sarasota counties.

• Allows universities to enter into local development agreements to identify and negotiate plans to mitigate the impact of specific projects and the corresponding affects on local governments, notwithstanding ss. 1013.30 and 1013.51, F.S.

• Increases the limit of the Capital Improvement Fee from 10% to 20% of tuition for Florida colleges, and for state universities indexes the Capital Improvement Fee to 10% of tuition, but limits increases to no more than $2 per credit hour per year.

• Authorizes university budget transfers in the current fiscal year up to $2 million.

• Provides for name change of South Florida Community College to South Florida State College, contingent upon accreditation by SACS.

• Requires employment agreements, contracts, renewals or renegotiation of existing contracts for presidents, administrative and instructional staff to include provisions relating to severance required in s. 215.425, F.S.

• Deletes a provision providing for a Florida College System institution in some circumstances to apply for an exemption from SBOE approval of additional baccalaureate degree programs.

Conference Committee Amendment (934497)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (j) is added to subsection (7) of section 11.45, Florida Statutes, to read:

11.45 Definitions; duties; authorities; reports; rules.—

(7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

(j) The Auditor General shall notify the Legislative Auditing Committee of any financial or operational audit report prepared pursuant to this section which indicates that a state university or Florida College System institution has failed to take full corrective action in response to a recommendation that was included in the two preceding financial or operational audit reports.

1. The committee may direct the governing body of the state university or Florida College System institution to provide a written statement to the committee explaining why full corrective action has not been taken or, if the governing body intends to take full corrective action, describing the corrective action to be taken and when it will occur.

2. If the committee determines that the written statement is not sufficient, the committee may require the chair of the governing body of the state university or Florida College System institution, or the chair's designee, to appear before the committee.

3. If the committee determines that the state university or Florida College System institution has failed to take full corrective action for which there is no justifiable reason or has failed to comply with committee requests made pursuant to this section, the committee may proceed in accordance with s. 11.40(2).

Section 2. Paragraph (b) of subsection (4) of section 282.201, Florida Statutes, is amended to read:

282.201 State data center system; agency duties and limitations.—A state data center system that includes all primary data centers, other nonprimary data centers, and computing facilities, and that provides an enterprise information technology service as defined in s. 282.0041, is established.

(4) SCHEDULE FOR CONSOLIDATIONS OF AGENCY DATA CENTERS.—

(b) By December 31, 2011, the following shall be consolidated into the Northwest Regional Data Center:

1. The Department of Education's Knott Data Center in the Turlington Building.

2. The Department of Education's Division of Vocational Rehabilitation.

3. The Department of Education's Division of Blind Services, except for the division's disaster recovery site in Daytona Beach.

4. The FCAT Explorer.

~~5. FACTS.org.~~

Section 3. Effective upon the South Florida Community College receiving accreditation of its baccalaureate degree programs by the Com-

mission on Colleges of the Southern Association of Colleges and Schools, paragraph (z) of subsection (3) of section 1000.21, Florida Statutes, is amended to read:

1000.21 Systemwide definitions.—As used in the Florida K-20 Education Code:

(3) "Florida College System institution" except as otherwise specifically provided, includes all of the following public postsecondary educational institutions in the Florida College System and any branch campuses, centers, or other affiliates of the institution:

(z) South Florida *State* ~~Community~~ College, which serves DeSoto, Hardee, and Highlands Counties.

Section 4. Subsection (47) of section 1001.64, Florida Statutes, is amended, and subsection (48) is added to that section, to read:

1001.64 Florida College System institution boards of trustees; powers and duties.—

(47) *Each contract or employment agreement, or renewal or renegotiation of an existing contract or employment agreement, containing a provision for severance pay with an officer, agent, employee, or contractor must include the provisions required in s. 215.425.* ~~A board of trustees may not enter into an employment contract that requires the Florida College System institution to pay a Florida College System institution president an amount from state funds in excess of 1 year of the president's annual salary for termination, buyout, or any other type of contract settlement. This subsection does not prohibit the payment of leave and benefits accrued by the president in accordance with the Florida College System institution's leave and benefits policies before the contract terminates.~~

(48) Each board of trustees shall use purchasing agreements and state term contracts pursuant to s. 287.056 or enter into consortia and cooperative agreements to maximize the purchasing power for goods and services. A consortium or cooperative agreement may be statewide, regional, or a combination of institutions, as appropriate to achieve the lowest cost, with the goal of achieving a 5-percent savings on existing contract prices through the use of new cooperative arrangements or new consortium contracts.

Section 5. Paragraph (i) is added to subsection (3) and paragraph (e) is added to subsection (4) of section 1001.706, Florida Statutes, and paragraph (d) of subsection (6) of that section is amended, to read:

1001.706 Powers and duties of the Board of Governors.—

(3) POWERS AND DUTIES RELATING TO ORGANIZATION AND OPERATION OF STATE UNIVERSITIES.—

(i) The Board of Governors shall adopt regulations requiring universities to use purchasing agreements or state term contracts pursuant to s. 287.056 or enter into consortia and cooperative agreements to maximize the purchasing power for goods and services. A consortium or cooperative agreement may be statewide, regional, or a combination of institutions, as appropriate to achieve the lowest cost, with the goal of achieving a 5-percent savings on existing contract prices through the use of new cooperative arrangements or new consortium contracts.

(4) POWERS AND DUTIES RELATING TO FINANCE.—

(e) The Board of Governors may transfer unused appropriations from the Education/General Student and Other Fees Trust Fund, pursuant to s. 1011.4106(2), between institutions.

(6) POWERS AND DUTIES RELATING TO PERSONNEL.—

(d) *Each contract or employment agreement, or renewal or renegotiation of an existing contract or employment agreement, containing a provision for severance pay with an officer, agent, employee, or contractor must include the provisions required in s. 215.425.* ~~The Board of Governors, or the board's designee, may not enter into an employment contract that requires it to pay an employee an amount from state funds in excess of 1 year of the employee's annual salary for termination, buyout, or any other type of contract settlement. This paragraph does not prohibit the payment of leave and benefits accrued by the employee in accordance with the board's or designee's leave and benefits policies before the contract terminates.~~

Section 6. Subsection (5) is added to section 1001.73, Florida Statutes, to read:

1001.73 University board empowered to act as trustee.—

(5) A board of trustees of a state university may not transfer in excess of $1 million in funds that are appropriated to the state university in the General Revenue Fund, the Educational Enhancement Trust Fund, and the Education/General Student and Other Fees Trust Fund between the Education and General Activities category and other program categories. A board of trustees may request additional transfer authority from the Board of Governors. Upon approval of the additional transfer authority by the Board of Governors, the Board of Governors may request a budget amendment to transfer appropriations for a state university between categories in excess of $1 million. Such transfers are subject to review and approval by the Legislative Budget Commission.

Section 7. Paragraph (a) of subsection (1) of section 1003.4156, Florida Statutes, is amended to read:

1003.4156 General requirements for middle grades promotion.—

(1) Promotion from a school composed of middle grades 6, 7, and 8 requires that:

(a) The student must successfully complete academic courses as follows:

1. Three middle school or higher courses in English. These courses shall emphasize literature, composition, and technical text.

2. Three middle school or higher courses in mathematics. Each middle school must offer at least one high school level mathematics course for which students may earn high school credit. Successful completion of a high school level Algebra I or geometry course is not contingent upon the student's performance on the end-of-course assessment required under s. 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012 school year, to earn high school credit for an Algebra I course, a middle school student must pass the Algebra I end-of-course assessment, and beginning with the 2012-2013 school year, to earn high school credit for a geometry course, a middle school student must pass the geometry end-of-course assessment.

3. Three middle school or higher courses in social studies, one semester of which must include the study of state and federal government and civics education. Beginning with students entering grade 6 in the 2012-2013 school year, one of these courses must be at least a one-semester civics education course that a student successfully completes in accordance with s. 1008.22(3)(c) and that includes the roles and responsibilities of federal, state, and local governments; the structures and functions of the legislative, executive, and judicial branches of government; and the meaning and significance of historic documents, such as the Articles of Confederation, the Declaration of Independence, and the Constitution of the United States.

4. Three middle school or higher courses in science. Successful completion of a high school level Biology I course is not contingent upon the student's performance on the end-of-course assessment required under s. 1008.22(3)(c)2.a.(II). However, beginning with the 2012-2013 school year, to earn high school credit for a Biology I course, a middle school student must pass the Biology I end-of-course assessment.

5. One course in career and education planning to be completed in 7th or 8th grade. The course may be taught by any member of the instructional staff~~; must include career exploration using Florida CHOICES or a comparable cost-effective program; must include educational planning using the online student advising system known as Florida Academic Counseling and Tracking for Students at the Internet website FACTS.org; and shall result in the completion of a personalized academic and career plan~~. The required personalized academic and career plan must inform students of high school graduation requirements, high school assessment and college entrance test requirements, Florida Bright Futures Scholarship Program requirements, state university and Florida College System institution admission requirements, and programs through which a high school student can earn college credit, including Advanced Placement, International Baccalaureate, Advanced

International Certificate of Education, dual enrollment, career academy opportunities, and courses that lead to national industry certification.

A student with a disability, as defined in s. 1007.02(2), for whom the individual education plan team determines that an end-of-course assessment cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have the end-of-course assessment results waived for purposes of determining the student's course grade and completing the requirements for middle grades promotion. Each school must hold a parent meeting either in the evening or on a weekend to inform parents about the course curriculum and activities. Each student shall complete an electronic personal education plan that must be signed by the student; the student's instructor, guidance counselor, or academic advisor; and the student's parent. The Department of Education shall develop course frameworks and professional development materials for the career exploration and education planning course. The course may be implemented as a stand-alone course or integrated into another course or courses. The Commissioner of Education shall collect longitudinal high school course enrollment data by student ethnicity in order to analyze course-taking patterns.

Section 8. *Section 1004.09, Florida Statutes, is repealed.*

Section 9. *Section 1004.091, Florida Statutes, is repealed.*

Section 10. Subsection (5) of section 1004.39, Florida Statutes, is amended to read:

1004.39 College of law at Florida International University.—

(5) The Florida International University Board of Trustees and the Board of Governors may accept grants, donations, gifts, and moneys available for this purpose, including moneys for planning and constructing the college. The Florida International University Board of Trustees may procure and accept any federal funds that are available for the planning, creation, and establishment of the college of law. If the American Bar Association or any other nationally recognized association for the accreditation of colleges of law issues a third disapproval of an application for provisional approval or for full approval or fails to grant, within 5 years following the graduation of the first class, a provisional approval, to the college of law at Florida International University, the Board of Governors shall make recommendations to the Governor and the Legislature as to whether the college of law will cease operations at the end of the full academic year subsequent to the receipt by the college of law of any such third disapproval, or whether the college of law will continue operations and any conditions for continued operations. If the college of law ceases operations pursuant to this section, the following conditions apply:

(a) The authority for the college of law at Florida International University and the authority of the Florida International University Board of Trustees and the Board of Governors provided in this section shall terminate upon the cessation of operations of the college of law at Florida International University. The college of law at Florida International University shall receive no moneys allocated for the planning, construction, or operation of the college of law after its cessation of operations other than moneys to be expended for the cessation of operations of the college of law. Any moneys allocated to the college of law at Florida International University not expended prior to or scheduled to be expended after the date of the cessation of the college of law shall be appropriated for other use by the Legislature of the State of Florida.

(b) Any buildings of the college of law at Florida International University constructed from the expenditure of capital outlay funds appropriated by the Legislature shall be owned by the Board of Trustees of the Internal Improvement Trust Fund and managed by the Florida International University Board of Trustees upon the cessation of the college of law.

~~Nothing in this section shall undermine commitments to current students receiving support as of the date of the enactment of this section from the law school scholarship program of the Florida Education Fund as provided in s. 1009.70(8). Students attending the college of law at Florida International University shall be eligible for financial, academic, or other support from the Florida Education Fund as provided in s. 1009.70(8) without the college's obtaining accreditation by the American Bar Association.~~

Section 11. Subsection (5) of section 1004.40, Florida Statutes, is amended to read:

1004.40 College of law at Florida Agricultural and Mechanical University.—

(5) The Florida Agricultural and Mechanical University Board of Trustees and the Board of Governors may accept grants, donations, gifts, and moneys available for this purpose, including moneys for planning and constructing the college. The Florida Agricultural and Mechanical University Board of Trustees may procure and accept any federal funds that are available for the planning, creation, and establishment of the college of law. If the American Bar Association or any other nationally recognized association for the accreditation of colleges of law issues a third disapproval of an application for provisional approval or for full approval or fails to grant, within 5 years following the graduation of the first class, a provisional approval, to the college of law at Florida Agricultural and Mechanical University, the Board of Governors shall make recommendations to the Governor and Legislature as to whether the college of law will cease operations at the end of the full academic year subsequent to the receipt by the college of law of any such third disapproval, or whether the college of law will continue operations and any conditions for continued operations. If the college of law ceases operations of the college of law pursuant to this section, the following conditions apply:

(a) The authority for the college of law at Florida Agricultural and Mechanical University and the authority of the Florida Agricultural and Mechanical University Board of Trustees and the Board of Governors provided in this section shall terminate upon the cessation of operations of the college of law at Florida Agricultural and Mechanical University. The college of law at Florida Agricultural and Mechanical University shall receive no moneys allocated for the planning, construction, or operation of the college of law after its cessation of operations other than moneys to be expended for the cessation of operations of the college of law. Any moneys allocated to the college of law at Florida Agricultural and Mechanical University not expended prior to or scheduled to be expended after the date of the cessation of the college of law shall be appropriated for other use by the Legislature of the State of Florida.

(b) Any buildings of the college of law at Florida Agricultural and Mechanical University constructed from the expenditure of capital outlay funds appropriated by the Legislature shall be owned by the Board of Trustees of the Internal Improvement Trust Fund and managed by the Florida Agricultural and Mechanical University Board of Trustees upon the cessation of the college of law.

~~Nothing in this section shall undermine commitments to current students receiving support as of the date of the enactment of this section from the law school scholarship program of the Florida Education Fund as provided in s. 1009.70(8). Students attending the college of law at Florida Agricultural and Mechanical University shall be eligible for financial, academic, or other support from the Florida Education Fund as provided in s. 1009.70(8) without the college's obtaining accreditation by the American Bar Association.~~

Section 12. Section 1004.935, Florida Statutes, is created to read:

1004.935 Adults with Disabilities Workforce Education Pilot Program.—

(1) The Adults with Disabilities Workforce Education Pilot Program is established in the Department of Education for 2 years in Hardee, DeSoto, Manatee, and Sarasota Counties to provide the option of receiving a scholarship for instruction at private schools for up to 30 students who:

(a) Have a disability;

(b) Are 22 years of age;

(c) Are receiving instruction from an instructor in a private school to meet the high school graduation requirements in s. 1003.428;

(d) Do not have a standard high school diploma or a special high school diploma; and

(e) Receive "supported employment services," which means employment that is located or provided in an integrated work setting with

earnings paid on a commensurate wage basis and for which continued support is needed for job maintenance.

As used in this section, the term "student with a disability" includes a student who is documented as having an intellectual disability; a speech impairment; a language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory impairment; an orthopedic impairment; another health impairment; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; a developmental delay; or autism spectrum disorder.

(2) A student participating in the pilot program may continue to participate in the program until the student graduates from high school or reaches the age of 30 years, whichever occurs first.

(3) Supported employment services may be provided at more than one site.

(4) The provider of supported employment services must be a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code which serves Hardee County, DeSoto County, Manatee County, or Sarasota County and must contract with a private school in this state which meets the requirements in subsection (5).

(5) A private school that participates in the pilot program may be sectarian or nonsectarian and must:

(a) Be academically accountable for meeting the educational needs of the student by annually providing to the provider of supported employment services a written explanation of the student's progress.

(b) Comply with the antidiscrimination provisions of 42 U.S.C. s. 2000d.

(c) Meet state and local health and safety laws and codes.

(d) Provide to the provider of supported employment services all documentation required for a student's participation, including the private school's and student's fee schedules, at least 30 days before any quarterly scholarship payment is made for the student. A student is not eligible to receive a quarterly scholarship payment if the private school fails to meet this deadline.

The inability of a private school to meet the requirements of this subsection constitutes a basis for the ineligibility of the private school to participate in the pilot program.

(6)(a) If the student chooses to participate in the pilot program and is accepted by the provider of supported employment services, the student must notify the Department of Education of his or her acceptance into the program 60 days before the first scholarship payment and before participating in the pilot program in order to be eligible for the scholarship.

(b) Upon receipt of a scholarship warrant, the student or parent to whom the warrant is made must restrictively endorse the warrant to the provider of supported employment services for deposit into the account of the provider. The student or parent may not designate any entity or individual associated with the participating provider of supported employment services as the student's or parent's attorney in fact to endorse a scholarship warrant. A participant who fails to comply with this paragraph forfeits the scholarship.

(7) Funds for the scholarship shall be provided from the appropriation from the school district's Workforce Development Fund in the General Appropriations Act for students who reside in the Hardee County School District, the DeSoto County School District, the Manatee County School District, or the Sarasota County School District. During the 2-year pilot program, the scholarship amount granted for an eligible student with a disability shall be equal to the cost per unit of a full-time equivalent adult general education student, multiplied by the adult general education funding factor, and multiplied by the district cost differential pursuant to the formula required by s. 1011.80(6)(a) for the district in which the student resides.

(8) Upon notification by the Department of Education that it has received the required documentation, the Chief Financial Officer shall make scholarship payments in four equal amounts no later than September 1, November 1, February 1, and April 1 of each academic year in which the scholarship is in force. The initial payment shall be made after the Department of Education verifies that the student was accepted into the pilot program, and subsequent payments shall be made upon verification of continued participation in the pilot program. Payment must be by individual warrant made payable to the student or parent and mailed by the Department of Education to the provider of supported employment services, and the student or parent shall restrictively endorse the warrant to the provider of supported employment services for deposit into the account of that provider.

(9) Subsequent to each scholarship payment, the Department of Education shall request from the Department of Financial Services a sample of endorsed warrants to review and confirm compliance with endorsement requirements.

Section 13. Subsections (2), (4), (5), and (6) of section 1006.72, Florida Statutes, are amended to read:

1006.72 Licensing electronic library resources.—

(2) PROCESS TO IDENTIFY RESOURCES.—Library staff from Florida College System institutions, state universities, school districts, and public libraries shall implement a process that annually identifies the electronic library resources for each of the core categories established in this section. To the extent possible, the Florida *Virtual Campus* ~~Center for Library Automation, the College Center for Library Automation,~~ and the Division of Library and Information Services within the Department of State shall jointly coordinate this annual process.

(4) POSTSECONDARY EDUCATION CORE RESOURCES.—For purposes of licensing electronic library resources ~~required by both the Florida Center for Library Automation and the College Center for Library Automation~~ from funds appropriated to the *Florida Virtual Campus* ~~centers~~, Florida College System institution and state university library staff shall identify the postsecondary education core resources that will be available to all public postsecondary education students.

(5) FOUR-YEAR DEGREE CORE RESOURCES.—For purposes of licensing electronic library resources beyond the postsecondary education core resources by the Florida *Virtual Campus* ~~Center for Library Automation~~ from funds appropriated to the *campus* ~~center~~, state university library staff, in consultation with Florida College System institution library staff, shall identify the 4-year degree core resources that will be available to all 4-year degree-seeking students in the State University System and the Florida College System. The Florida *Virtual Campus* ~~Center for Library Automation~~ shall include in the negotiated pricing model any Florida College System institution interested in licensing a resource.

(6) TWO-YEAR DEGREE CORE RESOURCES.—For purposes of licensing electronic library resources beyond the postsecondary education core resources by the *Florida Virtual Campus* ~~College Center for Library Automation~~ from funds appropriated to the *campus* ~~center~~, Florida College System institution library staff shall identify the 2-year degree core resources that will be available to all Florida College System institution students. The *Florida Virtual Campus* ~~College Center for Library Automation~~ shall include in the negotiated pricing model any state university interested in licensing a resource.

Section 14. Section 1006.73, Florida Statutes, is created to read:

1006.73 Florida Virtual Campus.—

(1) The Florida Virtual Campus is established to provide access to online student and library support services and to serve as a statewide resource and clearinghouse for public postsecondary education distance learning courses and degree programs. The primary purposes of the Florida Virtual Campus are to:

(a) Establish a single library automation system and associated resources and services that all public postsecondary education institutions will use to support their learning, teaching, and research needs.

(b) Enhance and expand educational access and increase public postsecondary education degree attainment across the state.

(c) Address the educational needs of traditional students, place-bound students, time-bound students, and adult learners.

(d) Increase workforce skills and expand professional development opportunities.

(2) The chancellors of the Florida College System and the State University System shall exercise joint oversight of the Florida Virtual Campus and shall establish its governance and reporting structure, administrative and operational guidelines and processes, staffing requirements, and operational budget. All data center services needed by the Florida Virtual Campus shall be provided by a primary data center established pursuant to ss. 282.201 and 1004.649.

(a) In carrying out the purposes of this section:

1. The campus is not an "agency" as defined in s. 20.03(11) and is not subject to chapter 287.

2. The campus shall be deemed to be acting as an instrumentality of the state for purposes of sovereign immunity pursuant to s. 768.28(2).

3. All records of the campus are public records unless made confidential or exempt from law.

(b) The campus shall maintain an unencumbered balance of not less than 5 percent of its approved operating budget.

(c) The campus may secure comprehensive general liability coverage, professional liability coverage, property and casualty coverage, and any other insurance coverage deemed appropriate by the chancellors.

(d) The campus may contract for administrative services with a public postsecondary education institution. The administrative overhead costs charged by the institution may not exceed the actual cost of providing the services and shall require a specific appropriation in the General Appropriations Act.

(3) The Florida Virtual Campus, upon approval of the chancellors of the Florida College System and the State University System, shall have authority to apply for and accept funds, grants, gifts, and services from local, state, or federal governments or any of their agencies or from any other public or private source and is authorized to use funds derived from these sources to defray administrative costs and implement programs as may be necessary to support the services and resources provided by the campus.

(4) The Florida Virtual Campus shall be subject to the audit requirements of s. 11.45 for Florida College System institutions and state universities. The chancellors of the Florida College System and the State University System shall jointly serve as the governing body of the campus for purposes of the audit and all related activities.

(5) The Florida Virtual Campus shall:

(a) Develop and manage a library information portal and automated library management tools for use by the Florida College System institutions and state universities. The library information portal and automated library management tools shall include, but are not limited to, the following services and functions:

1. A shared Internet-based catalog and a discovery tool that allow a user to search and, if authorized, access the aggregate library holdings of the state's public postsecondary education institutions. The catalog and discovery tool shall allow the user to search the library holdings of one institution, selected institutions, or all institutions and, to the extent feasible, shall include an interlibrary loan function that ensures the authorized user can access the required library holding.

2. An Internet-based searchable collection of electronic resources which shall include, but not be limited to, full-text journals, articles, databases, and electronic books that the Florida Virtual Campus licenses pursuant to s. 1006.72.

3. An integrated library management system and its associated services which all public postsecondary education institution academic libraries must use for purposes of acquiring, cataloging, circulating, and tracking library material.

4. A statewide searchable database that includes an inventory of digital archives and collections held by public postsecondary education institutions.

(b) Develop and manage a statewide Internet-based catalog of distance learning courses, degree programs, and resources offered by public postsecondary education institutions which is intended to assist in the coordination and collaboration of articulation and access pursuant to parts II and III of chapter 1007. The campus shall establish operational guidelines and procedures for the catalog which must:

1. Require participating institutions to provide information concerning the distance learning course to include information on the availability of the course; the type of required technology; any prerequisite course or technology competency or skill; the availability of academic support services and financial aid resources; and course costs, fees, and payment policies.

2. Require that distance learning courses and degree programs meet applicable accreditation standards and criteria.

3. Require that, at a minimum, the catalog is reviewed at the start of each academic semester to ensure that distance learning courses and degree programs comply with all operational guidelines and procedures.

4. Use an Internet-based analytic tool that allows for the collection and analysis of data, including, but not limited to:

a. The number and type of students who use the catalog to search for distance learning courses and degree programs.

b. The number and type of requests for information on distance learning courses and degree programs that are not listed in the catalog.

c. A summary of specific requests by course type or course number, delivery method, offering institution, and semester.

5. Periodically obtain and analyze data from the Florida College System and the State University System concerning:

a. Costs of distance learning courses and degree programs.

b. Graduation and retention rates of students enrolled in distance learning programs.

c. Distance learning course completion.

(c) Implement a streamlined, automated, online admissions application process for undergraduate transient students who are currently enrolled and pursuing a degree at a public postsecondary education institution and who enroll in a course offered by a public postsecondary education institution that is not the student's degree-granting institution. The Florida Virtual Campus shall work with the Florida College System and the State University System to implement this process which requires all Florida College System institutions and state universities to:

1. Use the transient student admissions application available through the statewide computer-assisted student advising system established pursuant to paragraph (d). This admissions application is the only application required for the enrollment of a transient student as described in this paragraph.

2. Implement the financial aid procedures required by the transient student admissions application process.

3. Transfer credit awarded by the institutions offering the course to the transient student's degree-granting institution.

4. By December 1, 2012, provide for an interface between the institutional advising system and the statewide computer-assisted student advising system established pursuant to paragraph (d) in order to electronically send, receive, and process the transient student admissions application.

(d) Develop and manage a statewide computer-assisted student advising system which shall support the process of advising, registering, and certifying students for graduation and include a degree audit and an articulation component. The Florida College System institutions and state universities shall interface institutional advising systems with the statewide computer-assisted student advising system. At a minimum, the statewide computer-assisted student advising system shall:

1. Allow a student to access the system at any time, search public postsecondary education institutions, and identify course options that will meet the requirements of a selected path toward a degree.

2. Audit transcripts of students enrolled in a public postsecondary education institution to assess current academic standing, the impact of changing majors or institutions, the requirements for a student to transfer to another institution, and all requirements necessary for graduation.

3. Serve as the official statewide repository for the common prerequisite manual, admissions information for transferring programs, foreign language requirements, residency requirements, and statewide articulation agreements.

4. Provide information relating to career descriptions and corresponding educational requirements, admissions requirements, and available sources of student financial assistance.

5. Provide the admissions application for transient students pursuant to paragraph (c) which must include the electronic transfer and receipt of information and records for:

a. Admissions and readmissions.

b. Financial aid.

c. Transfer of credit awarded by the institution offering the course to the transient student's degree-granting institution.

(e) Coordinate the negotiation of statewide licensing of electronic library resources and preferred pricing agreements, issue purchase orders, and enter into contracts for the acquisition of distance learning resources, student and library support services, electronic resources, and other goods and services necessary to carry out its duties under this section.

(f) Promote and provide recommendations concerning the use and distribution of open-access textbooks and education resources as a method for reducing costs and work with public postsecondary education institutions in developing a standardized process for the review and approval of open-access textbooks.

(g) Provide appropriate help desk support and training and consultation services to institutions and students using the services and resources of the Florida Virtual Campus.

(h) Identify and evaluate new technologies and instructional methods that can be used for improving distance learning instruction, student learning, the efficient delivery of student support services, and the overall quality of undergraduate distance learning courses and degree programs.

(6) Beginning September 30, 2013, and annually thereafter, the chancellors of the Florida College System and the State University System shall jointly publish a report regarding the activities of the Florida Virtual Campus in the prior fiscal year. The report shall include, but not be limited to, information related to the provision of library services and electronic resources, to include those resources licensed pursuant to s. 1006.72; distance learning resources; the computer-assisted student advising system; and other provided programs, activities, and services.

(7) All records, personnel, property, existing contracts, and unexpended balances of appropriations, allocations, grants, and other funds of the Florida Distance Learning Consortium, the Florida Center for Library Automation, the College Center for Library Automation, and FACTS.org shall be transferred to the Florida Virtual Campus. The campus shall be the successor in interest to these organizations and shall be responsible for the provision of all services as authorized by this section.

Section 15. Effective upon this act becoming a law, section 1006.735, Florida Statutes, is created to read:

1006.735 Degree Completion Pilot Project.—

(1) The Degree Completion Pilot Project is established for the purpose of recruiting, recovering, and retaining the state's adult learners and assisting them in completing an associate degree or a baccalaureate degree that is aligned to high-wage, high-skill workforce needs. As used in this section, the term "adult learner" means a student who has successfully completed college-level coursework in multiple semesters but has left an institution in good standing before completing his or her degree. The pilot project shall give priority to adult learners who are veterans or active duty members of the United States Armed Forces.

(2) The pilot project shall be implemented by the University of West Florida, acting as the lead institution, the University of South Florida, Florida State College at Jacksonville, and St. Petersburg College and shall include the associate, applied baccalaureate, and baccalaureate degree programs that these institutions have selected. Other partnering public postsecondary education institutions shall provide areas of specialization or concentration.

(3) For purposes of selecting the degree programs that will be given priority in the pilot project, the institutions identified in subsection (2) shall partner with public and private job recruitment and placement agencies and use labor market data and projections to identify the specific workforce needs and targeted occupations of the state.

(4) The pilot project shall provide adult learners with a single point of access to information and links to innovative online and accelerated distance learning courses, student and library support services, and electronic resources that will guide the adult learner toward the successful completion of a postsecondary degree.

(5) Beginning with the 2012-2013 academic year, the pilot project shall be implemented and must:

(a) Use the distance learning course catalog established pursuant to s. 1006.73 to communicate course availability to the adult learner.

(b) Develop and implement an advising and student support system that includes the use of degree completion specialists, is based upon best practices and processes, and includes academic and career support services designed specifically for the adult learner.

(c) Use the streamlined, automated, online admissions application process for transient students established pursuant to s. 1006.73. The pilot project shall identify any additional admissions and registration policies and practices that could be further streamlined and automated for purposes of assisting the adult learner.

(d) Use existing and, if necessary, develop new competency-based instructional and evaluation tools to assess prior performance, experience, and education for the award of college credit in order to reduce the time required for adult learners to complete their degrees. The tools may include the use of the American Council on Education's collaborative link between the United States Department of Defense and higher education through the review of military training and experiences for the award of equivalent college credit for members of the United States Armed Forces.

(e) Develop and implement an evaluation process that collects, analyzes, and provides to the participating postsecondary education institutions, the chairs of the legislative appropriations committees, and the Executive Office of the Governor information on the effectiveness of the pilot project and the attainment of its goals. Such a process shall include a management information system that collects the appropriate student, programmatic, and fiscal data necessary to complete the evaluation of the pilot project. Institutions involved in the pilot project shall also collect job placement and employment data on the adult learners who have completed their degrees as a result of the pilot project.

(f) Develop and implement a statewide marketing campaign targeted toward recruiting adult learners, particularly veterans and active duty members of the United States Armed Forces, for enrollment in the degree programs offered through the pilot project.

(6) For purposes of the pilot project, each institution's current tuition and fee structure shall be used. However, all participating institutions shall collaboratively identify the applicable cost components involved in the development and delivery of distance learning courses, collect information on these cost components, and submit the information to the Florida Virtual Campus. The chancellors of the Florida College System and the State University System shall submit a report to the chairs of the legislative appropriations committees no later than December 31, 2013, on the need for a differentiated tuition and fee structure for the development and delivery of distance learning courses.

(7) The University of West Florida, in collaboration with the University of South Florida, Florida State College at Jacksonville, and St.

Petersburg College, shall submit to the chairs of the legislative appropriations committees no later than June 1, 2012, a detailed project plan that defines the major work activities, student eligibility criteria, timeline, and cost for implementing the pilot project.

(8) The University of West Florida, in collaboration with the University of South Florida, Florida State College at Jacksonville, and St. Petersburg College, shall develop and implement a transition plan that transfers the administration of the pilot project to the Florida Virtual Campus no later than June 30, 2013.

Section 16. Paragraph (h) of subsection (3) of section 1007.01, Florida Statutes, is amended to read:

1007.01 Articulation; legislative intent; purpose; role of the State Board of Education and the Board of Governors; Articulation Coordinating Committee.—

(3) The Commissioner of Education, in consultation with the Chancellor of the State University System, shall establish the Articulation Coordinating Committee which shall make recommendations related to statewide articulation policies to the Higher Education Coordination Council, the State Board of Education, and the Board of Governors. The committee shall consist of two members each representing the State University System, the Florida College System, public career and technical education, public K-12 education, and nonpublic education and one member representing students. The chair shall be elected from the membership. The committee shall:

(h) Recommend roles and responsibilities of public education entities in interfacing with the single, statewide computer-assisted student advising system established pursuant to s. *1006.73* ~~1007.28~~.

Section 17. Subsection (1) of section 1007.27, Florida Statutes, is amended to read:

1007.27 Articulated acceleration mechanisms.—

(1) It is the intent of the Legislature that a variety of articulated acceleration mechanisms be available for secondary and postsecondary students attending public educational institutions. It is intended that articulated acceleration serve to shorten the time necessary for a student to complete the requirements associated with the conference of a high school diploma and a postsecondary degree, broaden the scope of curricular options available to students, or increase the depth of study available for a particular subject. Articulated acceleration mechanisms shall include, but not be limited to, dual enrollment as provided for in s. 1007.271, early admission, advanced placement, credit by examination, the International Baccalaureate Program, and the Advanced International Certificate of Education Program. Credit earned through the Florida Virtual School shall provide additional opportunities for early graduation and acceleration. Students of Florida public secondary schools enrolled pursuant to this subsection shall be deemed authorized users of the state-funded electronic library resources that are licensed for Florida College System institutions and state universities by the *Florida Virtual Campus* ~~Florida Center for Library Automation and the College Center for Library Automation~~. Verification of eligibility shall be in accordance with rules established by the State Board of Education and regulations established by the Board of Governors and processes implemented by Florida College System institutions and state universities.

Section 18. *Section 1007.28, Florida Statutes, is repealed.*

Section 19. Subsection (7) of section 1007.33, Florida Statutes, is renumbered as subsection (6), and present subsection (6) of that section is amended to read:

1007.33 Site-determined baccalaureate degree access.—

~~(6)(a) Beginning July 1, 2010, and each subsequent July 1, the Division of Florida Colleges may accept and review applications from a Florida College System institution to obtain an exemption from the State Board of Education's approval for subsequent degrees as required in subsection (5), if the Florida College System institution is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools as a baccalaureate degree granting institution and has been offering baccalaureate degree programs for 3 or more years. The division shall develop criteria for determining eligibility for an exemption based upon demonstrated compliance with the requirements for baccalaureate degrees, primary mission, and fiscal, including, but not limited to:~~

~~1. Obtaining and maintaining appropriate SACS accreditation;~~

~~2. The maintenance of qualified faculty and institutional resources;~~

~~3. The maintenance of enrollment projections in previously approved programs;~~

~~4. The appropriate management of fiscal resources;~~

~~5. Compliance with the primary mission and responsibility requirements in subsections (2) and (3);~~

~~6. The timely submission of the institution's annual performance accountability report; and~~

~~7. Other indicators of success such as program completers, placements, and surveys of students and employers.~~

~~(b) If the Florida College System institution has demonstrated satisfactory progress in fulfilling the eligibility criteria in this subsection, the Division of Florida Colleges may recommend to the State Board of Education that the institution be exempt from the requirement in subsection (5) for approval of future baccalaureate degree programs. The State Board of Education shall review the division's recommendation and determine if an exemption is warranted. If the State Board of Education approves the application, the Florida College System institution is exempt from subsequent program approval under subsection (5) and such authority is delegated to the Florida College System institution board of trustees. If the State Board of Education disapproves of the Florida College System institution's request for an exemption, the college shall continue to be subject to the State Board of Education's approval of subsequent baccalaureate degree programs.~~

~~(c) Prior to developing or proposing a new baccalaureate degree program, all Florida College System institutions, regardless of an exemption from subsection (5), shall:~~

~~1. Engage in need, demand, and impact discussions with the state university in their service district and other local and regional, accredited postsecondary providers in their region.~~

~~2. Send documentation, data, and other information from the interinstitutional discussions regarding program need, demand, and impact required in subparagraph 1. to the college's board of trustees, the Division of Florida Colleges, and the Chancellor of the State University System.~~

~~3. Base board of trustees approval of the new program upon the documentation, data, and other information required in this paragraph and the factors in subsection (5)(d).~~

~~The Division of Florida Colleges shall use the documentation, data, and other information required in this subsection, including information from the Chancellor of the State University System, in its compliance review.~~

~~(d) The board of trustees of a Florida College System institution that is exempt from subsection (5) must submit newly approved programs to the Division of Florida Colleges and SACS within 30 days after approval.~~

~~(e) Within 30 days after receiving the approved baccalaureate degree program, the Division of Florida Colleges shall conduct a compliance review and notify the college if the proposal meets the criteria for implementation based upon the criteria in paragraphs (5)(d) and (6)(c). If the program fails to meet the criteria for implementation as determined by the Division of Florida Colleges, the college may not proceed with implementation of the program until the State Board of Education reviews the proposal and the compliance materials and gives its final approval of the program.~~

Section 20. Subsection (3) of section 1009.215, Florida Statutes, is amended to read:

1009.215 Student enrollment pilot program for the spring and summer terms.—

(3) Students who are enrolled in the pilot program and who are eligible to receive Bright Futures Scholarships under ss. 1009.53-1009.536 shall be eligible to receive the scholarship award for attendance *during no more than 2 semesters or the equivalent in any fiscal year, including the summer term* ~~in the spring and summer terms but are not eligible to receive the scholarship for attendance during the fall term~~.

Section 21. Paragraph (a) of subsection (11), paragraphs (a) and (c) of subsection (16), and subsection (17) of section 1009.23, Florida Statutes, are amended to read:

1009.23 Florida College System institution student fees.—

(11)(a) Each Florida College System institution board of trustees may establish a separate fee for capital improvements, technology enhancements, equipping student buildings, or the acquisition of improved real property which may not exceed *20* ~~10~~ percent of tuition for resident students or *20* ~~10~~ percent of the sum of tuition and out-of-state fees for nonresident students. The fee for resident students shall be limited to an increase of $2 per credit hour over the prior year. Funds collected by Florida College System institutions through the fee may be bonded only as provided in this subsection for the purpose of financing or refinancing new construction and equipment, renovation, remodeling of educational facilities, or the acquisition and renovation or remodeling of improved real property for use as educational facilities. The fee shall be collected as a component part of the tuition and fees, paid into a separate account, and expended only to acquire improved real property or construct and equip, maintain, improve, or enhance the educational facilities of the Florida College System institution. Projects and acquisitions of improved real property funded through the use of the capital improvement fee shall meet the survey and construction requirements of chapter 1013. Pursuant to s. 216.0158, each Florida College System institution shall identify each project, including maintenance projects, proposed to be funded in whole or in part by such fee.

(16)(a) Each Florida College System institution may assess a student who enrolls in a course listed in the ~~Florida Higher Education~~ distance learning catalog, established pursuant to s. *1006.73* ~~1004.09~~, a per-credit-hour distance learning course user fee. For purposes of assessing this fee, a distance learning course is a course in which at least 80 percent of the direct instruction of the course is delivered using some form of technology when the student and instructor are separated by time or space, or both.

(c) The link for the catalog must be prominently displayed within the advising and distance learning sections of the institution's website, using a graphic and description provided by the Florida *Virtual Campus* ~~Distance Learning Consortium~~, to inform students of the catalog.

(17) Each Florida College System institution that accepts transient students, pursuant to s. *1006.73* ~~1004.091~~, may establish a transient student fee not to exceed $5 per ~~distance learning~~ course for processing the transient student admissions application.

Section 22. Subsection (8), paragraph (t) of subsection (14), and paragraphs (a) and (c) of subsection (17) of section 1009.24, Florida Statutes, are amended to read:

1009.24 State university student fees.—

(8)*(a)* The Capital Improvement Trust Fund fee is established as *$4.76* ~~$2.44~~ per credit hour per semester. ~~The building fee is established as $2.32 per credit hour per semester.~~

(b) Beginning with the 2012 fall term, each university board of trustees may increase the Capital Improvement Trust Fund fee. Any increase in the fee must be recommended by a Capital Improvement Trust Fund committee, at least half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chair, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, with final approval by the university board of trustees. An increase in the fee may occur only once each fiscal year and must be implemented beginning with the fall term. The Board of Governors shall adopt regulations and timetables to implement the fee.

(c) The fee may not exceed 10 percent of the tuition for resident students or 10 percent of the sum of tuition and out-of-state fees for nonresident students. The fee for resident students shall be limited to an increase of $2 per credit hour over the prior year. The Capital Improvement Trust Fund fee may be used to fund any project or real property acquisition that meets the requirements of chapter 1013. The Division of Bond Finance of the State Board of Administration shall analyze any proposed reductions to the Capital Improvement Trust Fund fee to ensure consistency with prudent financial management of the bond program associated with the revenues from the fee. The Board of Governors shall approve any proposed fee reductions provided that no such reduction reduces the fee below the level established in paragraph (a).

(14) Except as otherwise provided in subsection (15), each university board of trustees is authorized to establish the following fees:

(t) A transient student fee that may not exceed $5 per ~~distance learning~~ course for accepting a transient student and processing the transient student admissions application pursuant to s. *1006.73* ~~1004.091~~.

With the exception of housing rental rates and except as otherwise provided, fees assessed pursuant to paragraphs (h)-(s) shall be based on reasonable costs of services. The Board of Governors shall adopt regulations and timetables necessary to implement the fees and fines authorized under this subsection. The fees assessed under this subsection may be used for debt only as authorized under s. 1010.62.

(17)(a) A state university may assess a student who enrolls in a course listed in the ~~Florida Higher Education~~ distance learning catalog, established pursuant to s. *1006.73* ~~1004.09~~, a per-credit-hour distance learning course fee. For purposes of assessing this fee, a distance learning course is a course in which at least 80 percent of the direct instruction of the course is delivered using some form of technology when the student and instructor are separated by time or space, or both.

(c) The link for the catalog must be prominently displayed within the advising and distance learning sections of the institution's website, using a graphic and description provided by the Florida *Virtual Campus* ~~Distance Learning Consortium~~, informing students of the catalog.

Section 23. Subsection (1) of section 1009.25, Florida Statutes, is amended to read:

1009.25 Fee exemptions.—

(1) The following students are exempt from the payment of tuition and fees, including lab fees, at a school district that provides *workforce education* ~~postsecondary career~~ programs, Florida College System institution, or state university:

(a) A student enrolled in a dual enrollment or early admission program pursuant to s. 1007.27 or s. 1007.271.

(b) A student enrolled in an approved apprenticeship program, as defined in s. 446.021.

(c) A student who is or was at the time he or she reached 18 years of age in the custody of the Department of Children and Family Services or who, after spending at least 6 months in the custody of the department after reaching 16 years of age, was placed in a guardianship by the court. Such exemption includes fees associated with enrollment in career-preparatory instruction. The exemption remains valid until the student reaches 28 years of age.

(d) A student who is or was at the time he or she reached 18 years of age in the custody of a relative under s. 39.5085 or who was adopted from the Department of Children and Family Services after May 5, 1997. Such exemption includes fees associated with enrollment in career-preparatory instruction. The exemption remains valid until the student reaches 28 years of age.

(e) A student enrolled in an employment and training program under the welfare transition program. The regional workforce board shall pay the state university, Florida College System institution, or school district for costs incurred for welfare transition program participants.

(f) A student who lacks a fixed, regular, and adequate nighttime residence or whose primary nighttime residence is a public or private

shelter designed to provide temporary residence for individuals intended to be institutionalized, or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

(g) A student who is a proprietor, owner, or worker of a company whose business has been at least 50 percent negatively financially impacted by the buyout of property around Lake Apopka by the State of Florida. Such student may receive a fee exemption only if the student has not received compensation because of the buyout, the student is designated a Florida resident for tuition purposes, pursuant to s. 1009.21, and the student has applied for and been denied financial aid, pursuant to s. 1009.40, which would have provided, at a minimum, payment of all student fees. The student is responsible for providing evidence to the postsecondary education institution verifying that the conditions of this paragraph have been met, including supporting documentation provided by the Department of Revenue. The student must be currently enrolled in, or begin coursework within, a program area by fall semester 2000. The exemption is valid for a period of 4 years after the date that the postsecondary education institution confirms that the conditions of this paragraph have been met.

Section 24. Subsections (2) and (7) of section 1009.286, Florida Statutes, are amended to read:

1009.286 Additional student payment for hours exceeding baccalaureate degree program completion requirements at state universities.—

(2) State universities shall require a student to pay an excess hour surcharge ~~equal to 100 percent of the tuition rate~~ for each credit hour in excess ~~of 115 percent~~ of the number of credit hours required to complete the baccalaureate degree program in which the student is enrolled. *The excess hour surcharge shall become effective for students who enter a state university for the first time and maintain continuous enrollment as follows:*

(a) For the 2009-2010 and 2010-2011 academic years, an excess hour surcharge equal to 50 percent of the tuition rate for each credit hour in excess of 120 percent.

(b) For the 2011-2012 academic year, an excess hour surcharge equal to 100 percent of the tuition rate for each credit hour in excess of 115 percent.

(c) For the 2012-2013 academic year and thereafter, an excess hour surcharge equal to 100 percent of the tuition rate for each credit hour in excess of 110 percent.

~~(7) The provisions of this section become effective for students who enter a Florida College System institution or a state university for the first time in the 2011-2012 academic year and thereafter.~~

Section 25. Subsections (2) and (7) of section 1009.531, Florida Statutes, are amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

(2)(a) *A student* ~~For students~~ graduating from high school prior to the 2010-2011 academic year~~, a student~~ is eligible to accept an initial award for 3 years following high school graduation and to accept a renewal award for 7 years following high school graduation. A student who applies for an award by high school graduation and who meets all other eligibility requirements, but who does not accept his or her award, may reapply during subsequent application periods up to 3 years after high school graduation. For a student who enlists in the United States Armed Forces immediately after completion of high school, the 3-year eligibility period for his or her initial award shall begin upon the date of separation from active duty. For a student who is receiving a Florida Bright Futures Scholarship and discontinues his or her education to enlist in the United States Armed Forces, the remainder of his or her 7-year renewal period shall commence upon the date of separation from active duty.

(b) ~~For~~ Students graduating from high school in the 2010-2011 *and 2011-2012* academic *years are* ~~year and thereafter, a student is~~ eligible to accept an initial award for 3 years following high school graduation and to accept a renewal award for 5 years following high school graduation. A student who applies for an award by high school graduation and who meets all other eligibility requirements, but who does not accept his or her award, may reapply during subsequent application periods up to 3 years after high school graduation. For a student who enlists in the United States Armed Forces immediately after completion of high school, the 3-year eligibility period for his or her initial award and the 5-year renewal period shall begin upon the date of separation from active duty. For a student who is receiving a Florida Bright Futures Scholarship award and discontinues his or her education to enlist in the United States Armed Forces, the remainder of his or her 5-year renewal period shall commence upon the date of separation from active duty. If a course of study is not completed after 5 academic years, an exception of 1 year to the renewal timeframe may be granted due to a verifiable illness or other documented emergency pursuant to s. 1009.40(1)(b)4.

(c) A student graduating from high school in the 2012-2013 academic year and thereafter is eligible to accept an initial award for 2 years following high school graduation and to accept a renewal award for 5 years following high school graduation. A student who applies for an award by high school graduation and who meets all other eligibility requirements, but who does not accept his or her award, may reapply during subsequent application periods up to 2 years after high school graduation. For a student who enlists in the United States Armed Forces immediately after completion of high school, the 2-year eligibility period for his or her initial award and the 5-year renewal period shall begin upon the date of separation from active duty. For a student who is receiving a Florida Bright Futures Scholarship award and discontinues his or her education to enlist in the United States Armed Forces, the remainder of his or her 5-year renewal period shall commence upon the date of separation from active duty. If a course of study is not completed after 5 academic years, an exception of 1 year to the renewal timeframe may be granted due to a verifiable illness or other documented emergency pursuant to s. 1009.40(1)(b)4.

(7) To be eligible for an *initial award and each renewal* award under the Florida Bright Futures Scholarship Program, a student must submit a Free Application for Federal Student Aid which is complete and error free prior to disbursement.

Section 26. Subsection (3) of section 1009.532, Florida Statutes, is amended to read:

1009.532 Florida Bright Futures Scholarship Program; student eligibility requirements for renewal awards.—

(3)*(a)* A student who is initially eligible prior to the 2010-2011 academic year and is enrolled in a program that terminates in an associate degree or a baccalaureate degree may receive an award for a maximum of 110 percent of the number of credit hours required to complete the program. A student who is enrolled in a program that terminates in a career certificate may receive an award for a maximum of 110 percent of the credit hours or clock hours required to complete the program up to 90 credit hours.

(b) Students ~~For a student~~ who *are* ~~is~~ initially eligible in the 2010-2011 *and 2011-2012* academic *years* ~~term and thereafter, the student~~ may receive an award for a maximum of 100 percent of the number of credit hours required to complete an associate degree program or a baccalaureate degree program~~,~~ or ~~the student may~~ receive an award for a maximum of 100 percent of the credit hours or clock hours required to complete up to 90 credit hours of a program that terminates in a career certificate.

(c) A student who is initially eligible in the 2012-2013 academic year and thereafter may receive an award for a maximum of 100 percent of the number of credit hours required to complete an associate degree program, a baccalaureate degree program, or a postsecondary career certificate program or, for a Florida Gold Seal Vocational Scholars award, may receive an award for a maximum of 100 percent of the number of credit hours or equivalent clock hours required to complete one of the following at a Florida public or nonpublic education institution that offers these specific programs: for an applied technology diploma program as defined in s. 1004.02(8), up to 60 credit hours or equivalent clock hours; for a technical degree education program as defined in s. 1004.02(14), up to the number of hours required for a specific degree not to exceed 72 credit hours or equivalent clock hours; or for a career certificate program as defined in s. 1004.02(21), up to the number of hours required for a specific certificate not to exceed 72 credit hours or equivalent clock hours. A student who transfers from one of these program levels to another *program level* becomes eligible for the higher of the two credit hour limits.

Section 27. Subsections (2), (4), and (5) of section 1009.534, Florida Statutes, are amended to read:

1009.534 Florida Academic Scholars award.—

(2) ~~Effective January 1, 2008,~~ A Florida Academic Scholar who is enrolled in a *certificate, diploma, associate, or baccalaureate degree program at a* public *or nonpublic* postsecondary education institution is eligible for an award equal to the amount *specified in the General Appropriations Act to assist with the payment of educational expenses* ~~required to pay tuition and fees. A student who is enrolled in a nonpublic postsecondary education institution is eligible for an award equal to the amount that would be required to pay for the average tuition and fees of a public postsecondary education institution at the comparable level~~.

(4) In each school district, the Florida Academic Scholar with the highest academic ranking shall receive an additional award *equal to the amount specified in the General Appropriations Act* ~~of $1,500~~ for college-related expenses. This award must be funded from the Florida Bright Futures Scholarship Program.

~~(5) Notwithstanding subsections (2) and (4), a Florida Academic Scholar is eligible for an award equal to the amount specified in the General Appropriations Act.~~

Section 28. Subsections (1), (2), and (4) of section 1009.535, Florida Statutes, are amended to read:

1009.535 Florida Medallion Scholars award.—

(1) A student is eligible for a Florida Medallion Scholars award if the student meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and the student:

(a) Has achieved a weighted grade point average of 3.0 as calculated pursuant to s. 1009.531, or the equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses; and has attained at least the score pursuant to s. 1009.531(6)(b) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(b) Has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma or has completed the Advanced International Certificate of Education curriculum but failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score pursuant to s. 1009.531(6)(b) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(c) Has attended a home education program according to s. 1002.41 during grades 11 and 12 and has attained at least the score pursuant to s. 1009.531(6)(b) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program, if the student's parent cannot document a college-preparatory curriculum as described in paragraph (a);

(d) Has been recognized by the merit or achievement program of the National Merit Scholarship Corporation as a scholar or finalist but has not completed a program of community service as provided in s. 1009.534; or

(e) Has been recognized by the National Hispanic Recognition Program as a scholar, but has not completed a program of community service as provided in s. 1009.534.

A high school student graduating in the 2011-2012 academic year and thereafter must complete a program of community service work approved by the district school board*,* ~~or~~ the administrators of a nonpublic school, *or the Department of Education for home education program students,* which shall include a minimum of 75 hours of service work, and must identify a social problem that interests him or her, develop a plan for his or her personal involvement in addressing the problem, and, through papers or other presentations, evaluate and reflect upon his or her experience.

(2) A Florida Medallion Scholar *who is enrolled in a certificate, diploma, associate, or baccalaureate degree program at a public or nonpublic postsecondary education institution* is eligible for an award equal to the amount *specified in the General Appropriations Act to assist with the payment of educational expenses* ~~required to pay 75 percent of tuition and fees if the student is enrolled in a state university or a baccalaureate degree program authorized pursuant to s. 1007.33. A Florida Medallion Scholar is eligible for an award equal to the amount required to pay 100 percent of tuition and fees for college credit courses leading to an associate degree if the student is enrolled in a Florida College System institution. A student who is enrolled in a nonpublic postsecondary education institution is eligible for an award equal to the amount that would be required to pay 75 percent of the tuition and fees of a public postsecondary education institution at the comparable level~~.

~~(4) Notwithstanding subsection (2), a Florida Medallion Scholar is eligible for an award equal to the amount specified in the General Appropriations Act.~~

Section 29. Paragraphs (a) and (e) of subsection (1) and subsections (2), (4), and (5) of section 1009.536, Florida Statutes, are amended to read:

1009.536 Florida Gold Seal Vocational Scholars award.—The Florida Gold Seal Vocational Scholars award is created within the Florida Bright Futures Scholarship Program to recognize and reward academic achievement and career preparation by high school students who wish to continue their education.

(1) A student is eligible for a Florida Gold Seal Vocational Scholars award if the student meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and the student:

(a) Completes the secondary school portion of a sequential program of studies that requires at least three secondary school career credits ~~taken over at least 2 academic years, and is continued in a planned, related postsecondary education program. If the student's school does not offer such a two plus two or tech prep program, the student must complete a job preparatory career education program selected by Workforce Florida, Inc., for its ability to provide high-wage employment in an occupation with high potential for employment opportunities~~. On-the-job training may not be substituted for any of the three required career credits.

(e) Beginning with high school students graduating in the 2011-2012 academic year and thereafter, completes a program of community service work approved by the district school board*,* ~~or~~ the administrators of a nonpublic school, *or the Department of Education for home education program students,* which shall include a minimum of 30 hours of service work, and identifies a social problem that interests him or her, develops a plan for his or her personal involvement in addressing the problem, and, through papers or other presentations, evaluates and reflects upon his or her experience.

(2) A Florida Gold Seal Vocational Scholar *who is enrolled in a public or nonpublic postsecondary education institution* is eligible for an award equal to the amount *specified in the General Appropriations Act to assist with the payment of educational expenses* ~~required to pay 75 percent of tuition and fees, if the student is enrolled in a public postsecondary education institution. A student who is enrolled in a nonpublic postsecondary education institution is eligible for an award equal to the amount that would be required to pay 75 percent of the tuition and mandatory fees of a public postsecondary education institution at the comparable level~~.

(4)*(a)* A student *who is initially eligible prior to the 2010-2011 academic year* may earn a Florida Gold Seal Vocational Scholarship for 110 percent of the number of credit hours required to complete the program, up to 90 credit hours or the equivalent.

(b) Students ~~For a student~~ who *are* ~~is~~ initially eligible in the 2010-2011 *and 2011-2012* academic *years* ~~term and thereafter, the student~~ may earn a Florida Gold Seal Vocational Scholarship for 100 percent of the number of credit hours required to complete the program, up to 90 credit hours or the equivalent.

(c) A student who is initially eligible in the 2012-2013 academic year and thereafter may earn a Florida Gold Seal Vocational Scholarship for a maximum of 100 percent of the number of credit hours or equivalent clock hours required to complete one of the following at a Florida public or nonpublic education institution that offers these specific programs: for an applied technology diploma program as defined in s. 1004.02(8), up to 60 credit hours or equivalent clock hours; for a technical degree education program as defined in s. 1004.02(14), up to the number of hours required for a specific degree not to exceed 72 credit hours or equivalent clock hours; or for a career certificate program as defined in s. 1004.02(21), up to the number of hours required for a specific certificate not to exceed 72 credit hours or equivalent clock hours.

~~(5) Notwithstanding subsection (2), a Florida Gold Seal Vocational Scholar is eligible for an award equal to the amount specified in the General Appropriations Act.~~

Section 30. Subsection (7) of section 1009.60, Florida Statutes, is renumbered as subsection (8), and a new subsection (7) is added to that section to read:

1009.60 Minority teacher education scholars program.—There is created the minority teacher education scholars program, which is a collaborative performance-based scholarship program for African-American, Hispanic-American, Asian-American, and Native American students. The participants in the program include Florida's Florida College System institutions and its public and private universities that have teacher education programs.

(7) The Florida Fund for Minority Teachers, Inc., shall use a contingency collections agency to collect repayments of defaulted scholarships.

Section 31. Paragraph (b) of subsection (2) of section 1009.605, Florida Statutes, is amended to read:

1009.605 Florida Fund for Minority Teachers, Inc.—

(2)

(b) The corporation shall report to the Department of Education, by the date established by the department, the eligible students to whom scholarship moneys are disbursed each academic term*, the annual balance of the corporation's assets and cash reserves,* and any other information requested by the department in accordance with s. 1009.94. By June 30 of each fiscal year, the corporation shall remit to the department any appropriated funds that were not distributed for scholarships, less the 5 percent for administration, including administration of the required training program, authorized pursuant to subsection (3).

Section 32. Subsections (2), (5), (7), and (8) of section 1009.70, Florida Statutes, are amended to read:

1009.70 Florida Education Fund.—

(2)(a) The Florida Education Fund, a not-for-profit statutory corporation, is created from a challenge endowment grant from the McKnight Foundation and operates on income derived from the investment of endowment gifts and other gifts as provided by state statute and appropriate matching funds as provided by the state.

(b) *The Legislature may appropriate funds to the Florida Education Fund to be used for scholarships under subsection (5). Funds* ~~The amount~~ appropriated to the *Florida Education* Fund shall be *matched* on *a dollar-for-dollar* ~~the~~ basis *by funds* ~~of $1 for each $2~~ contributed *from* ~~by~~ private sources*, including, but not limited to, income earned from investment returns on the Florida Education Fund Endowment, the value of monetary and in-kind contributions to the McKnight Doctoral Fellowship Program, the value of services provided by McKnight Doctoral Fellows to Florida not-for-profit corporations and public and nonpublic colleges and universities, and the value of tuition and fees paid on behalf of McKnight Doctoral Fellows from funds not appropriated to the Florida Education Fund*. The Florida Education Fund shall certify to the *Department of Education's Office of Student Financial Assistance* ~~Legislature~~ the *estimated value of such matching amounts prior to the disbursement of the appropriation and shall certify to the Legislature the actual value of such matching amounts as of June 30 each year* ~~amount of donations contributed between July 1, 1990, and June 30, 1991~~. Only ~~the new donations above the certified base shall be calculated for state matching funds during the first year of the program. In subsequent years, only the~~ new donations above the certified prior year base shall be calculated for state matching funds. *The department shall provide the format for which the Florida Education Fund shall comply with the reporting requirements of this paragraph.*

(c) The corporation shall provide to the department a copy of its certified financial statement and annual report, including the corporation's assets and cash reserve balances. The corporation shall also provide the department documentation which includes the name of each scholarship recipient, the postsecondary education institution attended, the discipline of study, and the amount awarded to each recipient. The corporation shall post a copy of its certified financial statement and annual report on its website.

(5) The Board of Directors of the Florida Education Fund shall review and evaluate initial programs created by the McKnight Foundation and continue funding the *McKnight Doctoral* ~~Black Doctorate~~ Fellowship Program and the *McKnight* Junior *Faculty* Fellowship Program if the *evaluations are* ~~evaluation is~~ positive, and the board shall identify, initiate, and fund new and creative programs and monitor, review, and evaluate those programs. The purpose of this commitment is to broaden the participation and funding potential for further significant support of higher education in this state. In addition, the board shall:

(a) Hold such meetings as are necessary to implement ~~the provisions of~~ this section.

(b) Select a chairperson annually.

(c) Adopt and use an official seal in the authentication of its acts.

(d) Make rules for its own government.

(e) Administer this section.

(f) Appoint an executive director to serve at its pleasure and perform all duties assigned by the board. The executive director shall be the chief administrative officer and agent of the board.

(g) Maintain a record of its proceedings.

(h) Delegate to the chairperson of the board the responsibility for signing final orders.

(i) Utilize existing higher education organizations, associations, and agencies to carry out its educational programs and purposes with minimal staff employment.

(j) Be empowered to enter into contracts with the Federal Government, state agencies, or individuals.

(k) Receive bequests, gifts, grants, donations, and other valued goods and services. Such bequests and gifts shall be used only for the purpose or purposes stated by the donor.

(7) It is the intent of the Legislature that the Board of Directors of the Florida Education Fund recruit eligible residents of the state before it extends its search to eligible nonresidents. ~~However, for the purposes of subsection (8), the board of directors shall recruit eligible residents only.~~ It is further the intent of the Legislature that the board of directors establish service terms, if any, that accompany the award of moneys from the fund.

~~(8) There is created a legal education component of the Florida Education Fund to provide the opportunity for minorities to attain representation within the legal profession proportionate to their representation within the general population. The legal education component of the Florida Education Fund includes a law school program and a pre-law program.~~

~~(a) The law school scholarship program of the Florida Education Fund is to be administered by the Board of Directors of the Florida Education Fund for the purpose of increasing the number of minority students enrolled in law schools in this state by 200. Implementation of this program is to be phased in over a 3 year period.~~

~~1. The board of directors shall provide financial, academic, and other support to students selected for participation in this program from funds appropriated by the Legislature.~~

~~2. Student selection must be made in accordance with rules adopted by the board of directors for that purpose and must be based, at least in part, on an assessment of potential for success, merit, and financial need.~~

~~3. Support must be made available to students who enroll in private, as well as public, law schools in this state which are accredited by the American Bar Association.~~

~~4. Scholarships must be paid directly to the participating students.~~

~~5. Students who participate in this program must agree in writing to sit for The Florida Bar examination and, upon successful admission to The Florida Bar, to practice law in the state for a period equal to the amount of time for which the student received aid, up to 3 years, or repay the amount of aid received.~~

~~(b) The minority pre-law scholarship loan program of the Florida Education Fund is to be administered by the Board of Directors of the Florida Education Fund for the purpose of increasing the opportunity of minority students to prepare for law school.~~

~~1. From funds appropriated by the Legislature, the board of directors shall provide for student fees, room, board, books, supplies, and academic and other support to selected minority undergraduate students matriculating at eligible public and independent colleges and universities in Florida.~~

~~2. Student selection must be made in accordance with rules adopted by the board of directors for that purpose and must be based, at least in part, on an assessment of potential for success, merit, and financial need.~~

~~3. To be eligible, a student must make a written agreement to enter or be accepted to enter a law school in this state within 2 years after graduation or repay the scholarship loan amount plus interest at the prevailing rate.~~

~~4. Recipients who fail to gain admission to a law school within the specified period, may, upon admission to law school, be eligible to have their loans canceled.~~

~~5. Minority pre-law scholarship loans shall be provided to 34 minority students per year for up to 4 years each, for a total of 136 scholarship loans. To continue receiving scholarship loans, recipients must maintain a 2.75 grade point average for the freshman year and a 3.25 grade point average thereafter. Participants must also take specialized courses to enhance competencies in English and logic.~~

~~6. The board of directors shall maintain records on all scholarship loan recipients. Participating institutions shall submit academic progress reports to the board of directors following each academic term.~~

Section 33. Subsection (4) of section 1009.72, Florida Statutes, is amended to read:

1009.72 Jose Marti Scholarship Challenge Grant Program.—

(4) The amounts appropriated for the program shall be allocated by the department on the basis of one $5,000 challenge grant for each *$5,000* ~~$2,500~~ raised from private sources. Matching funds shall be generated through contributions made after July 1, 1986, and pledged for the purposes of this section. Pledged contributions shall not be eligible for matching prior to the actual collection of the total funds.

Section 34. Subsection (4) of section 1009.73, Florida Statutes, is amended to read:

1009.73 Mary McLeod Bethune Scholarship Program.—

(4) The moneys for the program shall be allocated by the department among the institutions of higher education listed in subsection (1) on the basis of one $2,000 challenge grant for each *$2,000* ~~$1,000~~ raised from private sources. Matching funds shall be generated through contributions made after July 1, 1990, and pledged for the purposes of this section. Pledged contributions shall not be eligible for matching prior to the actual collection of the total funds. The department shall allocate to each of those institutions a proportionate share of the contributions received on behalf of those institutions and a share of the appropriations and matching funds generated by such institution.

Section 35. Section 1010.30, Florida Statutes, is amended to read:

1010.30 Audits required.—

(1) School districts, Florida College System institutions, and other institutions and agencies under the supervision of the State Board of Education and state universities under the supervision of the Board of Governors are subject to the audit provisions *of* ~~under~~ ss. 11.45 and 218.39.

(2) If an audit contains a significant finding, the district school board, the Florida College System institution board of trustees, or the university board of trustees shall conduct an audit overview during a public meeting.

Section 36. Subsection (10) of section 1011.80, Florida Statutes, is amended to read:

1011.80 Funds for operation of workforce education programs.—

(10) A high school student dually enrolled under s. 1007.271 in a workforce education program operated by a Florida College System institution or school district career center generates the amount calculated for workforce education funding, including any payment of performance funding, and the proportional share of full-time equivalent enrollment generated through the Florida Education Finance Program for the student's enrollment in a high school. If a high school student is dually enrolled in a Florida College System institution program, including a program conducted at a high school, the Florida College System institution earns the funds generated for workforce education funding, and the school district earns the proportional share of full-time equivalent funding from the Florida Education Finance Program. If a student is dually enrolled in a career center operated by the same district as the district in which the student attends high school, that district earns the funds generated for workforce education funding and also earns the proportional share of full-time equivalent funding from the Florida Education Finance Program. If a student is dually enrolled in a workforce education program provided by a career center operated by a different school district, the funds must be divided between the two school districts proportionally from the two funding sources. A student may not be reported for funding in a dual enrollment workforce education program unless the student has completed the basic skills assessment pursuant to s. 1004.91. A student who is coenrolled in a K-12 education program and an adult education program may not be reported for purposes of funding in an adult education program, except that for the 2011-2012 *and 2012-2013* fiscal *years* ~~year only~~, students who are coenrolled in core curricula courses for credit recovery or dropout prevention purposes *and do not have a pattern of excessive absenteeism or habitual truancy or a history of disruptive behavior in school* may be reported for funding for up to two courses per student. Such students are exempt from the payment of the block tuition for adult general education programs provided in s. 1009.22(3)(c).

Section 37. Subsection (2) of section 1012.83, Florida Statutes, is amended to read:

1012.83 Contracts with administrative and instructional staff.—

(2) *Each contract or employment agreement, or renewal or renegotiation of an existing contract or employment agreement, containing a provision for severance pay with an officer, agent, employee, or contractor must include the provisions required in s. 215.425.* ~~A Florida College System institution board of trustees may not enter into an employment contract that requires the Florida College System institution to pay an employee an amount from appropriated state funds in excess of 1 year of the employee's annual salary for termination, buyout, or any other type of contract settlement. This subsection does not prohibit the payment of leave and benefits accrued by the employee in accordance with the Florida College System institution's leave and benefits policies before the contract terminates.~~

Section 38. Subsection (4) of section 1012.885, Florida Statutes, is amended to read:

1012.885 Remuneration of Florida College System institution presidents; limitations.—

(4) LIMITATION ON REMUNERATION.—Notwithstanding the provisions of this section, for the *2012-2013* ~~2011-2012~~ fiscal year, a Florida College System institution president may not receive more than $200,000 in remuneration from appropriated state funds. Only compensation, as defined in s. 121.021(22), provided to a Florida College System institution president may be used in calculating benefits under chapter 121.

Section 39. Section 1012.886, Florida Statutes, is reenacted and amended to read:

1012.886 Remuneration of Florida College System institution administrative employees; limitations.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Appropriated state funds" means funds appropriated from the General Revenue Fund or funds appropriated from state trust funds.

(b) "Cash-equivalent compensation" means any benefit that may be assigned an equivalent cash value.

(c) "Remuneration" means salary, bonuses, and cash-equivalent compensation paid to a Florida College System institution administrative employee by his or her employer for work performed, excluding health insurance benefits and retirement benefits.

(2) LIMITATION ON COMPENSATION.—Notwithstanding any other law, resolution, or rule to the contrary, a Florida College System institution administrative employee may not receive more than $200,000 in remuneration annually from appropriated state funds. Only compensation, as such term is defined in s. 121.021(22), provided to a Florida College System institution administrative employee may be used in calculating benefits under chapter 121.

(3) EXCEPTIONS.—This section does not prohibit any party from providing cash or cash-equivalent compensation from funds that are not appropriated state funds to a Florida College System institution administrative employee in excess of the limit in subsection (2). If a party is unable or unwilling to fulfill an obligation to provide cash or cash-equivalent compensation to a Florida College System institution administrative employee as permitted under this subsection, appropriated state funds may not be used to fulfill such obligation. This section does not apply to Florida College System institution teaching faculty.

(4) EXPIRATION.—This section expires June 30, *2013* ~~2012~~.

Section 40. Subsection (4) of section 1012.975, Florida Statutes, is amended to read:

1012.975 Remuneration of state university presidents; limitations.—

(4) LIMITATION ON REMUNERATION.—Notwithstanding the provisions of this section, for the *2012-2013* ~~2011-2012~~ fiscal year, a state university president may not receive more than $200,000 in remuneration from public funds. Only compensation, as defined in s. 121.021(22), provided to a state university president may be used in calculating benefits under chapter 121.

Section 41. Section 1012.976, Florida Statutes, is reenacted and amended to read:

1012.976 Remuneration of state university administrative employees; limitations.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Appropriated state funds" means funds appropriated from the General Revenue Fund or funds appropriated from state trust funds.

(b) "Cash-equivalent compensation" means any benefit that may be assigned an equivalent cash value.

(c) "Remuneration" means salary, bonuses, and cash-equivalent compensation paid to a state university administrative employee by his or her employer for work performed, excluding health insurance benefits and retirement benefits.

(2) LIMITATION ON COMPENSATION.—Notwithstanding any other law, resolution, or rule to the contrary, a state university administrative employee may not receive more than $200,000 in remuneration annually from appropriated state funds. Only compensation, as such term is defined in s. 121.021(22), provided to a state university administrative employee may be used in calculating benefits under chapter 121.

(3) EXCEPTIONS.—This section does not prohibit any party from providing cash or cash-equivalent compensation from funds that are not appropriated state funds to a state university administrative employee in excess of the limit in subsection (2). If a party is unable or unwilling to fulfill an obligation to provide cash or cash-equivalent compensation to a state university administrative employee as permitted under this subsection, appropriated state funds may not be used to fulfill such obligation. This section does not apply to university teaching faculty or medical school faculty or staff.

(4) EXPIRATION.—This section expires June 30, *2013* ~~2012~~.

Section 42. *Notwithstanding the 5-percent limitation provided in s. 1010.62(2)(a), Florida Statutes, the University of Florida may use revenues derived from the activity and service fee to pay and secure debt with annual debt service in an amount not to exceed $3.5 million to finance or refinance the renovation and expansion of the university's J. Wayne Reitz Union.*

Section 43. *Effective upon this act becoming a law and notwithstanding s. 1001.73(5), Florida Statutes, as created by this act, or section 32 of the 2012 regular legislative session Conference Report for House Bill 5001, for the 2011-2012 fiscal year, state universities may make transfers between the Educational and General Activities category and other program categories up to $2 million to make necessary adjustments.*

Section 44. *Notwithstanding ss. 1013.30(10), (11), (12), and (13) and 1013.51(4), Florida Statutes, for the 2012-2013 fiscal year, a state university may enter into a local development agreement with an affected host local government to identify specific projects in the university's campus master plan to be constructed by the university for purposes of negotiating mitigation of the impact of such projects on the host local government.*

Section 45. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2012.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to postsecondary education funding; amending s. 11.45, F.S.; requiring that the Auditor General notify the Legislative Auditing Committee of any financial or operational audit report indicating that a state university or Florida College System institution has failed to take full corrective action in response to recommendations in previous audit reports; amending s. 282.201, F.S.; conforming provisions to changes made by the act; amending s. 1000.21, F.S.; revising the name of South Florida Community College; providing for contingent effect; amending s. 1001.64, F.S.; requiring that each contract or employment agreement, or renewal or renegotiation of an existing contract or employment agreement, containing a provision for severance pay include certain provisions; requiring each board of trustees to use certain agreements and contracts or enter into certain consortia and cooperative agreements to achieve the lowest cost; amending s. 1001.706, F.S.; requiring that the Board of Governors adopt regulations requiring universities to enter into consortia and cooperative agreements; authorizing the Board of Governors to transfer certain funds between state universities; revising provisions relating to employment contracts with the Board of Governors; amending s. 1001.73, F.S.; providing a restriction on the transfer of certain funds by a state university board of trustees; providing procedures for additional transfer of funds; amending s. 1003.4156, F.S.; conforming provisions to changes made by the act; repealing s. 1004.09, F.S., relating to the Florida Higher Education Distance Learning Catalog; repealing s. 1004.091, F.S., relating to the Florida Distance Learning Consortium; amending ss. 1004.39 and 1004.40, F.S.; conforming provisions to changes made by the act; creating s. 1004.935, F.S.; establishing the Adults with Disabilities Workforce Education Pilot Program

for a specified period in certain counties; providing a purpose; providing eligibility requirements for participation in the program; defining the term "student with a disability" for purposes of the pilot program; providing requirements for providers of supported employment services and private schools to participate in the pilot program; providing notice requirements for students who are accepted into the pilot program; providing for funding; requiring that the Chief Financial Officer make scholarship payments; requiring that the Department of Education request from the Department of Financial Services a sample of endorsed warrants after each scholarship payment; amending s. 1006.72, F.S.; conforming provisions to changes made by the act; creating s. 1006.73, F.S.; establishing the Florida Virtual Campus to provide access to online student and library support services and to serve as a statewide resource and clearinghouse for technology-based public postsecondary education distance learning courses and degree programs; requiring the Florida Virtual Campus to develop and manage a library information portal and automated library management tools, to develop and manage an Internet-based catalog of distance learning courses, to implement an online admissions application process for transient students, to develop and manage a computer-assisted student advising system, to license and acquire electronic library resources, to promote and provide recommendations concerning the use and distribution of open-access textbooks, to provide help desk support to institutions and students, and to identify and evaluate new technologies and instructional methods; providing for the transfer of assets and liabilities of the Florida Distance Learning Consortium, the Florida Center for Library Automation, the College Center for Library Automation, and FACTS.org to the Florida Virtual Campus; requiring recommendations to the Legislature; creating s. 1006.735, F.S.; establishing the Degree Completion Pilot Project to recruit, recover, and retain adult learners and assist them in completing degrees aligned to high-wage, high-skill workforce needs; specifying components of the pilot project and the tuition and fee structure to be used; requiring submission of a project plan to the Legislature; amending s. 1007.01, F.S.; conforming a cross-reference; amending s. 1007.27, F.S.; conforming provisions to changes made by the act; repealing s. 1007.28, F.S., relating to a computer-assisted student advising system; amending s. 1007.33, F.S.; deleting provisions relating to exemption from State Board of Education approval of certain baccalaureate degree programs at a Florida College System institution; amending s. 1009.215, F.S.; revising provisions relating to scholarship awards under a student enrollment pilot program for the spring and summer terms; amending s. 1009.23, F.S.; revising provisions relating to the capital improvement fee for Florida College System institutions; amending s. 1009.24, F.S.; revising provisions relating to the Capital Improvement Trust Fund fee for state universities; amending s. 1009.25, F.S.; revising terminology; amending s. 1009.286, F.S., relating to additional student payment for credit hours exceeding baccalaureate degree program completion requirements; revising criteria for the excess credit hour surcharge; amending ss. 1009.531 and 1009.532, F.S.; revising eligibility requirements for initial and renewal awards under the Florida Bright Futures Scholarship Program; amending ss. 1009.534, 1009.535, and 1009.536, F.S.; revising provisions relating to the amount of a Florida Academic Scholars award, a Florida Medallion Scholars award, and a Florida Gold Seal Vocational Scholars award; revising student eligibility requirements for renewal awards; providing that a student may earn a Florida Gold Seal Vocational Scholarship for credit hours or equivalent clock hours to complete an applied technology diploma program, a technical degree education program, or a career certificate program; amending s. 1009.60, F.S.; providing a duty of the Florida Fund for Minority Teachers, Inc., relating to collections under the minority teacher education scholars program; amending s. 1009.605, F.S.; providing a duty of the Florida Fund for Minority Teachers, Inc., relating to reporting; amending s. 1009.70, F.S.; revising provisions relating to the Florida Education Fund; authorizing the Legislature to appropriate funds and providing the basis for matched funding and expenditures; requiring the fund to provide the Department of Education with its financial statement and annual report; revising the names of certain fellowship programs; providing requirements for the award of scholarships; deleting the legal education component of the fund which includes a law and pre-law program; amending ss. 1009.72 and 1009.73, F.S.; revising requirements for matching funds under the Jose Marti Scholarship Challenge Grant Program and the Mary McLeod Bethune Scholarship Program; amending s. 1010.30, F.S.; requiring that the district school board, the Florida College System institution board of trustees, or the university board of trustees conduct an audit overview during a public meeting if an audit contains significant findings; amending s. 1011.80, F.S.; revising provisions relating to the reporting for funding purposes of certain students who are coenrolled in a K-12 education program and an adult education program; amending s. 1012.83, F.S.; revising provisions relating to employment contracts with Florida College System institutions; requiring that each contract or employment agreement, or renewal or renegotiation of an existing contract or employment agreement, containing a provision for severance pay include certain provisions; amending s. 1012.885, F.S.; extending provisions relating to remuneration of Florida College System institution presidents; reenacting and amending s. 1012.886, F.S.; delaying the expiration of provisions relating to the remuneration of Florida College System institution administrative employees; amending s. 1012.975, F.S.; extending provisions relating to remuneration of state university presidents; reenacting and amending s. 1012.976, F.S.; delaying the expiration of provisions relating to the remuneration of state university administrative employees; authorizing the University of Florida to use revenues from the activity and service fee to finance the renovation and expansion of the university's J. Wayne Reitz Union; authorizing state universities to make certain fund transfers between program categories for the 2011-2012 fiscal year; authorizing a state university to enter into a local development agreement with a host local government for certain purposes relating to the campus master plan for the 2012-2013 fiscal year; providing effective dates.

On motion by Senator Lynn, the Conference Committee Report on **HB 5201** was adopted. **HB 5201** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Gibson	Ring
Bennett	Hays	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Bullard	Latvala	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—1

Dockery

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed CS for HB 5103, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON CS for HB 5103

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for HB 5103, same being:

An act relating to school readiness programs.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Joe Negron
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large
s/ Thad Altman
s/ Michael S. "Mike" Bennett At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
Arthenia L. Joyner
Evelyn J. Lynn
s/ Bill Montford
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Marti Coley Vice Chair
Charles S. "Chuck" Chestnut IV At Large
s/ Erik Fresen
s/ Matt Gaetz
s/ Bill Hager
Dorothy L. Hukill, At Large
Martin David "Marty" Kiar
s/ Ana Rivas Logan
s/ Seth McKeel
Ron Saunders, At Large
s/ Jimmie T. Smith
s/ William D. Snyder, At Large
s/ Will W. Weatherford, At Large
s/ Janet H. Adkins
s/ Gary Aubuchon, At Large
s/ Gwyndolen "Gwyn" Clarke-Reed
Chris Dorworth, At Large
s/ James C. "Jim" Frishe, At Large
s/ Denise Grimsley
s/ Doug Holder, At Large
Mia L. Jones, At Large
John Legg, At Large
s/ Carlos Lopez-Cantera, At Large
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck At Large
Geraldine F. "Geri" Thompson

Managers on the part of the House

The Conference Committee Amendment for HB 5103, PreK-12 Education Appropriations Issues, provides for the following:

- Clarifies school readiness programs to be operated full-time and part-time.

- Defines terms for purposes of the School Readiness Act.

- Prioritizes services to eligible children from birth to kindergarten.

- Requires definitions for expenditures and reports for:

  □Direct expenditures for services to children;

  □Administrative costs;

  □Nondirect expenditures; and

  □Quality.

- Requires the Office of Early Learning to:

  □Adopt a list of approved curricula;

  □Identify a preassessment and postassessment;

  □Adopt a statewide, standardized contract to be used by coalitions with each school readiness provider;

  □Coordinate with other agencies to perform data matches on individuals or families participating in the school readiness program; and

  □Submit annually a recommended allocation of funds to the School Readiness Allocation Conference including payment rates, parent co-payment percentages, and the Gold Seal premium rate percentage.

- Revises procurement requirements and requirements for the expenditure of funds by early learning coalitions.

- Requires coalitions to merge if they are unable to comply with expenditure requirements.

- Allows the Office of Early Learning to provide a waiver for merging coalitions for the 2012-2013 and 2013-2014 years if justification for excess expenditures are provided.

- Incorporates existing licensing guidelines which are identified in other areas of statute.

- Revises the eligibility criteria for the enrollment of children in the school readiness program and provides the following priorities by which children are enrolled:

  □First priority is a child under 13 from a working family receiving TANF;

  □Second priority is an at-risk child under 9;

  □Third priority is a child under 6 from an economically disadvantaged family, and children younger than 6 who are disabled;

  □Fourth priority is a child ages 9 through 13 who is a sibling of a younger child in the school readiness program through the at-risk provision;

  □Fifth priority is a child ages 6 through 13 who is a sibling of a younger child in the school readiness program through the economically disadvantaged provision; and

  □Last priority is for a child who is also concurrently enrolled in the Head Start program and the Voluntary Prekindergarten Program.

- Provides for the allocation of school readiness funds as specified in the General Appropriations Act, s. 411.01(10) and 411.013, Florida Statutes.

- For 2012-2013, requires the Office of Early Learning to submit by May 31, 2012, a recommended formula for the allocation of School Readiness Program funds, including standardized provider payment rates, Gold Seal premium rate percentages, and a parent co-payment percentage to the School Readiness Allocation Conference for review. The recommended formula will be phased-in over a three-year period.

- Requires recalculation of the funding allocations quarterly by the Office of Early Learning.

- Deletes provisions for the establishment of an allocation formula by the Office of Early Learning.

- Defines and limits expenditures for administrative activities, quality activities, and nondirect activities.

- Provides for fraud investigations and provides penalties for school readiness providers and parents who knowingly submit false information related to child eligibility and attendance in a school readiness program.

- Creates the School Readiness Allocation Conference, whose duties are to review allocation recommendations by the Office of Early Learning.

- Establishes a due date for school readiness providers to submit market rates to be used as part of the prevailing market rate schedule.

This bill substantially amends sections 216.136, 411.01, 411.0101, 411.01013, 411.0106, 445.023 and creates section 411.013 of the Florida Statutes

Conference Committee Amendment (485907)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 411.01, Florida Statutes, is amended to read:

411.01 School readiness programs; early learning coalitions.—

(1) SHORT TITLE.—This section may be cited as the "School Readiness Act."

(2) LEGISLATIVE INTENT.—

(a) The Legislature recognizes that school readiness programs increase children's chances of achieving future educational success and becoming productive members of society. It is the intent of the Legislature that the programs be developmentally appropriate, research-based, involve the parent as a child's first teacher, serve as preventive measures for children at risk of future school failure, enhance the educational readiness of eligible children, and support family education. Each school readiness program shall provide the elements necessary to prepare at-risk children for school, including health screening and referral and an appropriate educational program.

(b) It is the intent of the Legislature that school readiness programs be operated on a *full-time and part-time* ~~full-day~~, year-round basis to the maximum extent possible to enable parents to work and become financially self-sufficient.

(c) It is the intent of the Legislature that school readiness programs not exist as isolated programs, but build upon existing services and work in cooperation with other programs for young children, and that school readiness programs be coordinated to achieve full effectiveness.

(d) It is the intent of the Legislature that the administrative staff for school readiness programs be kept to the minimum necessary to administer the duties of the Office of Early Learning and early learning coalitions. The Office of Early Learning shall adopt system support services at the state level to build a comprehensive early learning system. Each early learning coalition shall implement and maintain direct enhancement services at the local level, as approved in its school readiness plan by the Office of Early Learning, and ensure access to such services in all 67 counties.

(e) It is the intent of the Legislature that the school readiness program coordinate and operate in conjunction with the district school systems. However, it is also the intent of the Legislature that the school readiness program not be construed as part of the system of free public schools but rather as a separate program for children under the age of kindergarten eligibility, funded separately from the system of free public schools, utilizing a mandatory sliding fee scale, and providing an integrated and seamless system of school readiness services for the state's birth-to-kindergarten population.

(f) It is the intent of the Legislature that school readiness services be an integrated and seamless program of services with a developmentally appropriate education component for the state's eligible birth-to-kindergarten population described in subsection *(7)* ~~(6)~~ and not be construed as part of the seamless K-20 education system.

(3) DEFINITIONS.—As used in this section, the term:

(a) "Adjusted payment rate percentage" means a specified percentage applied to the prevailing market rate for each type of school readiness provider and level of care.

(b) "At-risk child" means:

1. A child from a family under investigation by the Department of Children and Family Services or a designated sheriff's office for child abuse, neglect, abandonment, or exploitation.

2. A child who is in a diversion program provided by the Department of Children and Family Services or its contracted provider and who is from a family that is actively participating and complying in department-prescribed activities, including education, health services, or work.

3. A child from a family that is under supervision by the Department of Children and Family Services or a contracted service provider for abuse, neglect, abandonment, or exploitation.

4. A child placed in court-ordered, long-term custody or under the guardianship of a relative or nonrelative after termination of supervision by the Department of Children and Family Services or its contracted provider.

(c) "Authorized hours of care" means the hours of care that are necessary to provide protection, maintain employment, or complete work activities or eligible educational activities, including reasonable travel time.

(d) "Earned income" means gross remuneration derived from work, professional service, or self-employment. The term includes commissions, bonuses, back pay awards, and the cash value of all remuneration paid in a medium other than cash.

(e) "Economically disadvantaged" means having a family income that does not exceed 150 percent of the federal poverty level and includes being a child of a working migratory family.

(f) "Family income" means the combined gross income, whether earned or unearned, that is derived from any source by all family or household members who are 18 years of age or older and currently residing together in the same dwelling unit. The term does not include income earned by a currently enrolled high school student who, since attaining the age of 18 years, has not terminated school enrollment or received a high school diploma, high school equivalency diploma, special diploma, or certificate of high school completion. The term also does not include food stamp benefits or federal housing assistance payments issued directly to a landlord or the associated utilities expenses.

(g) "Family or household members" means spouses, former spouses, persons related by blood or marriage, persons who are parents of a child in common regardless of whether they have been married, and other persons who are currently residing together in the same dwelling unit as if a family.

(h) "Full-time care" means at least 6 hours, but not more than 1l hours, of child care or early childhood education services within a 24-hour period.

(i) "Gold Seal premium percentage" means a specified percentage that, for a school readiness provider that maintains the Gold Seal Quality Care designation under s. 402.281, is applied to the provider's adjusted payment rate.

(j) "In loco parentis" means acting as a child's temporary guardian.

(k) "Market rate" means the price that a child care or early childhood education provider charges for full-time or part-time daily, weekly, or monthly child care or early childhood education services.

(l) "Office" means the Office of Early Learning of the Department of Education.

(m) "Parent" means a parent by blood, marriage, or adoption; a legal guardian; or another person standing in loco parentis.

(n) "Part-time care" means less than 6 hours of child care or early childhood education services within a 24-hour period.

(o) "Prevailing market rate" means the biennially determined statewide median of the market rate for child care and early childhood education services.

(p) "Unearned income" means income other than earned income. The term includes, but is not limited to:

1. Documented alimony and child support received.

2. Social security benefits.

3. Supplemental security income benefits.

4. Workers' compensation benefits.

5. Unemployment compensation benefits.

6. Veterans' benefits.

7. Retirement benefits.

8. Temporary cash assistance under chapter 414.

9. Military housing assistance under the federal Family Subsistence Supplemental Allowance Program.

(q) "Working family" means:

1. A single-parent family in which the parent with whom the child resides is employed or engaged in eligible education activities for at least 20 hours per week;

2. A two-parent family in which both parents with whom the child resides are each employed or engaged in eligible education activities for at least 20 hours per week; or

3. A family in which the parents, as prescribed by rule of the Office of Early Learning, are exempt from work requirements due to age or a disability as determined and documented by a physician licensed under chapter 458 or chapter 459.

(4)~~(3)~~ PARENTAL PARTICIPATION IN SCHOOL READINESS PROGRAMS.—This section does not:

(a) Relieve parents and guardians of their own obligations to prepare their children for school; or

(b) Create any obligation to provide publicly funded school readiness programs or services beyond those authorized by the Legislature.

(5)~~(4)~~ OFFICE OF EARLY LEARNING OF THE DEPARTMENT OF EDUCATION.—

(a) The Office of Early Learning shall administer school readiness programs at the state level and shall coordinate with the early learning coalitions in providing school readiness services ~~on a full day, full year, full choice basis to the extent possible in order~~ to enable parents to work and be financially self-sufficient.

(b) The Office of Early Learning shall:

1. Prioritize services for eligible children from birth through kindergarten.

2.~~1.~~ Coordinate the birth-to-kindergarten services for children who are eligible under subsection *(7)* ~~(6)~~ and the programmatic, administrative, and fiscal standards under this *chapter* ~~section~~ for all ~~public~~ providers of school readiness programs.

3.~~2.~~ Focus on improving the educational quality of all program providers participating in publicly funded school readiness programs.

4.~~3.~~ Provide comprehensive services to ~~the state's birth to 5 population, which shall~~ ensure the preservation of parental choice by permitting parents to choose from a variety of child care categories, including: center-based child care; group home child care; family child care; and in-home child care. Care and curriculum by a sectarian provider may not be limited or excluded in any of these categories.

(c) The Governor shall designate the Office of Early Learning as the lead agency for administration of the federal Child Care and Development Fund, 45 C.F.R. parts 98 and 99, and the office shall comply with the lead agency responsibilities under federal law.

(d) The Office of Early Learning shall:

1. Be responsible for the prudent use of all public and private funds in accordance with all legal and contractual requirements.

2. Adopt a uniform chart of accounts for budgeting and financial reporting purposes that provides standardized definitions for expenditures and reporting which are consistent with subsection (10) for each of the following categories of expenditures:

a. Direct services to children.

b. Administrative costs.

c. Quality activities.

d. Nondirect services.

3.~~2.~~ Provide final approval and every 2 years review early learning coalitions and school readiness plans.

4.~~3.~~ Establish a unified approach to the state's efforts toward enhancement of school readiness. In support of this effort, the Office of Early Learning shall adopt specific system support services that address the state's school readiness programs*, and each*~~. An~~ early learning coalition shall *implement* ~~amend its school readiness plan to conform to~~ the specific system support services *in its school readiness plan as provided in subparagraph (6)(c)2.* ~~adopted by the Office of Early Learning. System support services shall include, but are not limited to:~~

~~a. Child care resource and referral services;~~

~~b. Warm-Line services;~~

~~c. Eligibility determinations;~~

~~d. Child performance standards;~~

~~e. Child screening and assessment;~~

~~f. Developmentally appropriate curricula;~~

~~g. Health and safety requirements;~~

~~h. Statewide data system requirements; and~~

~~i. Rating and improvement systems.~~

5.~~4.~~ Safeguard the effective use of federal, state, local, and private resources to achieve the highest possible level of school readiness for the children in this state.

~~5. Adopt a rule establishing criteria for the expenditure of funds designated for the purpose of funding activities to improve the quality of child care within the state in accordance with s. 658G of the federal Child Care and Development Block Grant Act.~~

6. Provide technical assistance to early learning coalitions in a manner determined by the Office of Early Learning based upon information obtained by the office from various sources, including, but not limited to, public input, government reports, private interest group reports, office monitoring visits, and coalition requests for service.

7. In cooperation with the early learning coalitions, coordinate with the Child Care Services Program Office of the Department of Children and Family Services to minimize duplicating interagency activities, health and safety monitoring, and acquiring and composing data pertaining to child care training and credentialing.

8. Develop and adopt performance standards and outcome measures for school readiness programs. The performance standards must address the age-appropriate progress of children in the development of school readiness skills. The performance standards for children from birth to 5 years of age in school readiness programs must be integrated with the performance standards adopted by the Department of Education for children in the Voluntary Prekindergarten Education Program under s. 1002.67.

9. Adopt a list of approved curricula that meet the performance standards for school readiness programs and establish a process for the review and approval of a provider's curriculum that meets the performance standards.

10. By July 1, 2013, identify and adopt a preassessment and postassessment aligned with the performance standards adopted under subparagraph 8. Upon adoption, the preassessments and postassessments shall immediately be implemented and used by school readiness providers. The office shall collect the results of the preassessments and postassessments statewide to evaluate the effectiveness of the school readiness programs. At a minimum, a preassessment shall be administered to each child who participates in a school readiness program within the first 60 days after enrollment. By May 30 of each year, a postassessment shall be administered to each child who participates in a provider's program for at least the previous 6 months.

11.~~9.~~ Adopt a *statewide provider* ~~standard~~ contract*, and prescribe a standardized format for such contract, which* ~~that~~ must be used by the

coalitions *to annually contract* ~~when contracting~~ with *each* school readiness *provider* ~~providers~~. *A coalition may not omit, supplement, or amend any provision of the statewide provider contract. In addition, a coalition may not insert or append attachments, addenda, or exhibits to the statewide provider contract. The office shall publish a copy of the statewide provider contract on its Internet website and provide a copy of the contract to each coalition.*

12. Adopt a standardized methodology for monitoring compliance by school readiness providers with the terms of the statewide provider contract adopted under subparagraph 11.

(e) The Office of Early Learning may adopt rules under ss. 120.536(1) and 120.54 to administer the provisions of law conferring duties upon the office, including, but not limited to, rules governing the administration of system support services of school readiness programs, *the adoption of a uniform chart of accounts, the adoption of a statewide provider contract and methodology for monitoring compliance with the contract, the adoption of a list of approved curricula,* the collection of data, the approval of early learning coalitions and school readiness plans, the provision of a method whereby an early learning coalition may serve two or more counties, the award of incentives to early learning coalitions, child performance standards, child outcome measures, *monitoring of the quality activities as described in subparagraph (10)(d)2.,* the issuance of waivers, and the implementation of the state's Child Care and Development Fund Plan as approved by the federal Administration for Children and Families.

(f) The Office of Early Learning shall have all powers necessary to administer this section, including, but not limited to, the power to receive and accept grants, loans, or advances of funds from any public or private agency and to receive and accept from any source contributions of money, property, labor, or any other thing of value, to be held, used, and applied for purposes of this section.

(g) Except as provided by law, the Office of Early Learning may not impose requirements on a child care or early childhood education provider that does not deliver services under the school readiness programs or receive state or federal funds under this section.

(h) The Office of Early Learning shall *coordinate with other state and federal agencies to perform data matches on children participating in school readiness programs and their families in order to verify the children's eligibility pursuant to subsection (7)* ~~have a budget~~ for school readiness programs~~, which shall be financed through an annual appropriation made for purposes of this section in the General Appropriations Act~~.

(i) The Office of Early Learning shall coordinate the efforts toward school readiness in this state and provide independent policy analyses, data analyses, and recommendations to the Governor, the State Board of Education, and the Legislature.

(j) The Office of Early Learning shall require that school readiness programs, at a minimum, enhance the age-appropriate progress of each child in attaining the performance standards adopted under subparagraph (d)8. and in the development of the following school readiness skills:

1. Compliance with rules, limitations, and routines.

2. Ability to perform tasks.

3. Interactions with adults.

4. Interactions with peers.

5. Ability to cope with challenges.

6. Self-help skills.

7. Ability to express the child's needs.

8. Verbal communication skills.

9. Problem-solving skills.

10. Following of verbal directions.

11. Demonstration of curiosity, persistence, and exploratory behavior.

12. Interest in books and other printed materials.

13. Paying attention to stories.

14. Participation in art and music activities.

15. Ability to identify colors, geometric shapes, letters of the alphabet, numbers, and spatial and temporal relationships.

Within 30 days after enrollment in the school readiness program, the early learning coalition must ensure that the program provider obtains information regarding the child's immunizations, physical development, and other health requirements as necessary, including appropriate vision and hearing screening and examinations. ~~For a program provider licensed by the Department of Children and Family Services, the provider's compliance with s. 402.305(9), as verified pursuant to s. 402.311, shall satisfy this requirement.~~

(k) The Office of Early Learning shall conduct studies and planning activities related to the overall improvement and effectiveness of the outcome measures adopted by the office for school readiness programs and the specific system support services to address the state's school readiness programs adopted by the Office of Early Learning in accordance with subparagraph *(d)4.* ~~(d)3.~~

(l) The Office of Early Learning shall monitor and evaluate the performance of each early learning coalition in administering the school readiness program, implementing the coalition's school readiness plan, and administering the Voluntary Prekindergarten Education Program. These monitoring and performance evaluations must include, at a minimum, onsite monitoring of each coalition's finances, management, operations, and programs.

(m) The Office of Early Learning shall submit an annual report of its activities conducted under this section to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the minority leaders of both houses of the Legislature. In addition, the Office of Early Learning's reports and recommendations shall be made available to the Florida Early Learning Advisory Council and other appropriate state agencies and entities. The annual report must provide an analysis of school readiness activities across the state, including the number of children who were served in the programs.

(n) The Office of Early Learning shall work with the early learning coalitions to ensure availability of training and support for parental involvement in children's early education and to provide family literacy activities and services.

(6)~~(5)~~ CREATION OF EARLY LEARNING COALITIONS.—

(a) Early learning coalitions.—

1. Each early learning coalition shall maintain direct enhancement services at the local level and ensure access to such services in all 67 counties.

2. The Office of Early Learning shall establish the minimum number of children to be served by each early learning coalition through the coalition's school readiness program. The Office of Early Learning may only approve school readiness plans in accordance with this minimum number. The minimum number must be uniform for every early learning coalition and must *result in the establishment of*:

a. *Thirty-one* ~~Permit 31~~ or fewer coalitions ~~to be established~~; and

b. *Coalitions that are* ~~Require~~ each *of adequate size and operational scale to comply with the expenditure limits in paragraph (10)(d)* ~~coalition to serve at least 2,000 children based upon the average number of all children served per month through the coalition's school readiness program during the previous 12 months~~.

3. If an early learning coalition *is not able to comply with the expenditure limits in paragraph (10)(d)* ~~would serve fewer children than the minimum number established under subparagraph 2.~~, the coalition must merge with another *coalition, or two or more coalitions may agree to change the counties that comprise each coalition, such that each re-*

sulting ~~county to form a multicounty~~ coalition *is of adequate size and operational scale to comply with the expenditure limits*. The Office of Early Learning shall adopt procedures for merging early learning coalitions, including procedures for the consolidation of merging coalitions, and for the early termination of the terms of coalition members which are necessary to accomplish the mergers. However, the office *may* ~~of Early Learning shall~~ grant a waiver *from this subparagraph for* ~~to~~ an early learning coalition *that is unable to comply with the expenditure limits in paragraph (10)(d) during the 2012-2013 fiscal year, the 2013-2014 fiscal year, or both fiscal years, if the coalition submits to the office adequate documentation describing and justifying the reasons that the coalition was unable to comply with the expenditure limits* ~~to serve fewer children than the minimum number established under subparagraph 2., if:~~

~~a. The Office of Early Learning has determined during the most recent review of the coalition's school readiness plan, or through monitoring and performance evaluations conducted under paragraph (4)(l), that the coalition has substantially implemented its plan;~~

~~b. The coalition demonstrates to the Office of Early Learning the coalition's ability to effectively and efficiently implement the Voluntary Prekindergarten Education Program; and~~

~~c. The coalition demonstrates to the Office of Early Learning that the coalition can perform its duties in accordance with law~~.

~~If an early learning coalition fails or refuses to merge as required by this subparagraph, the Office of Early Learning may dissolve the coalition and temporarily contract with a qualified entity to continue school readiness and prekindergarten services in the coalition's county or multicounty region until the office reestablishes the coalition and a new school readiness plan is approved by the office.~~

4. Each early learning coalition shall be composed of at least 15 members but not more than 30 members. The Office of Early Learning shall adopt standards establishing within this range the minimum and maximum number of members that may be appointed to an early learning coalition and procedures for identifying which members have voting privileges under subparagraph 6. These standards must include variations for a coalition serving a multicounty region. Each early learning coalition must comply with these standards.

5. The Governor shall appoint the chair and two other members of each early learning coalition, who must each meet the same qualifications as private sector business members appointed by the coalition under subparagraph 7.

6. Each early learning coalition must include the following member positions; however, in a multicounty coalition, each ex officio member position may be filled by multiple nonvoting members but no more than one voting member shall be seated per member position. If an early learning coalition has more than one member representing the same entity, only one of such members may serve as a voting member:

a. A Department of Children and Family Services circuit administrator or his or her designee who is authorized to make decisions on behalf of the department.

b. A district superintendent of schools or his or her designee who is authorized to make decisions on behalf of the district.

c. A regional workforce board executive director or his or her designee.

d. A county health department director or his or her designee.

e. A children's services council or juvenile welfare board chair or executive director, if applicable.

f. An agency head of a local licensing agency as defined in s. 402.302, where applicable.

g. A president of a community college or his or her designee.

h. One member appointed by a board of county commissioners or the governing board of a municipality.

i. A central agency administrator, where applicable.

j. A Head Start director.

k. A representative of private for-profit child care providers, including private for-profit family day care homes.

l. A representative of faith-based child care providers.

m. A representative of programs for children with disabilities under the federal Individuals with Disabilities Education Act.

7. Including the members appointed by the Governor under subparagraph 5., more than one-third of the members of each early learning coalition must be private sector business members who do not have, and none of whose relatives as defined in s. 112.3143 has, a substantial financial interest in the design or delivery of the Voluntary Prekindergarten Education Program created under part V of chapter 1002 or the coalition's school readiness program. To meet this requirement an early learning coalition must appoint additional members. The Office of Early Learning shall establish criteria for appointing private sector business members. These criteria must include standards for determining whether a member or relative has a substantial financial interest in the design or delivery of the Voluntary Prekindergarten Education Program or the coalition's school readiness program.

8. A majority of the voting membership of an early learning coalition constitutes a quorum required to conduct the business of the coalition. An early learning coalition board may use any method of telecommunications to conduct meetings, including establishing a quorum through telecommunications, provided that the public is given proper notice of a telecommunications meeting and reasonable access to observe and, when appropriate, participate.

9. A voting member of an early learning coalition may not appoint a designee to act in his or her place, except as otherwise provided in this paragraph. A voting member may send a representative to coalition meetings, but that representative does not have voting privileges. When a district administrator for the Department of Children and Family Services appoints a designee to an early learning coalition, the designee is the voting member of the coalition, and any individual attending in the designee's place, including the district administrator, does not have voting privileges.

10. Each member of an early learning coalition is subject to ss. 112.313, 112.3135, and 112.3143. For purposes of s. 112.3143(3)(a), each voting member is a local public officer who must abstain from voting when a voting conflict exists.

11. For purposes of tort liability, each member or employee of an early learning coalition shall be governed by s. 768.28.

12. An early learning coalition serving a multicounty region must include representation from each county.

13. Each early learning coalition shall establish terms for all appointed members of the coalition. The terms must be staggered and must be a uniform length that does not exceed 4 years per term. Coalition chairs shall be appointed for 4 years in conjunction with their membership on the Early Learning Advisory Council under s. 20.052. Appointed members may serve a maximum of two consecutive terms. When a vacancy occurs in an appointed position, the coalition must advertise the vacancy.

(b) Limitation.—Except as provided by law, the early learning coalitions may not impose requirements on a child care or early childhood education provider that does not deliver services under the school readiness programs or receive state, federal, required maintenance of effort, or matching funds under this section.

(c) Program expectations.—

1. The school readiness program must meet the following expectations:

a. The program must, at a minimum, enhance the age-appropriate progress of each child in attaining the performance standards and outcome measures adopted by the Office of Early Learning.

b. The program must provide extended-day and extended-year services to the maximum extent possible without compromising the quality of the program to meet the needs of parents who work.

c. The program must provide a coordinated professional development system that supports the achievement and maintenance of core competencies by school readiness instructors in helping children attain the performance standards and outcome measures adopted by the Office of Early Learning.

d. There must be expanded access to community services and resources for families to help achieve economic self-sufficiency.

e. There must be a single point of entry and unified waiting list. As used in this sub-subparagraph, the term "single point of entry" means an integrated information system that allows a parent to enroll his or her child in the school readiness program at various locations throughout a county, that may allow a parent to enroll his or her child by telephone or through an Internet website, and that uses a unified waiting list to track eligible children waiting for enrollment in the school readiness program. The Office of Early Learning shall establish through technology a single statewide information system that each coalition must use for the purposes of managing the single point of entry, tracking children's progress, coordinating services among stakeholders, determining eligibility, tracking child attendance, and streamlining administrative processes for providers and early learning coalitions.

~~f. The Office of Early Learning must consider the access of eligible children to the school readiness program, as demonstrated in part by waiting lists, before approving a proposed increase in payment rates submitted by an early learning coalition. In addition, early learning coalitions shall use school readiness funds made available due to enrollment shifts from school readiness programs to the Voluntary Prekindergarten Education Program for increasing the number of children served in school readiness programs before increasing payment rates.~~

f.~~g.~~ The program must meet all state licensing guidelines, where applicable. *For a child care facility, large family child care home, or licensed family day care home, compliance with s. 402.305, s. 402.3131, or s. 402.313 satisfies this requirement. For a public or nonpublic school, compliance with s. 402.3025 or s. 1003.22 satisfies this requirement. A faith-based child care provider exempt from licensure under s. 402.316 must meet or exceed the requirements of s. 402.305, except for square footage per child, as determined by an onsite inspection by an early learning coalition. An informal child care provider or registered family day care home must meet or exceed the requirements of s. 402.313. A before-school or after-school program must meet or exceed the requirements of s. 402.305(5), (6), and (7).*

g.~~h.~~ The program must ensure that minimum standards for child discipline practices are age-appropriate. Such standards must provide that children not be subjected to discipline that is severe, humiliating, or frightening or discipline that is associated with food, rest, or toileting. Spanking or any other form of physical punishment is prohibited.

2. Each early learning coalition must implement a comprehensive program of school readiness services in accordance with *this chapter and* the rules adopted by the office which enhance the cognitive, social, and physical development of children to achieve the performance standards and outcome measures. At a minimum, these programs must contain the following system support service elements:

a. Developmentally appropriate curriculum designed to enhance the age-appropriate progress of children in attaining the performance standards adopted by the Office of Early Learning under subparagraph *(5)(d)8.* ~~(4)(d)8.~~

b. A character development program to develop basic values.

c. An age-appropriate screening of each child's development *and an appropriate referral process for children with identified delays*.

d. An age-appropriate *preassessment and postassessment of children as provided in subparagraph (5)(d)10.* ~~assessment administered to children when they enter a program and an age-appropriate assessment administered to children when they leave the program.~~

e. An appropriate staff-to-children ratio, pursuant to s. 402.305(4) or s. 402.302(8) or (11), as applicable, and as verified pursuant to s. 402.311.

f. A healthy and safe environment pursuant to s. 401.305(5), (6), and (7), as applicable, and as verified pursuant to s. 402.311.

g. A resource and referral network established under s. 411.0101 to assist parents in making an informed choice and a regional Warm-Line under s. 411.01015.

The Office of Early Learning and early learning coalitions shall coordinate with the Child Care Services Program Office of the Department of Children and Family Services to minimize duplicating interagency activities pertaining to acquiring and composing data for child care training and credentialing.

(d) Implementation.—

1. An early learning coalition may not implement the school readiness program until the coalition's school readiness plan is approved by the Office of Early Learning.

2. Each early learning coalition shall coordinate with one another to implement a comprehensive program of school readiness services which enhances the cognitive, social, physical, and moral character of the children to achieve the performance standards and outcome measures and which helps families achieve economic self-sufficiency. Such program must contain, at a minimum, the following elements:

a. Implement the school readiness program to meet the requirements of this section and the system support services, performance standards, and outcome measures adopted by the Office of Early Learning.

b. Demonstrate how the program will ensure that each child from birth through 5 years of age in a publicly funded school readiness program receives scheduled activities and instruction designed to enhance the age-appropriate progress of the children in attaining the performance standards adopted by the department under subparagraph *(5)(d) 8.* ~~(4)(d)8.~~

c. Ensure that the coalition has solicited and considered comments regarding the proposed school readiness plan from the local community.

Before implementing the school readiness program, the early learning coalition must submit the plan to the office for approval. The office may approve the plan, reject the plan, or approve the plan with conditions. The office shall review school readiness plans at least every 2 years.

3. If the Office of Early Learning determines during the review of school readiness plans, or through monitoring and performance evaluations conducted under paragraph *(5)(l)* ~~(4)(l)~~, that an early learning coalition has not substantially implemented its plan, has not substantially met the performance standards and outcome measures adopted by the office, or has not effectively administered the school readiness program or Voluntary Prekindergarten Education Program, the office may dissolve the coalition and temporarily contract with a qualified entity to continue school readiness and prekindergarten services in the coalition's county or multicounty region until the office reestablishes the coalition and a new school readiness plan is approved in accordance with the rules adopted by the office.

4. The Office of Early Learning shall adopt rules establishing criteria for the approval of school readiness plans. The criteria must be consistent with the system support services, performance standards, and outcome measures adopted by the office and must require each approved plan to include the following minimum standards for the school readiness program:

a. A community plan that addresses the needs of all children and providers within the coalition's county or multicounty region.

~~b. A sliding fee scale establishing a copayment for parents based upon their ability to pay, which is the same for all program providers.~~

b.~~c.~~ A choice of settings and locations in licensed, registered, religious-exempt, or school-based programs to be provided to parents.

~~d. Specific eligibility priorities for children in accordance with subsection (6).~~

c.~~e.~~ Performance standards and outcome measures adopted by the office.

~~f. Payment rates adopted by the early learning coalitions and approved by the office. Payment rates may not have the effect of limiting parental choice or creating standards or levels of services that have not been expressly established by the Legislature, unless the creation of such standards or levels of service, which must be uniform throughout the state, has been approved by the Federal Government and result in the state being eligible to receive additional federal funds available for early learning on a statewide basis.~~

~~g. Direct enhancement services for families and children. System support and direct enhancement services shall be in addition to payments for the placement of children in school readiness programs. Direct enhancement services for families may include parent training and involvement activities and strategies to meet the needs of unique populations and local eligibility priorities. Enhancement services for children may include provider supports and professional development approved in the plan by the Office of Early Learning.~~

d.~~h.~~ The business organization of the early learning coalition, which must include the coalition's articles of incorporation and bylaws if the coalition is organized as a corporation. If the coalition is not organized as a corporation or other business entity, the plan must include the contract with a fiscal agent. An early learning coalition may contract with other coalitions to achieve efficiency in multicounty services, and these contracts may be part of the coalition's school readiness plan.

~~i. The implementation of locally developed quality programs in accordance with the requirements adopted by the office under subparagraph (4)(d)5.~~

The Office of Early Learning may request the Governor to apply for a waiver to allow the coalition to administer the Head Start Program to accomplish the purposes of the school readiness program.

5. Persons with an early childhood teaching certificate may provide support and supervision to other staff in the school readiness program.

6. An early learning coalition may not implement its school readiness plan until it submits the plan to and receives approval from the Office of Early Learning. Once the plan is approved, the plan and the services provided under the plan shall be controlled by the early learning coalition. The plan shall be reviewed and revised as necessary, but at least biennially. An early learning coalition may not implement the revisions until the coalition submits the revised plan to and receives approval from the office. If the office rejects a revised plan, the coalition must continue to operate under its prior approved plan.

7. Section 125.901(2)(a)3. does not apply to school readiness programs. The Office of Early Learning may apply to the Governor and Cabinet for a waiver of, and the Governor and Cabinet may waive, any of the provisions of ss. 411.223 and 1003.54, if the waiver is necessary for implementation of school readiness programs.

8. Two or more early learning coalitions may join for purposes of planning and implementing a school readiness program.

(e) Requests for proposals~~, payment schedule~~.—

~~1.~~ Each early learning coalition must comply with *federal* ~~the~~ procurement *requirements* and *the* expenditure *requirements of* ~~procedures adopted by the Office of Early Learning, including, but not limited to, applying the procurement and expenditure procedures required by~~ federal *and state* law *and state rules* ~~for the expenditure of federal funds~~.

~~2. Each early learning coalition shall adopt a payment schedule that encompasses all programs funded under this section. The payment schedule must take into consideration the prevailing market rate, must include the projected number of children to be served, and must be submitted for approval by the Office of Early Learning. Informal child care arrangements shall be reimbursed at not more than 50 percent of the rate adopted for a family day care home.~~

(f) Evaluation and annual report.—Each early learning coalition shall conduct an evaluation of its implementation of the school readiness program, including system support services, performance standards, and outcome measures, and shall provide an annual report and fiscal statement to the Office of Early Learning. This report must also include an evaluation of the effectiveness of its direct enhancement services and conform to the content and format specifications adopted by the Office of Early Learning. The Office of Early Learning must include an analysis of the early learning coalitions' reports in the office's annual report.

(7)~~(6)~~ PROGRAM ELIGIBILITY *AND ENROLLMENT*.— ~~The school readiness program is established for children from birth to the beginning of the school year for which a child is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2. or who are eligible for any federal subsidized child care program.~~

(a) Each early learning coalition shall give priority for participation in the school readiness program as follows:

1.~~(a)~~ Priority shall be given first to a child *younger than 13 years of age* from a *working* family *that includes* ~~in which there is~~ an adult receiving temporary cash assistance who is subject to federal work requirements *under chapter 414*.

2.~~(b)~~ Priority shall be given next to *an at-risk* ~~a~~ child *younger than 9 years of age* ~~who is eligible for a school readiness program but who has not yet entered school, who is served by the Family Safety Program Office of the Department of Children and Family Services or a community based lead agency under chapter 39 or chapter 409, and for whom child care is needed to minimize risk of further abuse, neglect, or abandonment~~.

3. Priority shall be given next to:

a. A child younger than 6 years of age from a working family that is economically disadvantaged, including being a child of a working migratory family. However, the child ceases to be eligible if his or her family income exceeds 200 percent of the federal poverty level; or

b. A child who has special needs, is younger than 6 years of age, has been determined eligible as a student with disabilities, and has a current family support plan or individual education plan.

4. Priority shall be given next to an at-risk child who is at least 9 years of age, but younger than 13 years of age. An at-risk child whose sibling is enrolled in the school readiness program within an eligibility priority category listed in subparagraphs 1.-3. shall be given priority over other children who are eligible under this subparagraph.

5. Priority shall be given next to a child who is at least 6 years of age, but younger than 13 years of age, and who is a sibling of a child enrolled in the school readiness program within the eligibility priority category listed in sub-subparagraph 3.a.

6. Notwithstanding subparagraphs 1.-5., priority shall be given last to a child who otherwise meets one of the eligibility criteria in subparagraphs 1.-5. but who is also enrolled concurrently in the federal Head Start Program and the Voluntary Prekindergarten Education Program.

(b) A school readiness provider may be paid only for authorized hours of care provided for a child in the school readiness program. A child enrolled in the Voluntary Prekindergarten Education Program may receive care from the school readiness program if the child is eligible according to the eligibility priorities in paragraph (a).

(c) A coalition shall enroll all eligible children, including those from its waiting list, according to the eligibility priorities provided in paragraph (a).

(d) The parent of a child enrolled in the school readiness program must notify the coalition or its designee within 10 days after any change in employment, income, or family size. Upon notification by the parent, the child's eligibility must be reevaluated.

(e) A child whose eligibility priority category requires the child to be from a working family ceases to be eligible for the school readiness program if a parent with whom the child resides does not reestablish employment within 30 days after becoming unemployed.

(f) Eligibility for each child must be reevaluated annually. Upon reevaluation, a child may not continue to receive school readiness services if he or she has ceased to be eligible under this subsection.

(g) If a coalition disenrolls children from the school readiness program, the coalition must disenroll the children in reverse order of the eligibility priorities listed in paragraph (a), beginning with children from families with the highest family incomes. A notice of disenrollment must be sent to parents and school readiness providers at least 2 weeks before disenrollment to ensure adequate time for parents to arrange alternative care for their children. However, an at-risk child may not be disenrolled from the program without the written approval of the Family Safety Program Office of the Department of Children and Family Services or the community-based lead agency.

(h)1. If a child is absent for 5 consecutive days without contact from the parent, the school readiness provider shall report the absences to the early learning coalition for a determination of the need for continued care.

2. Notwithstanding s. 39.604, a school readiness provider, regardless of whether the provider is licensed, shall comply with the reporting requirements of the Rilya Wilson Act for each at-risk child enrolled in the school readiness program, regardless of the child's age or eligibility for protective services.

~~(c) Subsequent priority shall be given to a child who meets one or more of the following criteria:~~

~~1. A child who is younger than the age of kindergarten eligibility and:~~

~~a. Is at risk of welfare dependency, including an economically disadvantaged child, a child of a participant in the welfare transition program, a child of a migratory agricultural worker, or a child of a teen parent.~~

~~b. Is a member of a working family that is economically disadvantaged.~~

~~c. For whom financial assistance is provided through the Relative Caregiver Program under s. 39.5085.~~

~~2. A 3 year old child or 4 year old child who may not be economically disadvantaged but who has a disability; has been served in a specific part time exceptional education program or a combination of part time exceptional education programs with required special services, aids, or equipment; and was previously reported for funding part time under the Florida Education Finance Program as an exceptional student.~~

~~3. An economically disadvantaged child, a child with a disability, or a child at risk of future school failure, from birth to 4 years of age, who is served at home through a home visitor program and an intensive parent education program.~~

~~4. A child who meets federal and state eligibility requirements for the migrant preschool program but who is not economically disadvantaged.~~

~~As used in this paragraph, the term "economically disadvantaged" means having a family income that does not exceed 150 percent of the federal poverty level. Notwithstanding any change in a family's economic status, but subject to additional family contributions in accordance with the sliding fee scale, a child who meets the eligibility requirements upon initial registration for the program remains eligible until the beginning of the school year for which the child is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2.~~

(8)~~(7)~~ PARENTAL CHOICE.—

(a) Parental choice of child care providers shall be established, to the maximum extent practicable, in accordance with 45 C.F.R. s. 98.30.

(b) As used in this subsection, the term "payment certificate" means a child care certificate as defined in 45 C.F.R. s. 98.2.

(c) The school readiness program shall, in accordance with 45 C.F.R. s. 98.30, provide parental choice through a payment certificate that ensures, to the maximum extent possible, flexibility in the school readiness program and payment arrangements. The payment certificate must bear the names of the beneficiary and the program provider and, when redeemed, must bear the signatures of both the beneficiary and an authorized representative of the provider.

(d) If it is determined that a provider has given any cash to the beneficiary in return for receiving a payment certificate, the early learning coalition or its fiscal agent shall refer the matter to the Department of Financial Services pursuant to s. 414.411 for investigation.

(e) The office of the Chief Financial Officer shall establish an electronic transfer system for the disbursement of funds in accordance with this subsection. Each early learning coalition shall fully implement the electronic funds transfer system within 2 years after approval of the coalition's school readiness plan, unless a waiver is obtained from the Office of Early Learning.

(9)~~(8)~~ STANDARDS; OUTCOME MEASURES.—A program provider participating in the school readiness program must meet the performance standards and outcome measures adopted by the Office of Early Learning.

(10)~~(9)~~ FUNDING; SCHOOL READINESS PROGRAM.—

(a) Funding for the school readiness program shall be allocated among the early learning coalitions in accordance with this section, s. 411.013, and the General Appropriations Act.

~~(a) It is the intent of this section to establish an integrated and quality seamless service delivery system for all publicly funded early childhood education and child care programs operating in this state.~~

(b)1. The Office of Early Learning shall administer school readiness funds~~, plans, and policies~~ and shall prepare and submit a unified budget request for the school readiness system in accordance with chapter 216.

2. All instructions to early learning coalitions for administering this section shall emanate from the Office of Early Learning in accordance with the policies of the Legislature.

~~(c) The Office of Early Learning, subject to legislative notice and review under s. 216.177, shall establish a formula for the allocation of all state and federal school readiness funds provided for children participating in the school readiness program, whether served by a public or private provider, based upon equity for each county. The allocation formula must be submitted to the Governor, the chair of the Senate Ways and Means Committee or its successor, and the chair of the House of Representatives Fiscal Council or its successor no later than January 1 of each year. If the Legislature specifies changes to the allocation formula, the Office of Early Learning shall allocate funds as specified in the General Appropriations Act.~~

(c)~~(d)~~ All state, federal, and required local maintenance-of-effort or matching funds provided to an early learning coalition for purposes of this section shall be used for implementation of its approved school readiness plan, including the hiring of staff to effectively operate the coalition's school readiness program. ~~As part of plan approval and periodic plan review, the Office of Early Learning shall require that administrative~~

(d) Costs *shall* be kept to the minimum necessary for *the* efficient and effective administration of the school readiness *program. However, no more than 4 percent of the funds described in paragraph (c) may be used for administrative costs as described in subparagraph 1., and, except as otherwise specified in the General Appropriations Act, no more than 18 percent of the funds described in paragraph (c) may be used for any combination of the following administrative costs, quality activities, and nondirect services:*

1. Administrative costs as described in 45 C.F.R. s. 98.52.

2. Activities to improve the quality of child care as described in 45 C.F.R. s. 98.51, which shall be limited to the following:

a. Developing, establishing, expanding, operating, and coordinating resource and referral programs specifically related to the provision of comprehensive consumer education to parents and the public regarding participation in the school readiness program.

b. Awarding grants to school readiness providers to assist them in meeting applicable state requirements for child care performance standards, implementing developmentally appropriate curricula and related classroom resources that support curricula, providing literacy supports, and providing professional development.

c. Providing training and technical assistance for school readiness providers, staff, and parents on child performance standards, child screenings, child assessments, developmentally appropriate curricula, character development, teacher-child interactions, age-appropriate discipline practices, health and safety, nutrition, first aid, the recognition of communicable diseases, and child abuse detection and prevention.

d. Providing from among the funds provided for the activities described in sub-subparagraphs a.-c. adequate funding for infants and toddlers as necessary to meet federal requirements related to expenditures for quality activities for infant and toddler care.

e. Monitoring providers using the standardized methodology adopted under subparagraph (5)(d)12. to improve compliance with state and federal regulations and law pursuant to the requirements of the statewide provider contract adopted under subparagraph (5)(d)11.

f. Assisting the provider in implementing a preassessment and post-assessment approved by the Office of Early Learning.

g. Responding to Warm-Line requests by providers and parents related to school readiness children, including providing developmental and health screenings to school readiness children.

3. Nondirect services as described in 63 Fed. Reg. 39962-39963 (July 24, 1998) and applicable Office of Management and Budget instructions required to administer the school readiness program. As used in this paragraph, the term "nondirect services" does not include payments to school readiness providers for direct services provided to children who are eligible under paragraph (7)(a), administrative costs as described in subparagraph 1., or quality activities as described in subparagraph 2. ~~plan, but total administrative expenditures must not exceed 5 percent unless specifically waived by the Office of Early Learning. The Office of Early Learning shall annually report to the Legislature any problems relating to administrative costs.~~

(e)1. A sliding fee scale percentage shall be provided in the General Appropriations Act, which shall be the same for all school readiness providers. A parent's copayment for the school readiness program shall be determined by multiplying the sliding fee scale percentage by the family income and adjusting for family size.

2. Each early learning coalition shall implement the sliding fee scale as provided in the General Appropriations Act. A coalition may, on a case-by-case basis, waive the copayment for an at-risk child or temporarily waive the copayment for a child whose family experiences a natural disaster or emergency situation such as a household fire or burglary.

(f)1. An adjusted payment rate percentage shall be provided in the General Appropriations Act, which shall be used to determine annual payment rates for school readiness providers. The annual payment rates for each type of school readiness provider and level of care shall be calculated by:

a. Multiplying the prevailing market rate for the respective type of school readiness provider and level of care by the adjusted payment rate percentage;

b. Adjusting the product of sub-subparagraph a. by the district cost differential as provided in s. 1011.62(2) for the county in which the school readiness provider is located; and

c. If the school readiness provider has the Gold Seal Quality Care designation under s. 402.281, multiplying the product of sub-sub-paragraph b. by the Gold Seal premium percentage provided in the General Appropriations Act.

2. A school readiness provider's total payment for a child shall be equal to the payment rate calculated under subparagraph 1. less the amount of the parent's copayment as determined under paragraph (e). However, payments made to the school readiness provider may not exceed the provider's charges to the general public for the same services.

(g) The Office of Early Learning may increase or decrease the adjusted payment rate percentage for a specific geographic area in order to ensure that care levels are available throughout the state. Any increase in an adjusted payment rate percentage must be funded through the current year's appropriation.

~~(e) The Office of Early Learning shall annually distribute, to a maximum extent practicable, all eligible funds provided under this section as block grants to the early learning coalitions in accordance with the terms and conditions specified by the office.~~

(h)~~(f)~~ State funds appropriated for the school readiness program may not be used for the construction of new facilities or the purchase of buses.

(i)~~(g)~~ All cost savings and all revenues received through a mandatory sliding fee scale shall be used to help fund each early learning coalition's school readiness program.

~~(10) CONFLICTING PROVISIONS. If a conflict exists between this section and federal requirements, the federal requirements control.~~

(11) SUBSTITUTE INSTRUCTORS.—Each school district shall make a list of all individuals currently eligible to act as a substitute teacher within the county pursuant to the rules adopted by the school district pursuant to s. 1012.35 available to an early learning coalition serving students within the school district. Child care facilities, as defined by s. 402.302, may employ individuals listed as substitute instructors for the purpose of offering the school readiness program, the Voluntary Prekindergarten Education Program, and all other legally operating child care programs.

(12) INVESTIGATIONS OF FRAUD OR OVERPAYMENT; PENALTIES.—

(a) As used in this subsection, the term "fraud" means an intentional deception or misrepresentation made by a person with knowledge that the deception or misrepresentation may result in unauthorized benefit to that person or another person. The term includes any act that constitutes fraud under applicable federal or state law.

(b) To recover state, federal, and local matching funds, the inspector general of the Office of Early Learning shall investigate coalitions, recipients, and providers of the school readiness program and the Voluntary Prekindergarten Education Program to determine possible fraud or overpayment. If by its own inquiries, or as a result of a complaint, the office has reason to believe that a person has engaged in, or is engaging in, a fraudulent act, it shall investigate and determine whether any overpayment has occurred due to the fraudulent act. During the investigation, the office may examine all records, including electronic benefits transfer records, and make inquiry of all persons who may have knowledge as to any irregularity incidental to the disbursement of public moneys or other items or benefits authorizations to recipients.

(c) If the inspector general determines that an overpayment has occurred due to a fraudulent act, the parent or provider is responsible for repayment and restitution of any costs associated with the fraud, and the office shall pursue collection through any legal means. A provider or parent may not participate in the program until the repayment is made in full. Any provider that shares an officer or director with a provider that is ineligible to participate under this subsection will not be permitted to participate until repayment is made in full.

(d) Based on the results of the investigation, the inspector general may, in his or her discretion, refer the investigation to the Department of Law Enforcement for criminal prosecution, seek civil enforcement, or refer the matter to the applicable coalition. Any suspected criminal violation identified by the inspector general must be referred to the Department of Legal Affairs for investigation.

(e) If a school readiness provider, after investigation and adjudication by a court of competent jurisdiction, is convicted of fraudulently misrepresenting enrollment or attendance related to the school readiness program or the Voluntary Prekindergarten Education Program, the coalition shall permanently refrain from contracting with, or using the services of, that provider. In addition, the coalition shall permanently refrain from contracting with, or using the services of, any provider that shares an officer or director with a provider that is convicted of fraudulently misrepresenting enrollment or attendance related to the school

readiness program or the Voluntary Prekindergarten Education Program.

(f) If the investigation is not confidential or otherwise exempt from disclosure by law, the results of the investigation may be reported by the Office of Early Learning to the appropriate legislative committees, the Department of Education, the Department of Children and Family Services, and such other persons as the office deems appropriate.

(g) A person who commits an act of fraud as defined in this subsection is subject to the penalties provided in s. 414.39(5)(a) and (b).

Section 2. Effective upon this act becoming a law, section 411.013, Florida Statutes, is created to read:

411.013 School Readiness Allocation Conference; allocation formula for school readiness program funds.—

(1) There is created the School Readiness Allocation Conference. Conference principals shall include professional staff of the Office of Early Learning, the Executive Office of the Governor, and the appropriations committees of the Senate and House of Representatives.

(2)(a) By May 31, 2012, and by January 1 of each year thereafter, the Office of Early Learning shall submit to the School Readiness Allocation Conference a recommended formula for the allocation among the early learning coalitions of the school readiness program funds provided in the General Appropriations Act.

(b) Before any distribution of school readiness program funds, the School Readiness Allocation Conference shall meet to review the recommended allocation formula submitted by the Office of Early Learning. The conference principals shall discuss and agree to all conventions and methods of computation used to calculate the allocation formula for the fiscal year for which the appropriation is made. These conventions and calculation methods shall remain in effect until further agreements are reached in subsequent conferences called by any conference principal for that purpose.

(c) Each fiscal quarter, the Office of Early Learning shall recalculate the allocations for the early learning coalitions using the agreed methodology. The conference principals, upon the request of any conference principal, shall meet to review the quarterly calculation made by the Office of Early Learning. Before each recalculation of the allocation formula, the Office of Early Learning shall provide the conference principals with all data necessary to replicate the allocation precisely. This data must include a matrix by provider type of all eligible child count revisions made by the Office of Early Learning as part of its administration of the school readiness programs.

(3)(a) Notwithstanding the provisions of s. 411.01(10)(e) and (f) which require that the adjusted payment rate percentage, sliding fee scale percentage, parent copayments, and Gold Seal premium percentage be provided in the General Appropriations Act, and for the 2012-2013 fiscal year only, the Office of Early Learning shall, by May 31, 2012, submit recommendations to the School Readiness Allocation Conference for the adjusted payment rate percentage, sliding fee scale percentage, parent copayments, and Gold Seal premium percentage.

(b) The Office of Early Learning shall submit recommendations to the School Readiness Allocation Conference with options for a 3-year phase in of the revised allocation formula. As part of the 3-year phase in, the Office of Early Learning shall transition the Gold Seal premium percentage to 10 percent. For the first year of the transition, the Gold Seal premium percentage shall be at least 10 percent but not more than 18 percent. Once the 3-year phase in of the allocation formula is complete, the Office of Early Learning shall submit to the conference any recommended revisions to the allocation formula with recommended factors by January 1 of each year.

Section 3. Paragraph (a) of subsection (8) of section 216.136, Florida Statutes, is amended to read:

216.136 Consensus estimating conferences; duties and principals.—

(8) EARLY LEARNING PROGRAMS ESTIMATING CONFERENCE.—

(a) The Early Learning Programs Estimating Conference shall develop estimates and forecasts of the unduplicated count of children eligible for school readiness programs in accordance with the standards of eligibility established in s. *411.01(7)* ~~411.01(6)~~, and of children eligible for the Voluntary Prekindergarten Education Program in accordance with s. 1002.53(2), as the conference determines are needed to support the state planning, budgeting, and appropriations processes.

Section 4. Subsection (1) and paragraph (a) of subsection (3) of section 411.0101, Florida Statutes, are amended to read:

411.0101 Child care and early childhood resource and referral.—

(1) As a part of the school readiness programs, the Office of Early Learning shall establish a statewide child care resource and referral network that is unbiased and provides referrals to families for child care. Preference shall be given to using the already established early learning coalitions as the child care resource and referral agencies. If an early learning coalition cannot comply with the requirements to offer the resource information component or does not want to offer that service, the early learning coalition shall select the resource and referral agency for its county or multicounty region based upon a request for proposal pursuant to s. *411.01(6)(e)* ~~411.01(5)(e)1~~.

(3) Child care resource and referral agencies shall provide the following services:

(a) Identification of existing public and private child care and early childhood education services, including child care services by public and private employers, and the development of a resource file of those services through the single statewide information system developed by the Office of Early Learning under s. *411.01(6)(c)1.e.* ~~411.01(5)(e)1.e.~~ These services may include family day care, public and private child care programs, the Voluntary Prekindergarten Education Program, Head Start, the school readiness program, special education programs for prekindergarten children with disabilities, services for children with developmental disabilities, full-time and part-time programs, before-school and after-school programs, vacation care programs, parent education, the Temporary Cash Assistance Program, and related family support services. The resource file shall include, but not be limited to:

1. Type of program.

2. Hours of service.

3. Ages of children served.

4. Number of children served.

5. Significant program information.

6. Fees and eligibility for services.

7. Availability of transportation.

Section 5. Section 411.01013, Florida Statutes, is amended to read:

411.01013 Prevailing market rate schedule.—

(1) As used in this section, the *terms* ~~term:~~

~~(a)~~ "market rate" *and* ~~means the price that a child care provider charges for daily, weekly, or monthly child care services.~~

~~(b)~~ "prevailing market rate" *have the same meanings as provided in s. 411.01* ~~means the annually determined 75th percentile of a reasonable frequency distribution of the market rate in a predetermined geographic market at which child care providers charge a person for child care services~~.

(2) The Office of Early Learning shall establish ~~procedures for~~ the ~~adoption of a~~ prevailing market rate schedule. The schedule must ~~include, at a minimum, county by county rates:~~

~~(a) At the prevailing market rate, plus the maximum rate, for child care providers that hold a Gold Seal Quality Care designation under s. 402.281.~~

~~(b) At the prevailing market rate for child care providers that do not hold a Gold Seal Quality Care designation.~~

~~(3) The prevailing market rate schedule, at a minimum, must~~:

(a) Differentiate rates by type, including, but not limited to, ~~a child care provider that holds a Gold Seal Quality Care designation under s. 402.281,~~ a child care facility licensed under s. 402.305, a public or nonpublic school exempt from licensure under s. 402.3025, a faith-based child care facility exempt from licensure under s. 402.316 ~~that does not hold a Gold Seal Quality Care designation~~, a large family child care home licensed under s. 402.3131, or a family day care home licensed or registered under s. 402.313.

(b) Differentiate rates by the type of child care services provided for ~~children with special needs or risk categories,~~ infants, toddlers, preschool-age children, and school-age children.

(c) Differentiate rates between full-time and part-time child care services.

~~(d) Consider discounted rates for child care services for multiple children in a single family.~~

(3)~~(4)~~ The prevailing market rate schedule must be based exclusively on the prices charged for child care services. If a conflict exists between this subsection and federal requirements, the federal requirements shall control.

(4)~~(5)~~ *Each child care and early childhood education provider that receives school readiness funds must submit its market rate by August 1 of each year to the Office of Early Learning for inclusion in the calculation of* the prevailing market rate ~~shall be considered by an early learning coalition in the adoption of a payment~~ schedule ~~in accordance with s. 411.01(5)(e)2~~.

(5)~~(6)~~ The Office of Early Learning may contract with one or more qualified entities to administer this section and provide support and technical assistance for child care providers.

(6)~~(7)~~ The Office of Early Learning may adopt rules pursuant to ss. 120.536(1) and 120.54 for establishing procedures for the collection of child care providers' market rate, the calculation of a reasonable frequency distribution of the market rate, and the publication of a prevailing market rate schedule.

Section 6. Section 411.0106, Florida Statutes, is amended to read:

411.0106 Infants and toddlers in state-funded education and care programs; brain development activities.—Each state-funded education and care program for children from birth to 5 years of age must provide activities to foster brain development in infants and toddlers. A program must provide an environment that helps children attain the performance standards adopted by the Office of Early Learning under s. *411.01(5)(d) 8.* ~~411.01(4)(d)8.~~ and must be rich in language and music and filled with objects of various colors, shapes, textures, and sizes to stimulate visual, tactile, auditory, and linguistic senses in the children and must include classical music and at least 30 minutes of reading to the children each day. A program may be offered through an existing early childhood program such as Healthy Start, the Title I program, the school readiness program, the Head Start program, or a private child care program. A program must provide training for the infants' and toddlers' parents including direct dialogue and interaction between teachers and parents demonstrating the urgency of brain development in the first year of a child's life. Family day care centers are encouraged, but not required, to comply with this section.

Section 7. Paragraph (c) of subsection (1) of section 445.023, Florida Statutes, is amended to read:

445.023 Program for dependent care for families with children with special needs.—

(1) There is created the program for dependent care for families with children with special needs. This program is intended to provide assistance to families with children who meet the following requirements:

(c) The family meets the income guidelines established under s. *411.01(7)* ~~411.01(6)~~, notwithstanding any financial eligibility criteria to the contrary in s. 414.075, s. 414.085, or s. 414.095.

Section 8. *Notwithstanding the changes made by this act to the eligibility priorities for the school readiness program in s. 411.01, Florida Statutes, an early learning coalition may not disenroll a child who, upon the effective date of this act, is enrolled in the school readiness program and receiving services under the eligibility priorities in s. 411.01(6), Florida Statutes 2011, until the child ceases to be eligible under those priorities. An early learning coalition shall enroll all eligible children, including those from its waiting list, in accordance with the changes made by this act to the eligibility priorities in s. 411.01, Florida Statutes.*

Section 9. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2012.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to school readiness programs; amending s. 411.01, F.S.; defining terms for purposes of the School Readiness Act; revising legislative intent related to operation of school readiness programs; revising the duties of the Office of Early Learning for administration of school readiness programs; providing for the preassessment and postassessment of children enrolled in school readiness programs; requiring early learning coalitions to annually contract with school readiness providers using a standardized statewide contract; authorizing the Office of Early Learning to adopt rules; revising the minimum number of children that each early learning coalition must serve; revising provisions related to the merger of coalitions; revising requirements for compliance by school readiness providers with state licensing requirements; revising provisions related to school readiness plans adopted by early learning coalitions; deleting provisions for the establishment of payment rates and sliding fee scales by early learning coalitions; revising procurement requirements and requirements for the expenditure of funds by early learning coalitions; revising the eligibility criteria for the enrollment of children in the school readiness program and the priorities by which children are enrolled; providing procedures and notice requirements for the disenrollment of children; providing reporting requirements for children who are absent from the program; providing for the allocation of school readiness funds and deleting provisions for the establishment of an allocation formula by the Office of Early Learning; limiting expenditures for administrative costs, quality activities, and nondirect services; providing for the payment of school readiness providers according to calculations of payment rates and sliding fee scales as provided in the General Appropriations Act; authorizing the Office of Early Learning to modify payment rates in certain geographic areas under certain circumstances; deleting a provision related to the applicability of provisions that conflict with federal requirements; defining the term "fraud" for purposes of the school readiness program; providing for investigations of fraud or overpayment in the school readiness program; providing for the repayment of identified overpayments; limiting the participation of school readiness providers and parents in the program until repayment is made in full; providing penalties for acts of fraud; conforming provisions; conforming cross-references; creating s. 411.013, F.S.; creating the School Readiness Allocation Conference; providing for conference principals; requiring the Office of Early Learning to submit recommendations to the conference for an allocation formula for school readiness program funds; providing for review of the formula and agreement of the conference principals on conventions and calculation methods for the formula; requiring the Office of Early Learning to submit recommendations to the conference for establishing provider payment rates and parent copayments for a specified period; providing for the phase in of the allocation formula during a specified period; amending ss. 216.136 and 411.0101, F.S.; conforming cross-references; amending s. 411.01013, F.S.; revising provisions for calculation of the prevailing market rate schedule; requiring school readiness providers to annually submit their market rates by a specified date; amending ss. 411.0106 and 445.023, F.S.; conforming cross-references; prohibiting the disenrollment of children enrolled in the school readiness program before the effective date of this act under certain circumstances; providing for applicability; providing effective dates.

On motion by Senator Simmons, the Conference Committee Report on **CS for HB 5103** was adopted. **CS for HB 5103** passed as amended by

the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Rich
Alexander	Gaetz	Richter
Altman	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bennett	Hays	Simmons
Bogdanoff	Jones	Siplin
Braynon	Latvala	Smith
Bullard	Lynn	Sobel
Dean	Margolis	Storms
Detert	Montford	Thrasher
Diaz de la Portilla	Negron	Wise
Dockery	Norman	
Fasano	Oelrich	

Nays—1

Joyner

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5009, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5009

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5009, same being:

An act relating to health insurance benefits for state employees.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise
s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz
Andy Gardiner
s/ Alan Hays
s/ Arthenia L. Joyner
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Ben Albritton
s/ Gary Aubuchon, At Large
Leonard L. Bembry
Mack Bernard
Jim Boyd
s/ Jason T. Brodeur
Dwight M. Bullard
s/ Rachel V. Burgin
Charles S. "Chuck" Chestnut IV
At Large
Richard Corcoran
s/ Steve Crisafulli
s/ Daniel Davis
Chris Dorworth, At Large
s/ Eric Eisnaugle
s/ James C. "Jim" Frishe, At Large
Joseph A. "Joe" Gibbons
Eduardo "Eddy" Gonzalez
s/ James W. "J.W." Grant
s/ Gayle B. Harrell
s/ Doug Holder, At Large
s/ Mike Horner
Dorothy L. Hukill, At Large
s/ John Patrick Julien
s/ John Legg, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Charles McBurney
s/ Larry Metz
s/ Bryan Nelson
s/ Jose R. Oliva
Mark S. Pafford
s/ Jimmy Patronis
Ray Pilon
s/ Stephen L. Precourt
Scott Randolph
Betty Reed
s/ Patrick Rooney, Jr.
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
s/ William D. Snyder, At Large
s/ Kelli Stargel
Dwayne L. Taylor
Perry E. Thurston, Jr.
James W. "Jim" Waldman
s/ Will W. Weatherford, At Large
Alan B. Williams
s/ John Wood
s/ Dana D. Young
s/ Janet H. Adkins
s/ Larry Ahern
s/ Frank Artiles
s/ Dennis K. Baxley
Lori Berman
s/ Michael Bileca
s/ Jeffrey "Jeff" Brandes
s/ Douglas Vaughn "Doug" Broxson
s/ Matthew H. "Matt" Caldwell
Gwyndolen "Gwyn" Clarke-Reed
s/ Marti Coley
s/ Fredrick W. "Fred" Costello
Janet Cruz
s/ Jose Felix Diaz
s/ Brad Drake
s/ Erik Fresen
s/ Matt Gaetz
s/ Richard "Rich" Glorioso
s/ Tom Goodson
s/ Bill Hager
s/ Shawn Harrison
s/ Ed Hooper
s/ Matt Hudson
Mia L. Jones, At Large
Martin David "Marty" Kiar
s/ Ana Rivas Logan
s/ Debbie Mayfield
s/ Seth McKeel, At Large
s/ Peter Nehr
s/ Jeanette M. Nunez
s/ H. Marlene O'Toole
s/ Kathleen C. Passidomo
s/ W. Keith Perry
s/ Elizabeth W. Porter
s/ William L. "Bill" Proctor
s/ Lake Ray
Hazelle P. "Hazel" Rogers
Darryl Ervin Rouson
Ron Saunders, At Large
Elaine J. Schwartz
s/ Jimmie T. Smith
Darren Soto
W. Gregory "Greg" Steube
Geraldine F. "Geri" Thompson
s/ Carlos Trujillo
Barbara Watson
s/ Michael B. "Mike" Weinstein
s/ Trudi K. Williams
s/ Ritch Workman

Managers on the part of the House

The Conference Committee Amendment for HB 5009, Health Insurance Benefits for State Employees:

- Places the state contribution to the Health Savings Account of participants in the High Deductible Plan in the statutes.

- Authorizes DMS to implement a 90-day supply limit program for certain maintenance drugs through retail pharmacies participating in the prescription drug program if the department determines it to be in the best financial interest of the state.

- Authorizes the University of Florida Board of Trustees, at its option, to implement the provision of state health or other self-insurance programs for its employees, students, and affiliated units, as determined by the Board of Trustees. Provides that such insurance coverage not be implemented prior to January 1, 2013. Provides that the plan must allow all employees retiring from the University of Florida after January 1, 2013, to participate. Provides that state funding for the insurance programs for active employees paid from Education and General Activity funds be determined based on the insurance premium rates established in the General Appropriation Act, as adjusted actuarially to account for insurance

for retirees. Provides for review and approval of the necessary actuarial studies and budget transfers.

Conference Committee Amendment (093231)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (a) of subsection (12) of section 110.123, Florida Statutes, is amended, and subsection (14) is added to that section, to read:

110.123 State group insurance program.—

(12) HEALTH SAVINGS ACCOUNTS.—The department is authorized to establish health savings accounts for full-time and part-time state employees in association with a health insurance plan option authorized by the Legislature and conforming to the requirements and limitations of federal provisions relating to the Medicare Prescription Drug, Improvement, and Modernization Act of 2003.

(a)1. A member participating in this health insurance plan option is eligible to receive an employer contribution into the employee's health savings account from the State Employees Health Insurance Trust Fund in an amount to be determined by the Legislature. A member is not eligible for an employer contribution upon termination of employment. ~~For the 2011-2012 fiscal year,~~ The state's monthly contribution for employees having individual coverage shall be $41.66 and the monthly contribution for employees having family coverage shall be $83.33.

2. A member participating in this health insurance plan option is eligible to deposit the member's own funds into a health savings account.

(14) UNIVERSITY OF FLORIDA BOARD OF TRUSTEES.—

(a) Notwithstanding any other provision of this section or any other law, rule, or regulation, and in lieu of participation in state group insurance programs or any part thereof, the University of Florida Board of Trustees, at its option, may provide, or arrange for the provision of, health and other self-insurance or insurance programs, including the necessary administrative support services required to implement and administer such programs, for its employees, including all of its employees who retire on or after implementation of such programs, and may require actuarially determined employee premium payments. The University of Florida Board of Trustees may include in such programs and assess actuarially determined premiums to its students, the employees of its direct-support organizations and other affiliated organizations, and other persons and entities, as may be determined by the board of trustees. The University of Florida Board of Trustees shall also offer such programs to its retirees who retired prior to the implementation of such programs. Such programs may include, but are not limited to, health and life insurance, pharmacy, and other supplemental or tax-favored plans. In implementing such programs, the University of Florida Board of Trustees may not commence coverage prior to January 1, 2013.

(b) State funding for such insurance programs for active employees paid from Educational and General activity funds shall be determined by using the health insurance premium rates established in the General Appropriations Act for coverage for active state employees, reduced by the per capita amount of the actuarially determined implicit subsidy included in the employer paid cost for active employees' participation in the state group insurance program which is associated with retired employees participating in the state group insurance program. The university shall pay the cost of the actuarial study required to determine the implicit subsidy. The department shall submit the actuarially determined amount of the implicit subsidy and the actuary's methodology used for its determination to the Executive Office of the Governor for approval. The Executive Office of the Governor shall provide notice of the implicit subsidy amount and the actuary's methodology used for its determination pursuant to s. 216.177(2)(a). If the chair of the House of Representatives Appropriations Committee and the chair of the Senate Budget Committee or the President of the Senate and the Speaker of the House of Representatives object to the actuarially determined amount or the actuary's methodology used for its determination, the Governor shall void such determination and methodology and direct the department to recalculate the amount of the implicit subsidy. Upon implementation of the plan by the University of Florida, the university shall transfer, on the last day of each calendar quarter after implementation, the reduction amount for the implicit subsidy to the State Employees Health Insurance Trust Fund and shall submit the necessary budget amendment to the Executive Office of the Governor to accomplish the transfers. Section 110.161 does not apply to any insurance programs developed under this subsection.

Section 2. Paragraph (b) of subsection (2) of section 110.12315, Florida Statutes, is amended, and, notwithstanding section 75 of chapter 2011-47, Laws of Florida, paragraph (a) of subsection (7) of that section, as reenacted by section 74 of chapter 2011-47, Laws of Florida, does not revert to the text of that paragraph in existence on December 31, 2010, and is reenacted and amended, to read:

110.12315 Prescription drug program.—The state employees' prescription drug program is established. This program shall be administered by the Department of Management Services, according to the terms and conditions of the plan as established by the relevant provisions of the annual General Appropriations Act and implementing legislation, subject to the following conditions:

(2) In providing for reimbursement of pharmacies for prescription medicines dispensed to members of the state group health insurance plan and their dependents under the state employees' prescription drug program:

(b) There shall be a 30-day supply limit for prescription card purchases and 90-day supply limit for mail order or mail order prescription drug purchases. *The Department of Management Services may implement a 90-day supply limit program for certain maintenance drugs as determined by the department at retail pharmacies participating in the program if the department determines it to be in the best financial interest of the state.*

(7) Under the state employees' prescription drug program copayments must be made as follows:

(a) Effective January 1, *2012* ~~2011~~, for the State Group Health Insurance Standard Plan:

1. For generic drug with card $7.

2. For preferred brand name drug with card $30.

3. For nonpreferred brand name drug with card $50.

4. For generic mail order drug $14.

5. For preferred brand name mail order drug $60.

6. For nonpreferred brand name mail order drug $100.

Section 3. This act shall take effect July 1, 2012.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to health insurance benefits for state employees; amending s. 110.123, F.S.; authorizing the University of Florida Board of Trustees to provide or arrange for the provision of health and other self-insurance or insurance programs under certain conditions; requiring the board to offer the programs to certain persons; prohibiting the programs from commencing before a specified date; providing requirements for state funding for the insurance programs; providing procedural requirements relating to the program for the Department of Management Services, the Executive Office of the Governor, and the Legislature; providing applicability; providing for the state's monthly contribution for employees under the state group insurance program; amending s. 110.12315, F.S.; revising the conditions under which pharmacies are provided reimbursement for prescription medicines that are dispensed to members of the state group health insurance plan under the state employees' prescription drug program; authorizing the Department of Management Services to implement a supply limit program for certain maintenance drugs; reenacting provisions specifying copayment amounts for the state employees' prescription drug program; providing an effective date.

On motion by Senator Alexander, the Conference Committee Report on **HB 5009** was adopted. **HB 5009** failed as amended by the Conference Committee Report. The vote was:

Yeas—20

Mr. President Alexander Altman

Benacquisto	Latvala	Ring
Bogdanoff	Lynn	Simmons
Detert	Negron	Storms
Diaz de la Portilla	Norman	Thrasher
Gardiner	Oelrich	Wise
Hays	Richter	

Nays—20

Bennett	Flores	Montford
Braynon	Gaetz	Rich
Bullard	Garcia	Sachs
Dean	Gibson	Siplin
Dockery	Jones	Smith
Evers	Joyner	Sobel
Fasano	Margolis	

SPECIAL ORDER CALENDAR

On motion by Senator Wise, by unanimous consent—

CS for SB 1348—A bill to be entitled An act relating to eminent domain; amending s. 1002.36, F.S.; authorizing the Board of Trustees of the Florida School for the Deaf and the Blind to exercise the power of eminent domain after receiving approval from the Administration Commission; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 1348**, on motion by Senator Wise, by two-thirds vote **CS for HB 1037** was withdrawn from the Committees on Education Pre-K - 12; Community Affairs; Budget Subcommittee on Education Pre-K - 12 Appropriations; and Budget.

On motion by Senator Wise—

CS for HB 1037—A bill to be entitled An act relating to the Florida School for the Deaf and the Blind; amending s. 1002.36, F.S.; authorizing the Board of Trustees of the Florida School for the Deaf and the Blind to exercise the power of eminent domain after receiving approval from the Administration Commission; requiring the board of trustees to provide student housing in compliance with specified law; amending s. 1013.351, F.S.; deleting a requirement that the Florida School for the Deaf and the Blind and the local government submit an interlocal agreement to the state land planning agency and the Office of Educational Facilities for review; providing for the vesting of Florida School for the Deaf and the Blind facilities; requiring local government cooperation in the restoration of school facilities; requiring school facilities to comply with specified law; providing an effective date.

—a companion measure, was substituted for **CS for SB 1348** and read the second time by title.

Senator Wise moved the following amendment which was adopted:

Amendment 1 (206232) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (e) of subsection (4) of section 1002.36, Florida Statutes, is amended to read:

1002.36 Florida School for the Deaf and the Blind.—

(4) BOARD OF TRUSTEES.—

(e) The board of trustees is invested with full power and authority to:

1. Appoint a president, faculty, teachers, and other employees and remove the same as in its judgment may be best and fix their compensation.

2. Procure professional services, such as medical, mental health, architectural, and engineering.

3. Procure legal services without the prior written approval of the Attorney General.

4. Determine eligibility of students and procedure for admission.

5. Provide for the students of the school necessary bedding, clothing, food, and medical attendance and such other things as may be proper for the health and comfort of the students without cost to their parents, except that the board of trustees may set tuition and other fees for nonresidents.

6. Provide for the proper keeping of accounts and records and for budgeting of funds.

7. Enter into contracts.

8. Sue and be sued.

9. Secure public liability insurance.

10. Do and perform every other matter or thing requisite to the proper management, maintenance, support, and control of the school at the highest efficiency economically possible, the board of trustees taking into consideration the purposes of the establishment.

11. Receive gifts, donations, and bequests of money or property, real or personal, tangible or intangible, from any person, firm, corporation, or other legal entity. However, the board of trustees may not obligate the state to any expenditure or policy that is not specifically authorized by law. If the bill of sale, will, trust indenture, deed, or other legal conveyance specifies terms and conditions concerning the use of such money or property, the board of trustees shall observe such terms and conditions.

12. Deposit outside the State Treasury such moneys as are received as gifts, donations, or bequests and may disburse and expend such moneys, upon its own warrant, for the use and benefit of the Florida School for the Deaf and the Blind and its students, as the board of trustees deems to be in the best interest of the school and its students. Such money or property *does* ~~shall~~ not constitute *and may not* ~~or~~ be considered a part of any legislative appropriation.

13. Sell or convey by bill of sale, deed, or other legal instrument any property, real or personal, received as a gift, donation, or bequest, upon such terms and conditions as the board of trustees deems to be in the best interest of the school and its students.

14. Invest such moneys in securities enumerated under s. 215.47(1), (2)(c), (3), (4), and (10), and in The Common Fund, an Investment Management Fund exclusively for nonprofit educational institutions.

15. After receiving approval from the Administration Commission, exercise the power of eminent domain in the manner provided in chapter 73 or chapter 74.

Section 2. This act shall take effect July 1, 2012.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to eminent domain; amending s. 1002.36, F.S.; authorizing the Board of Trustees of the Florida School for the Deaf and the Blind to exercise the power of eminent domain after receiving approval from the Administration Commission; providing an effective date.

On motion by Senator Wise, by two-thirds vote **CS for HB 1037** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Joyner
Alexander	Dockery	Latvala
Altman	Evers	Lynn
Benacquisto	Fasano	Margolis
Bennett	Flores	Negron
Bogdanoff	Gaetz	Norman
Braynon	Gardiner	Oelrich
Bullard	Gibson	Rich
Dean	Hays	Richter
Detert	Jones	Ring

Sachs	Smith	Thrasher
Simmons	Sobel	Wise
Siplin	Storms	

Nays—None

The Senate resumed consideration of—

CS for HB 7099—A bill to be entitled An act relating to tax administration; amending s. 211.3103, F.S.; revising rate calculation procedures for the tax on severance of phosphate rock; revising the distribution for the tax on severance of phosphate rock; amending s. 212.07, F.S.; conforming a cross-reference to changes made by the act; subjecting a dealer to monetary and criminal penalties for the willful failure to collect certain taxes or fees after notice of the duty to collect the taxes or fees by the Department of Revenue; amending s. 212.12, F.S.; deleting provisions relating to the imposition of criminal penalties after notice by the Department of Revenue of requirements to register as a dealer or to collect taxes; making technical and grammatical changes to provisions specifying penalties for making a false or fraudulent return with the intent to evade payment of a tax or fee; amending s. 212.14, F.S.; defining the term "person"; authorizing the Department of Revenue to adopt rules relating to requirements for a person to deposit cash, a bond, or other security with the department in order to ensure compliance with sales tax laws; making technical and grammatical changes; amending s. 212.18, F.S.; subjecting a person to criminal penalties for willfully failing to register as a dealer after notice of the duty to register by the Department of Revenue; making technical and grammatical changes; amending s. 213.13, F.S.; revising the due date for funds collected by the clerks of court to be transmitted to the Department of Revenue; providing retroactive application; creating s. 213.295, F.S.; providing definitions; subjecting a person to criminal penalties and monetary penalties for knowingly selling or engaging in certain other actions involving an automated sales suppression device, zapper, or phantom-ware; defining sales suppression devices and phantom-ware as contraband articles under the Florida Contraband Forfeiture Act; amending s. 220.153, F.S.; redefining the term "qualified capital expenditures" for purposes of apportionment by sales factor; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to release photographs or digital images to the Department of Revenue in order to identify individuals for purposes of tax administration; amending s. 336.021, F.S.; revising the date when imposition of the ninth-cent fuel tax will be levied; amending s. 336.025, F.S.; revising the date when impositions and rate changes of the local option fuel tax shall be levied; amending s. 443.131, F.S.; imposing a requirement on employers to produce records for the Department of Economic Opportunity or its tax collection service provider as a prerequisite for a reduction in the rate of unemployment tax; amending s. 443.141, F.S.; providing a method to calculate the interest rate for past due contributions and reimbursements, and delinquent, erroneous, incomplete, or insufficient reports; providing effective dates.

—which was previously reconsidered as amended this day.

RECONSIDERATION OF AMENDMENT

On motion by Senator Bogdanoff, the Senate reconsidered the vote by which **Amendment 5 (401932)** was adopted. **Amendment 5** was withdrawn.

On motion by Senator Norman, **CS for HB 7099** as amended was passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Evers	Margolis
Altman	Fasano	Norman
Benacquisto	Flores	Oelrich
Bennett	Gaetz	Rich
Bogdanoff	Gardiner	Richter
Braynon	Hays	Ring
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms

Nays—8

Dockery	Montford	Smith
Garcia	Negron	Thrasher
Gibson	Sachs	

Vote after roll call:

Nay to Yea—Dockery

The Senate resumed consideration of—

CS for CS for HB 787—A bill to be entitled An act relating to nursing home facilities; amending s. 400.021, F.S.; revising definitions of the terms "geriatric outpatient clinic" and "resident care plan" and defining the term "therapeutic spa services"; amending s. 400.141, F.S.; revising provisions relating to other needed services provided by licensed nursing home facilities, including respite care, adult day, and therapeutic spa services; revising provisions relating to facilities eligible to share programming and staff; deleting requirements for the submission of certain reports to the Agency for Health Care Administration; creating s. 400.172, F.S.; providing requirements for a nursing home facility operated by a licensee that provides respite care services; providing for rights of persons receiving respite care in nursing home facilities; requiring a prospective respite care recipient to provide certain information to the nursing home facility; amending s. 408.036, F.S.; providing an exemption from certain certificate-of-need requirements to provide for the creation of a pilot project in any of specified Agency for Health Care Administration subdistricts; requiring the nursing home to be affiliated with an accredited nursing school that offers certain degree programs; providing requirements for affiliation with a private accredited university and for location and staffing of the nursing home; providing for the pilot project to proceed notwithstanding any moratorium under certain conditions; providing for expiration of the exemption; amending s. 429.905, F.S.; defining the term "day" for purposes of day care services provided to adults who are not residents; amending s. 651.118, F.S.; providing a funding limitation on sheltered nursing home beds used to provide assisted living, rather than extended congregate care services; authorizing certain sharing of areas, services, and staff between such sheltered beds and nursing home beds in those facilities; providing an effective date.

—which was previously considered this day with pending **Amendment 1 (109490)** by Senator Bogdanoff as amended and **Amendment 1C (482012)** by Senator Hays.

MOTION

On motion by Senator Bogdanoff, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Bogdanoff moved the following amendment to **Amendment 1**:

Amendment 1D (504688) (with title amendment)—Between lines 460 and 461 insert:

Section 11. Subsection (3) of section 400.601, Florida Statutes, is amended to read:

400.601 Definitions.—As used in this part, the term:

(3) "Hospice" means a centrally administered corporation *or a limited liability company that provides* ~~providing~~ a continuum of palliative and supportive care for the terminally ill patient and his or her family.

And the title is amended as follows:

Delete line 1193 and insert: Administration; amending s. 400.601, F.S.; revising the definition of "hospice"; amending s. 400.606, F.S.; revising

SENATOR FLORES PRESIDING

THE PRESIDENT PRESIDING

On motion by Senator Bogdanoff, further consideration of **CS for CS for HB 787** with pending **Amendment 1 (109490)**, **Amendment 1C (482012)** and **Amendment 1D (504688)** was deferred.

RECONSIDERATION OF BILL

On motion by Senator Bennett, the Senate reconsidered the vote by which the Conference Committee Report on—

HB 5009—A bill to be entitled An act relating to health insurance benefits for state employees; amending s. 110.123, F.S.; providing for the state's monthly contribution for employees under the state group insurance program; amending s. 110.12315, F.S.; revising the conditions under which pharmacies are provided reimbursement for prescription medicines that are dispensed to members of the state group health insurance plan under the state employees' prescription drug program; authorizing the Department of Management Services to implement a supply limit program for certain maintenance drugs; reenacting provisions specifying copayment amounts for the state employees' prescription drug program; providing an effective date.

—failed to pass this day. The vote was:

Yeas—22

Mr. President	Diaz de la Portilla	Richter
Alexander	Gardiner	Ring
Altman	Hays	Simmons
Benacquisto	Latvala	Storms
Bennett	Lynn	Thrasher
Bogdanoff	Negron	Wise
Bullard	Norman	
Dean	Oelrich	

Nays—16

Braynon	Garcia	Sachs
Detert	Gibson	Siplin
Dockery	Joyner	Smith
Fasano	Margolis	Sobel
Flores	Montford	
Gaetz	Rich	

On motion by Senator Bennett, **HB 5009** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—21

Mr. President	Diaz de la Portilla	Oelrich
Alexander	Gardiner	Richter
Altman	Hays	Ring
Benacquisto	Latvala	Simmons
Bennett	Lynn	Storms
Bogdanoff	Negron	Thrasher
Dean	Norman	Wise

Nays—18

Braynon	Flores	Montford
Bullard	Gaetz	Rich
Detert	Garcia	Sachs
Dockery	Gibson	Siplin
Evers	Joyner	Smith
Fasano	Margolis	Sobel

DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **HB 5009** which comes before the Senate floor for a vote on March 9, 2012.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 4th District

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed CS for HB 1039 as further amended, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for HB 1039—A bill to be entitled An act for the relief of James D. Feurtado, III, by Miami-Dade County; providing for an appropriation to compensate him for injuries he sustained as a result of the negligence of an employee of Miami-Dade County; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

House Amendment 1 to Senate Amendment 1 (062571)—Remove lines 5-8 of the amendment and insert: *this act, for a total of $165,000. However, taxable costs, which may not include attorney's fees and lobbying fees, related to the underlying civil action may be collected in addition to the $165,000.*

On motion by Senator Flores, the Senate concurred in House Amendment 1 to Senate Amendment 1.

CS for HB 1039 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

Mr. President	Flores	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bogdanoff	Hays	Ring
Braynon	Jones	Sachs
Bullard	Joyner	Simmons
Dean	Latvala	Siplin
Detert	Margolis	Smith
Diaz de la Portilla	Montford	Sobel
Dockery	Negron	Storms
Fasano	Norman	Thrasher

Nays—5

Bennett	Gaetz	Wise
Evers	Lynn	

Vote after roll call:

Yea—Gibson

Yea to Nay—Oelrich

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed CS for HB 967 as further amended, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for HB 967—A bill to be entitled An act for the relief of Kristi Mellen as personal representative of the Estate of Michael Munson, deceased, by the North Broward Hospital District; providing for an appropriation to compensate the estate and the statutory survivors, Kristi Mellen, surviving spouse, and Michael Conner Munson and Corinne Keller Munson, surviving minor son and surviving minor daughter, for the wrongful death of Michael Munson as a result of the negligence of the North Broward Hospital District; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

House Amendment 1 to Senate Amendment 1 (333797)—Remove lines 5-8 of the amendment and insert: *remainder awarded under this act, for a total of $290,000. However, taxable costs, which may not include attorney's fees and lobbying fees, related to the underlying civil action may be collected in addition to the $290,000.*

On motion by Senator Storms, the Senate concurred in House Amendment 1 to Senate Amendment 1.

CS for HB 967 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bogdanoff	Gibson	Ring
Braynon	Hays	Sachs
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher

Nays—3

Bennett	Gaetz	Wise

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed CS for HB 697 as further amended, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for HB 697—A bill to be entitled An act for the relief of Donald Brown by the District School Board of Sumter County; providing for an appropriation to compensate Donald Brown for injuries sustained as a result of the negligence of an employee of the District School Board of Sumter County; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

House Amendment 1 to Senate Amendment 1 (951941)—Remove lines 5-7 of the amendment and insert: *$190,000. However, taxable costs, which may not include attorney's fees and lobbying fees, related to the underlying civil action may be collected in addition to the $190,000.*

On motion by Senator Garcia, the Senate concurred in House Amendment 1 to Senate Amendment 1.

CS for HB 697 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bogdanoff	Gibson	Ring
Braynon	Hays	Sachs
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher

Nays—4

Bennett	Gaetz	Oelrich
Wise		

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5003, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5003

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5003, same being:

An act implementing the 2012-2013 General Appropriations Act.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz
Andy Gardiner
s/ Alan Hays
s/ Arthenia L. Joyner
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Ben Albritton
s/ Gary Aubuchon
Leonard L. Bembry
Mack Bernard
Jim Boyd
s/ Jason T. Brodeur
Dwight M. Bullard
s/ Rachel V. Burgin
Charles S. "Chuck" Chestnut IV
At Large
Richard Corcoran
s/ Steve Crisafulli
s/ Daniel Davis
Chris Dorworth, At Large
s/ Eric Eisnaugle
s/ James C. "Jim" Frishe, At Large
Joseph A. "Joe" Gibbons
Eduardo "Eddy" Gonzalez
s/ James W. "J.W." Grant
s/ Gayle B. Harrell
s/ Doug Holder
s/ Mike Horner
Dorothy L. Hukill
s/ John Patrick Julien
s/ John Legg
s/ Carlos Lopez-Cantera
s/ Charles McBurney
s/ Larry Metz
s/ Bryan Nelson
s/ Jose R. Oliva
Mark S. Pafford
s/ Jimmy Patronis
Ray Pilon
s/ Stephen L. Precourt
Scott Randolph
Betty Reed
s/ Patrick Rooney, Jr.
Franklin Sands
s/ Robert C. "Rob" Schenck
At Large
s/ William D. Snyder, At Large
s/ Kelli Stargel
Dwayne L. Taylor
Perry E. Thurston, Jr.
James W. "Jim" Waldman
Will W. Weatherford
s/ Alan B. Williams
s/ John Wood
s/ Dana D. Young

s/ Janet H. Adkins
s/ Larry Ahern
s/ Frank Artiles
s/ Dennis K. Baxley
Lori Berman
s/ Michael Bileca
s/ Jeffrey "Jeff" Brandes
s/ Douglas Vaughn "Doug" Broxson
s/ Matthew H. "Matt" Caldwell
Gwyndolen "Gwyn" Clarke-Reed
s/ Marti Coley
s/ Fredrick W. "Fred" Costello
Janet Cruz
s/ Jose Felix Diaz
s/ Brad Drake
s/ Erik Fresen
s/ Matt Gaetz
s/ Richard "Rich" Glorioso
s/ Tom Goodson
s/ Bill Hager
s/ Shawn Harrison
s/ Ed Hooper
s/ Matt Hudson
Mia L. Jones
Martin David "Marty" Kiar
s/ Ana Rivas Logan
s/ Debbie Mayfield
s/ Seth McKeel
s/ Peter Nehr
s/ Jeanette M. Nunez
s/ H. Marlene O'Toole
s/ Kathleen C. Passidomo
s/ W. Keith Perry
s/ Elizabeth W. Porter
s/ William L. "Bill" Proctor
s/ Lake Ray
Hazelle P. "Hazel" Rogers
Darryl Ervin Rouson
Ron Saunders
Elaine J. Schwartz
s/ Jimmie T. Smith
Darren Soto
W. Gregory "Greg" Steube
Geraldine F. "Geri" Thompson
s/ Carlos Trujillo
Barbara Watson
s/ Michael B. "Mike" Weinstein
s/ Trudi K. Williams
s/ Ritch Workman

Managers on the part of the House

The Conference Committee Amendment for HB 5003, relating to implementing appropriations, provides the following substantive modifications for the 2012-2013 fiscal year:

Section 1 provides legislative intent that the implementing and administering provisions of this act apply to the General Appropriations Act for Fiscal Year 2012-13

Section 2 incorporates the Florida Education Finance Program (FEFP) work papers by reference for the purpose of displaying the calculations used by the Legislature.

Section 3 amends s. 216.292, F.S., to authorize the transfer of fixed capital outlay appropriations for public schools between appropriation categories upon approval of the Executive Office of the Governor.

Section 4 authorizes a university board of trustees to expend reserve or carry-forward balances from prior year operational and programmatic appropriations on legislatively approved fixed capital outlay projects authorized for the establishment of a new campus.

Section 5 provides requirements to govern the completion of Phases 2 and 3 of the Department of Health's Florida Onsite Sewage Nitrogen Strategies Study. Prohibits state agencies from implementing regulations with higher standards than those currently in place until Phase 3 of the department's Florida Onsite Sewage Nitrogen Reduction Strategies Study is completed.

Section 6 incorporates by reference document entitled "Medicaid Supplemental Hospital Funding Programs" for the purpose of displaying the calculations used by the legislature in making appropriations for the Low-Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs.

Sections 7 and **8** amend s. 20.04, F.S. to remove reference to "program offices" and replace with language providing that each circuit of agency is aligned geographically with each of the state's judicial circuits and each region is comprised of multiple circuits.

Section 9 amends s. 409.912, F.S. to authorize the Agency for Health Care Administration to provide a Medicaid prepaid dental health program in Miami-Dade County. Provides that for all other counties, the agency may not limit dental services to prepaid plans and must allow qualified dental providers to provide dental services under Medicaid on a fee for service reimbursement methodology. Requires the agency to seek any necessary revisions or amendments to the state plan or federal waivers in order to implement this provision. Requires the agency to terminate existing contracts as needed.

Section 10 provides authority for the Department of Health to transfer funding to the Florida Agricultural and Mechanical University for the Crestview Center through the budget amendment process.

Section 11 prohibits the Department of Health from implementing the onsite sewage treatment and disposal program described in s. 381.0065, Florida Statutes, until the department submits a plan to the Legislative Budget Commission and the plan is approved.

Section 12 amends s. 216.262, F.S. to allow the Executive Office of the Governor to request additional positions and appropriations from unallocated general revenue during the 2012-2013 fiscal year for the Department of Corrections if the actual inmate population of the department exceeds the inmate population projections of the December 2012 Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month. The additional positions and appropriations must be approved by the Legislative Budget Commission.

Section 13 authorizes the Department of Legal Affairs to transfer cash remaining after required disbursements from specified Attorney General cases to the Operating Trust Fund to pay salaries and benefits.

Section 14 authorizes Department of Legal Affairs to expend appropriated funds in specific appropriations on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in prior years.

Section 15 amends s. 932.7055, F.S. to extend for another year the authorization for a municipality to expend funds in a special law enforcement trust fund to reimburse the general fund of the municipality for moneys advanced from the general fund to the special law enforcement trust fund prior to October 1, 2001.

Section 16 provides limitation on DJJ reimbursements for health care services to 110 percent of Medicare allowable rates.

Section 17 authorizes Chief Justice to secure a trust fund loan during the 2012-13 FY if revenues are insufficient in the State Courts Revenue Trust Fund to fund appropriations.

Section 18 allows, notwithstanding section 28.2455, F.S., that funds remaining in the Clerks of Court Trust Fund to be available for clerks of court for fiscal year 2012-2013 expenditures.

Section 19 provides that the calculation of unit costs for the clerks of court and state trial courts are contained in documents that are incorporated by reference.

Section 20 amends s. 29.008, F.S. to provide that counties are exempt from the requirement to increase expenditures by 1.5 percent for court-related functions.

Section 21 provides that funds from the State Agency Law Enforcement Radio System Trust Fund may be used by the Department of Management Services to fund mutual aid build out maintenance and sustainment and the interoperability network.

Section 22 authorizes the Department of Management Services to use interest earnings from the Communications Working Capital Trust Fund as the funding source for its responsibilities related to the MyFlorida.com portal.

Section 23 requires DMS and agencies to utilize a tenant broker to renegotiate private lease agreements, in excess of 2,000 square feet, expiring between July 1, 2013 and June 30, 2015.

Section 24 provides that funds available in the Audit and Warrant Clearing Trust Fund for subsequent distribution to the General Revenue Fund will be available to the tax collection provider who shall make the interest payment required by s. 443.131(5), F.S., to the Federal Government in the amount directed by the Governor.

Section 25 provides that revenues in the trust fund are authorized to be used for Total Maximum Daily Loads program, Drinking Water Revolving Loan Trust Fund and the Wastewater Treatment and Stormwater Management Revolving Loan Trust Fund.

Section 26 provides for the allocation of moneys from the Water Management Lands Trust Fund to pay debt service on bonds issued before 2/1/09, by the South Water Management District and the St. Johns Water Management District; continues to provide for $8M to be transferred to the General Revenue Fund; and provides the remaining funds be distributed to the Suwannee River Water Management District.

Section 27 authorizes the use of revenues in the Ecosystem Management and Restoration Trust Fund for funding of activities to preserve and repair the state's beaches.

Section 28 requires the Department of Environmental Protection to award $2,400,000 of grant funds equally to counties having populations of fewer than 100,000 for waste tire, litter prevention, recycling and education, and general solid waste programs.

Section 29 provides that the Department of Agriculture and Consumer Services, at its discretion, is authorized to extend, revise, and renew current contracts or agreements created or entered into, pursuant to chapter 2006-25, Laws of Florida (the 2006-2007 GAA), in order to provide consistency and continuity in agriculture promotion throughout the state.

Section 30 amends s. 379.209, F.S., to authorize the FWCC to transfer cash balance from the Nongame Wildlife Trust Fund to the Grants and Donations Trust Fund for the purpose of supporting cash flow.

Section 31 authorizes the FWCC to transfer $500,000 in hunting and fishing license fees from the Grants and Donations Trust Fund to the State Game Trust Fund to repay the loan originally authorized in Specific Appropriation 1950 in ch. 2008-152, L.O.F.

Section 32 authorizes the Governor to transfer appropriations between the FWCC and DEP as necessary to implement the approved list of projects.

Section 33 amends s. 259.105, F.S. to provide that the funds appropriated from the Florida Forever Trust Fund shall be distributed only to the Division of State Lands within the Department of Environmental Protection for less-then-fee interest acquisitions.

Section 34 extends expiration of commission from September 30, 2012 to January 1, 2013 and extends time for issuance of report from September 1, 2012 to January 1, 2013.

Sections 35 and **36** amend s. 311.07, F.S. to exempt certain projects for ports located in counties designated as rural areas of critical economic concern from match requirements.

Section 37 authorizes the Executive Office of the Governor to transfer funds in order to align the budget authority granted to pay each department's risk management insurance.

Section 38 authorizes the Executive Office of the Governor to transfer funds in the appropriation category "Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased Per Statewide Contract" of the 2012-2013 General Appropriations Act between departments in order to align the budget authority granted with the assessments that must be paid by each agency to the Department of Management Services for human resources management services.

Section 39 sets rates for health savings accounts at the current levels for the fiscal year.

Section 40 amends s. 112.24, F.S. to provide that the reassignment of an employee of a state agency may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the Senate and House budget committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after the chair's receiving notice of the action pursuant to s. 216.177, F.S.

Section 41 provides that legislative salaries will remain at the same level in effect on July 1, 2010.

Sections 42 and **43** amend s. 215.32(2)(b), F.S., in order to implement the transfer of moneys to the General Revenue Fund from trust funds in the 2012-2013 General Appropriations Act.

Sections 44, 45, and **46** reenact s. 215.5601, F.S. relating to investment objectives of The Lawton Chiles Endowment Fund and authorize transfer of funds from endowment to the General Revenue Fund.

Section 47 provides that, in order to implement the issuance of new debt authorized in the 2012-2013 General Appropriations Act, and pursuant to the requirements of s. 215.98, F.S., the Legislature determines that the authorization and issuance of debt for the 2012-2013 fiscal year should be implemented and is in the best interest of the state and necessary to address a critical state emergency.

Section 48 provides that funds appropriated for travel by state employees shall be limited to travel for activities that are critical to each state agency's mission. Prohibits funds from being used to travel to foreign countries, other states, conferences, staff-training or other administrative functions unless agency head approves in writing. Requires agency head to consider use of teleconferencing and electronic communication to meet needs of activity before approving travel.

Section 49 provides that the Governor is authorized to transfer funds appropriated in any appropriation category used to pay for data processing in the General Appropriations Act between agencies in order to align the budget authority granted with the utilization rate of each department.

Section 50 provides that an agency may transfer funds from the data processing appropriation categories to another appropriation category for the purpose of supporting and managing its computer resources until such time as the agency's data processing function is transferred to the Southwood Shared Resource Center, the Northwood Shared Resource Center, or the Northwest Regional Data Center.

Section 51 provides that the Governor is authorized to transfer funds appropriated in the appropriations category "expenses" between agencies in order to allocate a reduction relating to SUNCOM Services.

Section 52 and **53** amend s. 110.12315, F.S., to modify copayments consistent with decisions that have been made in the GAA. Authorize the Department of Management Services to implement a 90-day supply limit program for certain maintenance drugs as determined by the department at retail pharmacies participating in the program if the department determines it to be in the best financial interest of the state.

Section 54 requires AHCA to competitively reprocure a Florida Discount Drug Card Program to provide market competitive discounts and return money to the state on a per prescription basis. Discounts will be available to Florida residents without income restrictions. Revenues deposited into Grants and Donations Trust Fund to reduce cost of Medicaid pharmacy purchases.

Section 55 specifies that no section will take effect if the appropriations and proviso to which it relates are vetoed.

Section 56 provides that a permanent change made by another law to any of the same statutes amended by this bill takes precedence over the provision in this bill.

Section 57 provides a severability clause.

Section 58 provides an effective date.

Conference Committee Amendment (601683)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *It is the intent of the Legislature that the implementing and administering provisions of this act apply to the General Appropriations Act for the 2012-2013 fiscal year.*

Section 2. *In order to implement Specific Appropriations 6, 7, 8, 84, and 85 of the 2012-2013 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2012-2013 fiscal year in the document entitled "Public School Funding-The Florida Education Finance Program," dated March 6, 2012, and filed with the Clerk of the House of Representatives, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of the Florida Statutes, in making appropriations for the Florida Education Finance Program. This section expires July 1, 2013.*

Section 3. In order to implement Specific Appropriation 16A of the 2012-2013 General Appropriations Act, paragraph (c) of subsection (3) of section 216.292, Florida Statutes, is amended to read:

216.292 Appropriations nontransferable; exceptions.—

(3) The following transfers are authorized with the approval of the Executive Office of the Governor for the executive branch or the Chief Justice for the judicial branch, subject to the notice and objection provisions of s. 216.177:

(c) The transfer of appropriations for fixed capital outlay from the Survey Recommended Needs-Public Schools appropriation category to the Maintenance, Repair, Renovation and Remodeling appropriation category. The allocation of transferred funds must be in accordance with s. 1013.62. This paragraph expires July 1, *2013* ~~2012~~.

Section 4. *In order to implement Specific Appropriation 129 of the 2012-2013 General Appropriations Act and notwithstanding any other law, for the 2012-2013 fiscal year only, a university board of trustees may expend reserve or carryforward balances from previous years' operational and programmatic appropriations for legislatively approved fixed capital outlay projects authorized for the establishment of a new campus.*

Section 5. *(1) In order to implement Specific Appropriation 512 of the 2012-2013 General Appropriations Act, and for the 2012-2013 fiscal year only, the following requirements govern the completion of Phase 2 and Phase 3 of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study:*

(a) The Department of Health's underlying contract for the study remains in full force and effect and funding for completion of Phase 2 and Phase 3 is through the Department of Health.

(b) The Department of Health, the Department of Health's Research Review and Advisory Committee, and the Department of Environmental Protection shall work together to provide the necessary technical oversight of the completion of Phase 2 and Phase 3 of the project.

(c) Management and oversight of the completion of Phase 2 and Phase 3 must be consistent with the terms of the existing contract. However, the main focus and priority to be completed during Phase 3 shall be developing, testing, and recommending cost-effective passive technology design criteria for nitrogen reduction.

(d) The systems installed at homesites are experimental in nature and shall be installed with significant field testing and monitoring. The Department of Health is specifically authorized to allow installation of these experimental systems. Notwithstanding any other law, before Phase 3 of the study is completed, a state agency may not adopt or implement a rule or policy that:

1. Mandates, establishes, or implements more restrictive nitrogen-reduction standards to existing or new onsite sewage treatment systems or modification of such systems; or

2. Directly or indirectly requires the use of performance-based treatment systems or similar technology, such as through an administrative order developed by the Department of Environmental Protection as part of a basin management action plan adopted pursuant to s. 403.067, Florida Statutes. However, the implementation of more restrictive nitrogen-reduction standards for onsite systems may be required through a basin management action plan if such plan is phased in after completion of Phase 3.

(2) This section expires July 1, 2013.

Section 6. *In order to implement Specific Appropriations 187, 193 through 195, and 198 of the 2012-2013 General Appropriations Act, the calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs for the 2012-2013 fiscal year in the document entitled "Medicaid Supplemental Hospital Funding Programs" dated March 6, 2012, and filed with the Clerk of the House of Representatives, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of the Florida Statutes, in making appropriations for the Low-Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs. This section expires July 1, 2013.*

Section 7. In order to implement Specific Appropriations 283 through 390 of the 2012-2013 General Appropriations Act, subsection (4) of section 20.04, Florida Statutes, is amended to read:

20.04 Structure of executive branch.—The executive branch of state government is structured as follows:

(4) Within the Department of Children and Family Services there are organizational units called *"circuits" and "regions." Each circuit is aligned geographically with each judicial circuit, and each region comprises multiple circuits that are in geographical proximity to each other* ~~"program offices," headed by program directors~~.

Section 8. *The amendment to s. 20.04(4), Florida Statutes, shall expire July 1, 2013, and the text of that subsection shall revert to that in existence on June 30, 2012, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 9. In order to implement Specific Appropriation 186 of the 2012-2013 General Appropriations Act, subsection (41) of section 409.912, Florida Statutes, is amended to read:

409.912 Cost-effective purchasing of health care.—The agency shall purchase goods and services for Medicaid recipients in the most cost-effective manner consistent with the delivery of quality medical care. To ensure that medical services are effectively utilized, the agency may, in any case, require a confirmation or second physician's opinion of the correct diagnosis for purposes of authorizing future services under the Medicaid program. This section does not restrict access to emergency services or poststabilization care services as defined in 42 C.F.R. part 438.114. Such confirmation or second opinion shall be rendered in a manner approved by the agency. The agency shall maximize the use of prepaid per capita and prepaid aggregate fixed-sum basis services when appropriate and other alternative service delivery and reimbursement methodologies, including competitive bidding pursuant to s. 287.057, designed to facilitate the cost-effective purchase of a case-managed continuum of care. The agency shall also require providers to minimize the exposure of recipients to the need for acute inpatient, custodial, and other institutional care and the inappropriate or unnecessary use of high-cost services. The agency shall contract with a vendor to monitor and evaluate the clinical practice patterns of providers in order to identify trends that are outside the normal practice patterns of a provider's professional peers or the national guidelines of a provider's professional association. The vendor must be able to provide information and counseling to a provider whose practice patterns are outside the norms, in consultation with the agency, to improve patient care and reduce inappropriate utilization. The agency may mandate prior authorization, drug therapy management, or disease management participation for certain populations of Medicaid beneficiaries, certain drug

classes, or particular drugs to prevent fraud, abuse, overuse, and possible dangerous drug interactions. The Pharmaceutical and Therapeutics Committee shall make recommendations to the agency on drugs for which prior authorization is required. The agency shall inform the Pharmaceutical and Therapeutics Committee of its decisions regarding drugs subject to prior authorization. The agency is authorized to limit the entities it contracts with or enrolls as Medicaid providers by developing a provider network through provider credentialing. The agency may competitively bid single-source-provider contracts if procurement of goods or services results in demonstrated cost savings to the state without limiting access to care. The agency may limit its network based on the assessment of beneficiary access to care, provider availability, provider quality standards, time and distance standards for access to care, the cultural competence of the provider network, demographic characteristics of Medicaid beneficiaries, practice and provider-to-beneficiary standards, appointment wait times, beneficiary use of services, provider turnover, provider profiling, provider licensure history, previous program integrity investigations and findings, peer review, provider Medicaid policy and billing compliance records, clinical and medical record audits, and other factors. Providers are not entitled to enrollment in the Medicaid provider network. The agency shall determine instances in which allowing Medicaid beneficiaries to purchase durable medical equipment and other goods is less expensive to the Medicaid program than long-term rental of the equipment or goods. The agency may establish rules to facilitate purchases in lieu of long-term rentals in order to protect against fraud and abuse in the Medicaid program as defined in s. 409.913. The agency may seek federal waivers necessary to administer these policies.

(41)*(a)* The agency shall contract on a prepaid or fixed-sum basis with appropriately licensed prepaid dental health plans to provide dental services. This *paragraph* ~~subsection~~ expires October 1, 2014.

(b) Notwithstanding paragraph (a) and for the 2012-2013 fiscal year only, the agency is authorized to provide a Medicaid prepaid dental health program in Miami-Dade County. For all other counties, the agency may not limit dental services to prepaid plans and must allow qualified dental providers to provide dental services under Medicaid on a fee-for-service reimbursement methodology. The agency may seek any necessary revisions or amendments to the state plan or federal waivers in order to implement this paragraph. The agency shall terminate existing contracts as needed to implement this paragraph. This paragraph expires July 1, 2013.

Section 10. *In order to implement Specific Appropriation 587A of the 2012-2013 General Appropriations Act, and notwithstanding s. 216.177(2)(a), Florida Statutes, which requires only 3 days' notice to the Legislature for the release of funds, budget amendments recommending the release of funds to continue the Crestview Education Center project at Florida Agricultural and Mechanical University must be provided at least 14 days before the effective date of the action and are subject to the objection procedures in s. 216.177(2)(b), Florida Statutes. This section expires July 1, 2013.*

Section 11. *In order to implement Specific Appropriations 506 through 517 of the 2012-2013 General Appropriations Act, before the implementation of the onsite sewage treatment and disposal system evaluation program described in s. 381.0065(5)(a), Florida Statutes, the Department of Health shall submit a plan for approval by the Legislative Budget Commission which includes an estimate of agency workload and funding needs. The department may not expend funds in furtherance of the evaluation program before the plan is approved by the commission.*

Section 12. In order to implement Specific Appropriations 625 through 758 and 778 through 815 of the 2012-2013 General Appropriations Act, subsection (4) of section 216.262, Florida Statutes, is amended to read:

216.262 Authorized positions.—

(4) Notwithstanding the provisions of this chapter relating to increasing the number of authorized positions, and for the *2012-2013* ~~2011-2012~~ fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the *December 14, 2011* ~~February 21, 2011~~, Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month, the Executive Office of the Governor, with the approval of the Legislative Budget Commission, shall immediately notify the Criminal Justice Estimating Conference, which shall convene as soon as possible to revise the estimates. The Department of Corrections may then submit a budget amendment requesting the establishment of positions in excess of the number authorized by the Legislature and additional appropriations from unallocated general revenue sufficient to provide for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population. All actions taken pursuant to this subsection are subject to review and approval by the Legislative Budget Commission. This subsection expires July 1, *2013* ~~2012~~.

Section 13. *In order to implement Specific Appropriations 1327, 1340, 1351, and 1368 of the 2012-2013 General Appropriations Act, the Department of Legal Affairs may transfer cash remaining after required disbursements for Attorney General case numbers 09-CV-51614, 16-2008-CA-01-3142CV-C, and CACE08022328 from FLAIR account 41-74-2-601001-41100100-00-181076-00 to the Operating Trust Fund to pay salaries and benefits. This section expires July 1, 2013.*

Section 14. *In order to implement Specific Appropriations 1333 and 1334 of the 2012-2013 General Appropriations Act, the Department of Legal Affairs may expend appropriated funds in those specific appropriations on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in previous years. This section expires July 1, 2013.*

Section 15. In order to implement Specific Appropriations 1297B and 1299 of the 2012-2013 General Appropriations Act, paragraph (d) of subsection (4) of section 932.7055, Florida Statutes, is amended to read:

932.7055 Disposition of liens and forfeited property.—

(4) The proceeds from the sale of forfeited property shall be disbursed in the following priority:

(d) Notwithstanding any other provision of this subsection, and for the *2012-2013* ~~2011-2012~~ fiscal year only, the funds in a special law enforcement trust fund established by the governing body of a municipality may be expended to reimburse the general fund of the municipality for moneys advanced from the general fund to the special law enforcement trust fund before October 1, 2001. This paragraph expires July 1, *2013* ~~2012~~.

Section 16. *(1) In order to implement Specific Appropriations 1187, 1188, 1193, 1194, 1239, 1240, 1244, 1245, 1247, 1251, 1252, 1255, 1256, 1257, 1267, and 1272 of the 2012-2013 General Appropriations Act, the Department of Juvenile Justice must comply with the following reimbursement limitations:*

(a) Payments to a hospital or a health care provider may not exceed 110 percent of the Medicare allowable rate for any health care services provided if there is no contract between the department and the hospital or the health care provider providing services at a hospital;

(b) The department may continue to make payments for health care services at the currently contracted rates through the current term of the contract if a contract has been executed between the department and a hospital or a health care provider providing services at a hospital; however, payments may not exceed 110 percent of the Medicare allowable rate after the current term of the contract expires or after the contract is renewed during the 2012-2013 fiscal year;

(c) Payments may not exceed 110 percent of the Medicare allowable rate under a contract executed on or after July 1, 2012, between the department and a hospital or a health care provider providing services at a hospital;

(d) Notwithstanding paragraphs (a), (b), and (c), the department may pay up to 125 percent of the Medicare allowable rate for health care services at a hospital that reports or has reported a negative operating margin for the previous fiscal year to the Agency for Health Care Administration through hospital-audited financial data; and

(e) The department may not execute a contract for health care services at a hospital for rates other than rates based on a percentage of the Medicare allowable rate.

(2) For purposes of this section, the term "hospital" means a hospital licensed under chapter 395, Florida Statutes.

(3) This section expires July 1, 2013.

Section 17. In order to implement section 7 of the 2012-2013 General Appropriations Act, subsection (2) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—

(2) The Chief Justice of the Supreme Court may receive one or more trust fund loans ~~of up to $54 million in total, the purpose of which is~~ to ensure that the state court system has funds sufficient to meet its appropriations in the *2012-2013* ~~2011-2012~~ General Appropriations Act. If the Chief Justice accesses the loan, he or she must notify the Governor and the chairs of the legislative appropriations committees in writing. The loan must come from other funds in the State Treasury which are for the time being or otherwise in excess of the amounts necessary to meet the just requirements of such last-mentioned funds. The Governor shall order the transfer of funds within 5 days after the written notification from the Chief Justice. If the Governor does not order the transfer, the Chief Financial Officer shall transfer the requested funds. The loan of funds from which any money is temporarily transferred must be repaid by the end of the *2012-2013* ~~2011-2012~~ fiscal year. This subsection expires July 1, *2013* ~~2012~~.

Section 18. *In order to implement Specific Appropriation 850 of the 2012-2013 General Appropriations Act, and notwithstanding s. 28.2455, Florida Statutes, any funds remaining in the Clerks of Court Trust Fund may not be transferred to the General Revenue Fund and remain available to the clerks of court for expenditures during the 2012-2013 fiscal year. This section shall take effect upon this act becoming a law and expires July 1, 2013.*

Section 19. *In order to implement Specific Appropriations 850 and 3215 through 3238 of the 2012-2013 General Appropriations Act, the calculation of unit costs for the clerks of court and the state trial courts for the 2011-2012 and 2012-2013 fiscal years are contained in the documents entitled "Fiscal Year 2011-12 and Fiscal Year 2012-13 Clerks of Court Unit Cost Budgets" and "Fiscal Year 2011-12 and Fiscal Year 2012-13 Trial Courts Unit Cost Budgets" dated March 6, 2012, which are filed with the Clerk of the House of Representatives and incorporated by reference for the purpose of displaying the calculations used by the Legislature in making appropriations for the clerks of court and the state trial courts.*

Section 20. In order to implement section 7 of the 2012-2013 General Appropriations Act, paragraph (c) of subsection (4) of section 29.008, Florida Statutes, is amended to read:

29.008 County funding of court-related functions.—

(4)

(c) Counties are exempt from all requirements and provisions of paragraph (a) for the *2012-2013* ~~2011-2012~~ fiscal year. Accordingly, for the *2012-2013* ~~2011-2012~~ fiscal year, counties shall maintain, but are not required to increase, their expenditures for the items specified in paragraphs (1)(a)-(h) and subsection (3). The requirements described in paragraph (a) shall be reinstated beginning with the *2013-2014* ~~2012-2013~~ fiscal year. This paragraph expires July 1, *2013* ~~2012~~.

Section 21. In order to implement Specific Appropriation 2890 of the 2012-2013 General Appropriation Act, paragraph (b) of subsection (3) of section 282.709, Florida Statutes, is amended to read:

282.709 State agency law enforcement radio system and interoperability network.—

(3)

(b) Funds from the State Agency Law Enforcement Radio System Trust Fund may be used by the department to fund mutual aid buildout maintenance and sustainment *and the interoperability network created under subsection (4)* as appropriated by law. This paragraph expires July 1, *2013* ~~2012~~.

Section 22. *In order to implement Specific Appropriations 2743 through 2753 of the 2012-2013 General Appropriations Act, the Department of Management Services shall use interest earnings of the Communications Working Capital Trust Fund as the funding source for its responsibilities relating to the administration of the MyFlorida.com portal.*

Section 23. *In order to implement appropriations used for the payments of existing lease contracts for private lease space in excess of 2,000 square feet in the 2012-2013 General Appropriations Act, the Department of Management Services, together with the cooperation of the agencies having the existing lease contracts, shall utilize tenant broker services to renegotiate or reprocure all private lease agreements expiring between July 1, 2013, and June 30, 2015, in order to achieve a reduction in costs in future years. The department shall incorporate this initiative into its 2012 Master Leasing Report and may use tenant broker services to explore the possibilities of collocation, to review the space needs of each agency, and to review the length and terms of potential renewals or renegotiations. The department shall provide a report by March 1, 2013, to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives which lists each lease contract for private office or storage space, the status of renegotiations, and the savings achieved. This section expires July 1, 2013.*

Section 24. *In order to implement Specific Appropriations 3081A through 3089 of the 2012-2013 General Appropriations Act, notwithstanding s. 215.199(2), Florida Statutes, funds available in the Audit and Warrant Clearing Trust Fund for subsequent distribution to the General Revenue Fund shall be available to the tax collection service provider, as defined in s. 443.036(42), Florida Statutes, who shall make the interest payment required by s. 443.131(5), Florida Statutes, to the Federal Government in the amount directed by the Governor or the Governor's designee.*

Section 25. In order to implement Specific Appropriations 1662, 1685, and 1686 of the 2012-2013 General Appropriations Act, paragraph (b) of subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

(3)

(b) In addition to the uses allowed under paragraph (a), for the *2012-2013* ~~2011-2012~~ fiscal year, moneys in the Land Acquisition Trust Fund are authorized for transfer to support the Total Maximum Daily Loads Program*, Drinking Water Revolving Loan Trust Fund, and Wastewater Treatment and Stormwater Management Revolving Loan Trust Fund* as provided in the General Appropriations Act. This paragraph expires July 1, *2013* ~~2012~~.

Section 26. In order to implement Specific Appropriation 1644 of the 2012-2013 General Appropriations Act, subsection (12) of section 373.59, Florida Statutes, is amended to read:

373.59 Water Management Lands Trust Fund.—

(12) Notwithstanding subsection (8), and for the *2012-2013* ~~2011-2012~~ fiscal year only, the moneys from the Water Management Lands Trust Fund are allocated as follows:

(a) An amount necessary to pay debt service on bonds issued before February 1, 2009, by the South Florida Water Management District and the St. Johns River Water Management District, which are secured by revenues provided pursuant to this section, or to fund debt service reserve funds, rebate obligations, or other amounts payable with respect to such bonds;

(b) Eight million dollars to be transferred to the General Revenue Fund; and

(c) The remaining *appropriation* ~~funds~~ to be distributed to the Suwannee River Water Management District~~, of which $500,000 may be used for minimum flows and levels~~.

This subsection expires July 1, *2013* ~~2012~~.

Section 27. In order to implement Specific Appropriations 1664 through 1666 and 1668 and section 60 of the 2012-2013 General Ap-

propriations Act, paragraph (g) of subsection (1) of section 403.1651, Florida Statutes, is amended to read:

403.1651 Ecosystem Management and Restoration Trust Fund.—

(1) There is created the Ecosystem Management and Restoration Trust Fund to be administered by the Department of Environmental Protection for the purposes of:

(g) Funding activities to preserve and repair the state's beaches as provided in ss. 161.091-161.212. *This paragraph expires July 1, 2013.*

Section 28. In order to implement Specific Appropriation 1714 of the 2012-2013 General Appropriations Act, subsection (5) of section 403.7095, Florida Statutes, is amended to read:

403.7095 Solid waste management grant program.—

(5) Notwithstanding any other provision of this section, and for the *2012-2013* ~~2011-2012~~ fiscal year only, the Department of Environmental Protection shall award the sum of $2,400,000 in grants equally to counties having populations of fewer than 100,000 for waste tire and litter prevention, recycling education, and general solid waste programs. This subsection expires July 1, *2013* ~~2012~~.

Section 29. *In order to implement Specific Appropriation 1496 of the 2012-2013 General Appropriations Act and to provide consistency and continuity in the promotion of agriculture throughout the state, notwithstanding s. 287.057, Florida Statutes, the Department of Agriculture and Consumer Services may extend, revise, and renew current contracts or agreements created or entered into pursuant to chapter 2006-25, Laws of Florida. This section expires July 1, 2013.*

Section 30. In order to implement Specific Appropriations 1806, 1841, 1863, and 1903 of the 2012-2013 General Appropriations Act, subsection (4) is added to section 379.209, Florida Statutes, to read:

379.209 Nongame Wildlife Trust Fund.—

(4) The commission may transfer cash balances from the Nongame Wildlife Trust Fund to the Grants and Donations Trust Fund for the purpose of supporting cash flow needs. This subsection expires July 1, 2013.

Section 31. *In order to implement Specific Appropriations 1806, 1841, 1863, and 1903 of the 2012-2013 General Appropriations Act, the Fish and Wildlife Conservation Commission is authorized to transfer $500,000 in hunting and fishing license fees from the Grants and Donations Trust Fund to the State Game Trust Fund, to repay the loan originally authorized in Specific Appropriation 1950 in chapter 2008-152, Laws of Florida.*

Section 32. *In order to implement Specific Appropriation 1863A of the 2012-2013 General Appropriations Act relating to the restoration of Lake Apopka and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor is authorized to transfer appropriations between the Fish and Wildlife Conservation Commission and the Department of Environmental Protection as necessary to implement the approved list of projects. This section expires July 1, 2013.*

Section 33. In order to implement Specific Appropriation 1589 of the 2012-2013 General Appropriations Act, paragraph (m) is added to subsection (3) of section 259.105, Florida Statutes, to read:

259.105 The Florida Forever Act.—

(3) Less the costs of issuing and the costs of funding reserve accounts and other costs associated with bonds, the proceeds of cash payments or bonds issued pursuant to this section shall be deposited into the Florida Forever Trust Fund created by s. 259.1051. The proceeds shall be distributed by the Department of Environmental Protection in the following manner:

(m) Notwithstanding paragraphs (a)-(j) and for the 2012-2013 fiscal year only, the moneys appropriated from the Florida Forever Trust Fund shall be distributed only to the Division of State Lands within the Department of Environmental Protection for land acquisitions that are less-than-fee interest or for partnerships in which the state's portion of the acquisition cost is no more than 50 percent. This paragraph expires July 1, 2013.

Section 34. In order to implement section 77 of the 2012-2013 General Appropriations Act, subsections (3) and (4) of section 496 of chapter 2011-142, Laws of Florida, are amended to read:

Section 496. Commission on Oil Spill Response Coordination.—

(3) The board of trustees shall deliver the report to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Secretary of Environmental Protection, and the executive director of the Department of Economic Opportunity by *January 1, 2013* ~~September 1, 2012~~.

(4) This section expires *January 1, 2013* ~~September 30, 2012~~.

Section 35. In order to implement Specific Appropriation 1922 of the 2012-2013 General Appropriations Act, paragraph (a) of subsection (3) of section 311.07, Florida Statutes, is amended to read:

311.07 Florida seaport transportation and economic development funding.—

(3)(a) Program funds shall be used to fund approved projects on a 50-50 matching basis with any of the deepwater ports, as listed in s. 403.021(9)(b), which is governed by a public body or any other deepwater port which is governed by a public body and which complies with the water quality provisions of s. 403.061, the comprehensive master plan requirements of s. 163.3178(2)(k), and the local financial management and reporting provisions of part III of chapter 218. However, program funds used to fund projects that involve the rehabilitation of wharves, docks, berths, bulkheads, or similar structures shall require a 25-percent match of funds*, except for such projects for ports located in counties designated as a rural area of critical economic concern, as defined in s. 288.0656, which are eligible for waiver of match requirements*. Program funds also may be used by the Seaport Transportation and Economic Development Council to develop trade data information products which will assist Florida's seaports and international trade.

Section 36. *The amendment to s. 311.07(3)(a), Florida Statutes, shall expire July 1, 2013, and the text of that paragraph shall revert to that in existence on June 30, 2012, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 37. *In order to implement the appropriation of funds in appropriation category "Special Categories-Risk Management Insurance" in the 2012-2013 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance. This section expires July 1, 2013.*

Section 38. *In order to implement the appropriation of funds in the appropriation category "Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased Per Statewide Contract" in the 2012-2013 General Appropriations Act," and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the assessments that must be paid by each agency to the Department of Management Services for human resource management services. This section expires July 1, 2013.*

Section 39. In order to implement specific appropriations for salaries and benefits in the 2012-2013 General Appropriations Act, paragraph (a) of subsection (12) of section 110.123, Florida Statutes, is amended to read:

110.123 State group insurance program.—

(12) HEALTH SAVINGS ACCOUNTS.—The department is authorized to establish health savings accounts for full-time and part-time state employees in association with a health insurance plan option authorized by the Legislature and conforming to the requirements and

limitations of federal provisions relating to the Medicare Prescription Drug, Improvement, and Modernization Act of 2003.

(a)1. A member participating in this health insurance plan option is eligible to receive an employer contribution into the employee's health savings account from the State Employees Health Insurance Trust Fund in an amount to be determined by the Legislature. A member is not eligible for an employer contribution upon termination of employment. For the *2012-2013* ~~2011-2012~~ fiscal year, the state's monthly contribution for employees having individual coverage shall be $41.66 and the monthly contribution for employees having family coverage shall be $83.33.

2. A member participating in this health insurance plan option is eligible to deposit the member's own funds into a health savings account.

Section 40. In order to implement specific appropriations for salaries and benefits in the 2012-2013 General Appropriations Act, paragraph (b) of subsection (3) of section 112.24, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

112.24 Intergovernmental interchange of public employees.—To encourage economical and effective utilization of public employees in this state, the temporary assignment of employees among agencies of government, both state and local, and including school districts and public institutions of higher education is authorized under terms and conditions set forth in this section. State agencies, municipalities, and political subdivisions are authorized to enter into employee interchange agreements with other state agencies, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher education. State agencies are also authorized to enter into employee interchange agreements with private institutions of higher education and other nonprofit organizations under the terms and conditions provided in this section. In addition, the Governor or the Governor and Cabinet may enter into employee interchange agreements with a state agency, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher learning to fill, subject to the requirements of chapter 20, appointive offices which are within the executive branch of government and which are filled by appointment by the Governor or the Governor and Cabinet. Under no circumstances shall employee interchange agreements be utilized for the purpose of assigning individuals to participate in political campaigns. Duties and responsibilities of interchange employees shall be limited to the mission and goals of the agencies of government.

(3) Salary, leave, travel and transportation, and reimbursements for an employee of a sending party that is participating in an interchange program shall be handled as follows:

(b)~~1.~~ The assignment of an employee of a state agency on detail or on leave of absence may be made without reimbursement by the receiving party for the travel and transportation expenses to or from the place of the assignment or for the pay and benefits, or a part thereof, of the employee during the assignment.

~~2. For the 2011-2012 fiscal year only, the assignment of an employee of a state agency as provided in subparagraph 1. may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the legislative appropriations committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after the chair's receiving notice of the action pursuant to s. 216.177. This subparagraph expires July 1, 2012.~~

(6) For the 2012-2013 fiscal year only, the assignment of an employee of a state agency as provided in this section may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the legislative appropriations committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after the chair's receiving notice of the action pursuant to s. 216.177. This subsection expires July 1, 2013.

Section 41. *In order to implement Specific Appropriations 2710 and 2711 of the 2012-2013 General Appropriations Act and notwithstanding s. 11.13(1), Florida Statutes, the authorized salaries for members of the Legislature for the 2012-2013 fiscal year shall be set at the same level in effect on July 1, 2010. This section expires July 1, 2013.*

Section 42. In order to implement the transfer of funds to the General Revenue Fund from trust funds in the 2012-2013 General Appropriations Act, paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is amended to read:

215.32 State funds; segregation.—

(2) The source and use of each of these funds shall be as follows:

(b)1. The trust funds shall consist of moneys received by the state which under law or under trust agreement are segregated for a purpose authorized by law. The state agency or branch of state government receiving or collecting such moneys is responsible for their proper expenditure as provided by law. Upon the request of the state agency or branch of state government responsible for the administration of the trust fund, the Chief Financial Officer may establish accounts within the trust fund at a level considered necessary for proper accountability. Once an account is established, the Chief Financial Officer may authorize payment from that account only upon determining that there is sufficient cash and releases at the level of the account.

2. In addition to other trust funds created by law, to the extent possible, each agency shall use the following trust funds as described in this subparagraph for day-to-day operations:

a. Operations or operating trust fund, for use as a depository for funds to be used for program operations funded by program revenues, with the exception of administrative activities when the operations or operating trust fund is a proprietary fund.

b. Operations and maintenance trust fund, for use as a depository for client services funded by third-party payors.

c. Administrative trust fund, for use as a depository for funds to be used for management activities that are departmental in nature and funded by indirect cost earnings and assessments against trust funds. Proprietary funds are excluded from the requirement of using an administrative trust fund.

d. Grants and donations trust fund, for use as a depository for funds to be used for allowable grant or donor agreement activities funded by restricted contractual revenue from private and public nonfederal sources.

e. Agency working capital trust fund, for use as a depository for funds to be used pursuant to s. 216.272.

f. Clearing funds trust fund, for use as a depository for funds to account for collections pending distribution to lawful recipients.

g. Federal grant trust fund, for use as a depository for funds to be used for allowable grant activities funded by restricted program revenues from federal sources.

To the extent possible, each agency must adjust its internal accounting to use existing trust funds consistent with the requirements of this subparagraph. If an agency does not have trust funds listed in this subparagraph and cannot make such adjustment, the agency must recommend the creation of the necessary trust funds to the Legislature no later than the next scheduled review of the agency's trust funds pursuant to s. 215.3206.

3. All such moneys are hereby appropriated to be expended in accordance with the law or trust agreement under which they were received, subject always to the provisions of chapter 216 relating to the appropriation of funds and to the applicable laws relating to the deposit or expenditure of moneys in the State Treasury.

4.a. Notwithstanding any provision of law restricting the use of trust funds to specific purposes, unappropriated cash balances from selected trust funds may be authorized by the Legislature for transfer to the ~~State School Trust Fund,~~ Budget Stabilization Fund~~,~~ and General Revenue Fund in the General Appropriations Act.

b. This subparagraph does not apply to trust funds required by federal programs or mandates; trust funds established for bond covenants, indentures, or resolutions whose revenues are legally pledged by the state or public body to meet debt service or other financial requirements of any debt obligations of the state or any public body; the Division

of Licensing Trust Fund in the Department of Agriculture and Consumer Services; the State Transportation Trust Fund; the trust fund containing the net annual proceeds from the Florida Education Lotteries; the Florida Retirement System Trust Fund; trust funds under the management of the State Board of Education or the Board of Governors of the State University System, where such trust funds are for auxiliary enterprises, self-insurance, and contracts, grants, and donations, as those terms are defined by general law; trust funds that serve as clearing funds or accounts for the Chief Financial Officer or state agencies; trust funds that account for assets held by the state in a trustee capacity as an agent or fiduciary for individuals, private organizations, or other governmental units; and other trust funds authorized by the State Constitution.

Section 43. *The amendment to s. 215.32(2)(b), Florida Statutes, as carried forward by this act from chapter 2011-47, Laws of Florida, shall expire July 1, 2013, and the text of that paragraph shall revert to that in existence on June 30, 2011, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 44. In order to implement the transfer of moneys to the General Revenue Fund from trust funds in the 2012-2013 General Appropriations Act, paragraph (b) of subsection (4) of section 215.5601, Florida Statutes, is reenacted to read:

215.5601 Lawton Chiles Endowment Fund.—

(4) ADMINISTRATION.—

(b) The endowment shall be managed as an annuity. The investment objective is the long-term preservation of the real value of the net contributed principal and a specified regular annual cash outflow for appropriation, as nonrecurring revenue. From the annual cash outflow, a pro rata share shall be used solely for biomedical research activities as provided in paragraph (3)(d), until such time as cures are found for tobacco-related cancer and heart and lung disease. Five percent of the annual cash outflow dedicated to the biomedical research portion of the endowment shall be reinvested and applied to that portion of the endowment's principal, with the remainder to be spent on biomedical research activities consistent with this section. The schedule of annual cash outflow must be included within the investment plan adopted under paragraph (a). Withdrawals other than specified regular cash outflow are considered reductions in contributed principal for the purposes of this subsection.

Section 45. *The amendment to s. 215.5601(4)(b), Florida Statutes, as carried forward by this act from chapter 2011-47, Laws of Florida, shall expire July 1, 2013, and the text of that paragraph shall revert to that in existence on June 30, 2010, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 46. In order to implement section 132 of the 2012-2013 General Appropriations Act, paragraph (f) is added to subsection (5) of section 215.5601, Florida Statutes, to read:

215.5601 Lawton Chiles Endowment Fund.—

(5) AVAILABILITY OF FUNDS; USES.—

(f) Notwithstanding any provision of this section to the contrary, during the 2012-2013 fiscal year $350 million shall be transferred from the endowment to the General Revenue Fund. This paragraph expires June 30, 2013.

Section 47. *In order to implement the issuance of new debt authorized in the 2012-2013 General Appropriations Act, and pursuant to s. 215.98, Florida Statutes, the Legislature determines that the authorization and issuance of debt for the 2012-2013 fiscal year should be implemented, is in the best interest of the state, and necessary to address a critical state emergency. This section expires July 1, 2013.*

Section 48. *In order to implement the funds appropriated in the 2012-2013 General Appropriations Act for state employee travel, the funds appropriated to each state agency, which may be used for travel by state employees, are limited during the 2012-2013 fiscal year to travel for activities that are critical to each state agency's mission. Funds may not be used to pay for travel by state employees to foreign countries, other states, conferences, staff-training activities, or other administrative functions unless the agency head has approved in writing that such activities are critical to the agency's mission. The agency head must consider the use of teleconferencing and other forms of electronic communication to meet the needs of the proposed activity before approving mission-critical travel. This section does not apply to travel for law enforcement purposes, military purposes, emergency management activities, or public health activities. This section expires July 1, 2013.*

Section 49. *In order to implement appropriations authorized in the 2012-2013 General Appropriations Act for data center services scheduled for consolidation in the 2012-2013 fiscal year, pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the consolidating agencies may request the transfer of resources between Data Processing Services appropriation categories and the appropriation categories for operations based upon changes to the consolidation schedule. This section expires July 1, 2013.*

Section 50. *In order to implement the appropriations authorized in the 2012-2013 General Appropriations Act for each of the state's designated primary data centers, which are funded from the data processing appropriation category for computing services of user agencies, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated for data processing in the 2012-2013 General Appropriations Act between agencies in order to align the budget authority granted with the utilization rate of each department. This section expires July 1, 2013.*

Section 51. *In order to implement Specific Appropriation 2876 of the 2012-2013 General Appropriations Act, the Executive Office of the Governor may transfer funds appropriated in the appropriation category "Expenses" of the 2012-2013 General Appropriations Act between agencies in order to allocate a reduction relating to SUNCOM services. This section expires July 1, 2013.*

Section 52. In order to implement section 8 of the General Appropriations Act for the 2012-2013 fiscal year, paragraph (b) of subsection (2) of section 110.12315, Florida Statutes, is amended, and paragraph (a) subsection (7) of that section is reenacted and amended, to read:

110.12315 Prescription drug program.—The state employees' prescription drug program is established. This program shall be administered by the Department of Management Services, according to the terms and conditions of the plan as established by the relevant provisions of the annual General Appropriations Act and implementing legislation, subject to the following conditions:

(2) In providing for reimbursement of pharmacies for prescription medicines dispensed to members of the state group health insurance plan and their dependents under the state employees' prescription drug program:

(b) There shall be a 30-day supply limit for prescription card purchases and 90-day supply limit for mail order or mail order prescription drug purchases. *The Department of Management Services may implement a 90-day supply limit program for certain maintenance drugs as determined by the department at retail pharmacies participating in the program if the department determines it to be in the best financial interest of the state.*

(7) Under the state employees' prescription drug program copayments must be made as follows:

(a) Effective January 1, *2012* ~~2011~~, for the State Group Health Insurance Standard Plan:

1. For generic drug with card $7.

2. For preferred brand name drug with card $30.

3. For nonpreferred brand name drug with card $50.

4. For generic mail order drug $14.

5. For preferred brand name mail order drug $60.

6. For nonpreferred brand name mail order drug $100.

Section 53. *(1) The amendment to s. 110.12315(2)(b), Florida Statutes, shall expire July 1, 2013, and the text of that paragraph shall revert to that in existence on June 30, 2012, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

(2) The amendment to s. 110.12315(7)(a), Florida Statutes, as carried forward by this act from chapter 2011-47, Laws of Florida, shall expire on July 1, 2013, and the text of that paragraph shall revert to that in existence on December 31, 2010, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 54. *In order to implement Specific Appropriation 209 of the 2012-2013 General Appropriations Act and notwithstanding chapter 287, Florida Statutes, the Agency for Health Care Administration shall competitively reprocure a Florida Discount Drug Card Program to provide market competitive discounts through a broad network of retail pharmacies and a mail order pharmacy within the state and return money to the state on a per prescription dispensed basis. Discounts must be available to Florida residents without income restrictions. Residents must be able to enroll and acquire a member identification card from the participating pharmacies, online and through text messaging, without a charge. Revenues derived from this contract shall be deposited into the agency's Grants and Donations Trust Fund to reduce the cost of Medicaid pharmacy purchases. This section expires July 1, 2013.*

Section 55. *Any section of this act which implements a specific appropriation or specifically identified proviso language in the 2012-2013 General Appropriations Act is void if the specific appropriation or specifically identified proviso language is vetoed. Any section of this act which implements more than one specific appropriation or more than one portion of specifically identified proviso language in the 2012-2013 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.*

Section 56. *If any other act passed during the 2012 Regular Session contains a provision that is substantively the same as a provision in this act, but that removes or is otherwise not subject to the future repeal applied to such provision by this act, the Legislature intends that the provision in the other act takes precedence and continues to operate, notwithstanding the future repeal provided by this act.*

Section 57. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

Section 58. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2012; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and shall operate retroactively to July 1, 2012.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to implementing the 2012-2013 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2012-2013 fiscal year; amending s. 216.292, F.S.; authorizing the transfer of funds between appropriation categories to fund fixed capital outlay projects for charter schools upon certain approval; authorizing a university board of trustees to expend reserve or carryforward balances for the establishment of a new campus; providing requirements to govern the completion of Phase 2 and Phase 3 of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study; prohibiting any state agency from adopting or implementing a rule or policy mandating or establishing new nitrogen-reduction limits under certain circumstances; incorporating by reference certain calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs for the 2012-2013 fiscal year; amending s. 20.04, F.S.; providing for organizational units called "circuits" and "regions" in the Department of Children and Family Services; amending s. 409.912, F.S.; authorizing the Agency for Health Care Administration to provide a Medicaid prepaid dental health program in Miami-Dade County; authorizing the agency to seek revisions or amendments to the state plan or federal waivers in order to implement the program; requiring that the agency terminate existing contracts as necessary to implement the program; requiring certain budget amendments recommending the release of funds for the Crestview Education Center project at Florida Agricultural and Mechanical University to provide more notice and be subject to certain objection procedures; requiring the Department of Health to present a plan to the Legislative Budget Commission which estimates the workload and funding needs to implement the onsite sewage treatment and disposal system evaluation program; amending s. 216.262, F.S.; authorizing the Department of Corrections to submit a budget amendment for additional positions to operate additional prison bed capacity under certain circumstances; authorizing the Department of Legal Affairs to transfer certain funds to pay salaries and benefits and to continue to expend appropriated funds as directed in prior appropriations acts; authorizing the Department of Legal Affairs to spend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; amending s. 932.7055, F.S.; authorizing a municipality to expend funds from its special law enforcement trust fund to reimburse the municipality's general fund; requiring the Department of Juvenile Justice to comply with specified reimbursement limitations with respect to payments to hospitals or health care providers for health care services; authorizing certain payments pursuant to a contracted rate only until the contract expires or is renewed; defining the term "hospital" for purposes of such limitations; amending s. 215.18, F.S.; providing for trust fund loans to the state court system sufficient to meet its appropriation; providing that any funds remaining in the Clerks of the Courts Trust Fund remain available to the clerks; incorporating certain documents by reference which display the calculations used to make the appropriations for the clerks of the court and the state trial courts; amending s. 29.008, F.S., relating to county funding of court-related functions; providing counties with an exemption from the requirement to annually increase certain expenditures by a specified percentage; amending s. 282.709, F.S.; allowing funds from the State Agency Law Enforcement Radio System Trust Fund to be used for mutual aid buildout maintenance and sustainment and the interoperability network; requiring the Department of Management Services to use certain interest earnings to fund the administration of the MyFlorida.com portal; directing the Department of Management Services to use a tenant broker to renegotiate certain leases and provide a report to the Legislature; authorizing funds available in the Audit and Warrant Clearing Trust Fund to be available for certain interest payments to the Federal Government; amending s. 375.041, F.S.; providing for the transfer of moneys from the Land Acquisition Trust Fund to support the Total Maximum Daily Loads Program, Drinking Water Revolving Loan Trust Fund, and Wastewater Treatment and Stormwater Management Revolving Loan Trust Fund; amending s. 373.59, F.S.; providing for the allocation and distribution of moneys from the Water Management Lands Trust Fund for certain purposes; amending s. 403.1651, F.S.; authorizing the use of funds from the Ecosystem Management and Restoration Trust Fund to fund activities to preserve and repair the state's beaches; amending s. 403.7095, F.S.; requiring the Department of Environmental Protection to award a specified amount in grants to certain counties for solid waste programs; authorizing the Department of Agriculture and Consumer Services to extend, revise, and renew current contracts or agreements created or entered into for the purpose of promotion of agriculture; amending s. 379.209, F.S.; authorizing the Fish and Wildlife Conservation Commission to transfer funds from the Nongame Wildlife Trust Fund to the Grants and Donations Trust Fund to support cash flow needs; authorizing the Fish and Wildlife Conservation Commission to transfer a specified amount of funds in hunting and fishing license fees from the Grants and Donations Trust Fund to the State Game Trust Fund for the purpose repaying a loan; authorizing the Executive Office of the Governor to transfer appropriations between the Fish and Wildlife Conservation Commission and the Department of Environmental Protection in order to implement projects relating to the restoration of Lake Apopka; amending s. 259.105, F.S.; providing that funds in the Florida Forever Trust Fund may be distributed only to the Division of State Lands for purposes of certain land acquisitions; amending chapter 2011-142, Laws of Florida; extending the date the Commission on Oil Spill Response Coordination must submit a report relating to offshore oil drilling and damage claims; amending s. 311.07, F.S., relating to seaport transportation and economic development funding; exempting certain projects for ports located in counties designated as rural areas of critical economic concern from match require-

ments; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 110.123, F.S., relating to the state group insurance program; providing the amounts of the state's monthly contribution; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency; providing that the annual salary of the members of the Legislature be maintained at a specified level; amending s. 215.32, F.S.; revising provisions relating to the source and use of certain trust funds to implement the transfer of funds to the General Revenue Fund from trust funds in the 2012-2013 General Appropriations Act; reenacting s. 215.5601(4)(b), F.S., relating to the administration of the Lawton Chiles Endowment Fund; amending s. 215.5601, F.S., relating to the Lawton Chiles Endowment Fund; authorizing transfer of funds from the endowment to the General Revenue Fund; providing a legislative finding that the issuance of new debt is in the best interests of the state and necessary to address a critical state emergency; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; authorizing certain agencies to request the transfer of resources between Data Processing Services appropriation categories and appropriation categories for operation based upon changes to the data center services consolidation schedule; authorizing the Executive Office of the Governor to transfer funds for use by the state's designated primary data centers; authorizing the Executive Office of the Governor to transfer funds between agencies in order to allocate a reduction relating to SUNCOM; amending s. 110.12315, F.S.; revising the conditions under which pharmacies are provided reimbursement for prescription medicines that are dispensed to members of the state group health insurance plan under the state employees' prescription drug program; authorizing the Department of Management Services to implement a supply limit program for certain maintenance drugs; reenacting provisions specifying copayment amounts for the state employees' prescription drug program; requiring the Agency for Health Care Administration to reprocure the Florida Discount Drug Card Program; providing requirements for the program; providing that revenues derived from the contract be deposited into the agency's Grants and Donations Trust Fund; providing for reversion of statutory text of certain provisions; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by this act; providing for severability; providing effective dates.

On motion by Senator Alexander, the Conference Committee Report on **HB 5003** was adopted. **HB 5003** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Simmons
Bogdanoff	Hays	Siplin
Bullard	Jones	Sobel
Dean	Latvala	Storms
Detert	Lynn	Thrasher
Diaz de la Portilla	Margolis	Wise
Evers	Montford	
Fasano	Negron	

Nays—6

Braynon	Joyner	Sachs
Dockery	Rich	Smith

DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **HB 5003** which comes before the Senate floor for a vote on March 9, 2012.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 4th District

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5301, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5301

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5301, same being:

An act relating to Medicaid services.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
At Large
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz, At Large
Andy Gardiner, At Large
s/ Alan Hays
s/ Arthenia L. Joyner, At Large
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
Eleanor Sobel
John Thrasher, At Large

s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich, At Large
s/ Jeremy Ring
s/ David Simmons
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
s/ Michael Bileca
Richard Corcoran
Janet Cruz
s/ Jose Felix Diaz
s/ James C. "Jim" Frishe, At Large
Dorothy L. Hukill, At Large
s/ John Legg, At Large
s/ Seth McKeel, At Large
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large

s/ Matt Hudson
Lead Manager
s/ Dennis K. Baxley
s/ Charles S. "Chuck" Chestnut IV
At Large
s/ Daniel Davis
Chris Dorworth, At Large
s/ Doug Holder, At Large
Mia L. Jones, At Large
s/ Carlos Lopez-Cantera, At Large
Mark S. Pafford
Ron Saunders, At Large
Elaine J. Schwartz
s/ William D. Snyder, At Large

s/ Will W. Weatherford, At Large *s/ John Wood*
s/ Dana D. Young

Managers on the part of the House

The Conference Committee Amendment for, HB 5301, provides for the following:

- Removes the prohibition against subsidized Kidcare coverage for children of public employees who are eligible for state group health insurance, thereby allowing children of public employees to enroll in subsidized Kidcare if they meet the program's eligibility requirements.

- Directs the Department of Children and Families (DCF) and the Agency for Health Care Administration (AHCA), subject to an appropriation, to develop a new system of eligibility for Medicaid and Kidcare, consistent with requirements of federal and state laws.

- Limits Medicaid payment for hospital emergency room services for non-pregnant adults to 6 visits per year.

- Changes the statutory deadline for Medicaid hospital rates to be adjusted within any fiscal year from September 30 to October 31. Allows rate reductions beyond the deadline only in cases of insufficient collections of funds voluntarily donated by local taxing authorities designed to augment hospital rates.

- Revises the timeline and parameters for AHCA to develop a plan to transfer the state's hospital payments to a diagnosis related group (DRG) system, with a target implementation date of July 1, 2013, subject to Legislative approval.

- Updates statutes relating to the disproportionate share hospital (DSH) program so the program uses the proper data to calculate the distribution of dollars. Also repeals two sections of statute for two perennially unfunded DSH programs.

- Revises the methodology for determining a county's eligible recipients for the purpose of county contributions to Medicaid and revises the methodology of collecting those funds.

□For past due billings, a county may pay 85 percent of the amount due over the next five years. In the alternative, a county may choose to be subject to 100 percent of the past due amount but can make a claim before the Division of Administrative Hearings to have the amount reduced if the county believes the amount billed is incorrect.

□For prospective billings, the state each month will withhold from a county's distribution of funds from the local government half-cent sales tax an amount equal to the county's required contribution to Medicaid for that month. If a county believes the state has withheld too much due to errors in the state's Medicaid eligibility system data base, the county may request a refund based on reasons submitted with the request.

□The bill also requires AHCA and DCF to create a system for hospitals and nursing homes to assist the state in making any needed updates in the Medicaid data base for Medicaid recipients' county of residence when recipients are admitted. If updates are needed, they must be performed within 10 days of admission

- Expands statewide two Medicaid anti-fraud pilot projects relating to home health care.

- Authorizes the establishment or expansion of Programs of All-inclusive Care for the Elderly (PACE) in Manatee, Sarasota, DeSoto, and Broward counties.

- Expands statewide a pilot project for the delivery of Medicaid services for persons diagnosed with HIV/AIDS, in partnership with a university-based, research-oriented program that specializes in health care for HIV/AIDS patients.

Conference Committee Amendment (484569)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 383.15, Florida Statutes, is amended to read:

383.15 Legislative intent; perinatal intensive care services.—The Legislature finds ~~and declares~~ that many perinatal diseases and disabilities have debilitating, costly, and often fatal consequences if left untreated. Many of these debilitating conditions could be prevented or ameliorated if services were available to the public through a regional perinatal intensive care centers program. Perinatal intensive care services are critical to the well-being and development of a healthy society and represent a constructive, cost-beneficial, and essential investment in the future of our state. Therefore, it is the intent of the Legislature to develop a regional perinatal intensive care centers program. The Legislature further intends that development of *such* ~~a regional perinatal intensive care centers~~ program ~~shall~~ not reduce or dilute the current financial commitment of the state, as indicated through appropriation, to the existing regional perinatal intensive care centers. It is *also* the intent of the Legislature that any additional *centers* ~~regional perinatal intensive care center~~ authorized under s. 383.19 after July 1, 1993, ~~shall~~ not receive payments *under a disproportionate share program for regional perinatal intensive care centers* authorized under *chapter 409* ~~s. 409.9112~~ unless specific appropriations are provided to expand such payments to additional hospitals.

Section 2. Paragraph (b) of subsection (6) of section 409.8132, Florida Statutes, is amended to read:

409.8132 Medikids program component.—

(6) ELIGIBILITY.—

(b) The provisions of s. *409.814 apply* ~~409.814(3), (4), (5), and (6) shall be applicable~~ to the Medikids program.

Section 3. Section 409.814, Florida Statutes, is amended to read:

409.814 Eligibility.—A child who has not reached 19 years of age whose family income is equal to or below 200 percent of the federal poverty level is eligible for the Florida Kidcare program as provided in this section. ~~For enrollment in the Children's Medical Services Network, a complete application includes the medical or behavioral health screening.~~ If~~, subsequently,~~ an *enrolled* individual is determined to be ineligible for coverage, he or she must *be* immediately ~~be~~ disenrolled from the respective Florida Kidcare program component.

(1) A child who is eligible for Medicaid coverage under s. 409.903 or s. 409.904 must be enrolled in Medicaid and is not eligible to receive health benefits under any other health benefits coverage authorized under the Florida Kidcare program.

(2) A child who is not eligible for Medicaid, but who is eligible for the Florida Kidcare program, may obtain health benefits coverage under any of the other components listed in s. 409.813 if such coverage is approved and available in the county in which the child resides.

(3) A Title XXI-funded child who is eligible for the Florida Kidcare program who is a child with special health care needs, as determined through a medical or behavioral screening instrument, is eligible for health benefits coverage from and shall be assigned to and may opt out of the Children's Medical Services Network.

(4) The following children are not eligible to receive Title XXI-funded premium assistance for health benefits coverage under the Florida Kidcare program, except under Medicaid if the child would have been eligible for Medicaid under s. 409.903 or s. 409.904 as of June 1, 1997:

~~(a) A child who is eligible for coverage under a state health benefit plan on the basis of a family member's employment with a public agency in the state.~~

(a)~~(b)~~ A child who is covered under a family member's group health benefit plan or under other private or employer health insurance coverage, if the cost of the child's participation is not greater than 5 percent of the family's income. If a child is otherwise eligible for a subsidy under the Florida Kidcare program and the cost of the child's participation in the family member's health insurance benefit plan is greater than 5 percent of the family's income, the child may enroll in the appropriate subsidized Kidcare program.

(b)~~(c)~~ A child who is seeking premium assistance for the Florida Kidcare program through employer-sponsored group coverage, if the child has been covered by the same employer's group coverage during the

60 days *before the family submitted* ~~prior to the family's submitting~~ an application for determination of eligibility under the program.

(c)~~(d)~~ A child who is an alien, but who does not meet the definition of qualified alien, in the United States.

(d)~~(e)~~ A child who is an inmate of a public institution or a patient in an institution for mental diseases.

(e)~~(f)~~ A child who is otherwise eligible for premium assistance for the Florida Kidcare program and has had his or her coverage in an employer-sponsored or private health benefit plan voluntarily canceled in the last 60 days, except those children whose coverage was voluntarily canceled for good cause, including, but not limited to, the following circumstances:

1. The cost of participation in an employer-sponsored health benefit plan is greater than 5 percent of the family's income;

2. The parent lost a job that provided an employer-sponsored health benefit plan for children;

3. The parent who had health benefits coverage for the child is deceased;

4. The child has a medical condition that, without medical care, would cause serious disability, loss of function, or death;

5. The employer of the parent canceled health benefits coverage for children;

6. The child's health benefits coverage ended because the child reached the maximum lifetime coverage amount;

7. The child has exhausted coverage under a COBRA continuation provision;

8. The health benefits coverage does not cover the child's health care needs; or

9. Domestic violence led to loss of coverage.

(5) A child who is otherwise eligible for the Florida Kidcare program and who has a preexisting condition that prevents coverage under another insurance plan as described in paragraph *(4)(a)* ~~(4)(b)~~ which would have disqualified the child for the Florida Kidcare program if the child were able to enroll in the plan *is* ~~shall be~~ eligible for Florida Kidcare coverage when enrollment is possible.

(6) A child whose family income is above 200 percent of the federal poverty level or a child who is excluded under the provisions of subsection (4) may participate in the Florida Kidcare program as provided in s. 409.8132 or, if the child is ineligible for Medikids by reason of age, in the Florida Healthy Kids program, subject to the following ~~provisions~~:

(a) The family is not eligible for premium assistance payments and must pay the full cost of the premium, including any administrative costs.

(b) The board of directors of the Florida Healthy Kids Corporation may offer a reduced benefit package to these children in order to limit program costs for such families.

(7) Once a child is enrolled in the Florida Kidcare program, the child is eligible for coverage ~~under the program~~ for 12 months without a redetermination or reverification of eligibility, if the family continues to pay the applicable premium. Eligibility for program components funded through Title XXI of the Social Security Act *terminates* ~~shall terminate~~ when a child attains the age of 19. A child who has not attained the age of 5 and who has been determined eligible for the Medicaid program is eligible for coverage for 12 months without a redetermination or reverification of eligibility.

(8) When determining or reviewing a child's eligibility under the Florida Kidcare program, the applicant shall be provided with reasonable notice of changes in eligibility which may affect enrollment in one or more of the program components. *If* ~~When~~ a transition from one program component to another is authorized, there shall be cooperation between the program components and the affected family which promotes continuity of health care coverage. Any authorized transfers must be managed within the program's overall appropriated or authorized levels of funding. Each component of the program shall establish a reserve to ensure that transfers between components will be accomplished within current year appropriations. These reserves shall be reviewed by each convening of the Social Services Estimating Conference to determine the adequacy of such reserves to meet actual experience.

(9) In determining the eligibility of a child, an assets test is not required. Each applicant shall provide documentation during the application process and the redetermination process, including, but not limited to, the following:

(a) ~~Each applicant's~~ Proof of family income*, which must* ~~shall~~ be verified electronically to determine financial eligibility for the Florida Kidcare program. Written documentation, which may include wages and earnings statements or pay stubs, W-2 forms, or a copy of the applicant's most recent federal income tax return, *is* ~~shall be~~ required only if the electronic verification is not available or does not substantiate the applicant's income.

(b) ~~Each applicant shall provide~~ A statement from all applicable, employed family members that:

1. Their employers do not sponsor health benefit plans for employees;

2. The potential enrollee is not covered by an employer-sponsored health benefit plan; or

3. The potential enrollee is covered by an employer-sponsored health benefit plan and the cost of the employer-sponsored health benefit plan is more than 5 percent of the family's income.

(c) To enroll in the Children's Medical Services Network, a completed application, including a clinical screening.

(10) Subject to paragraph *(4)(a)* ~~(4)(b)~~, the Florida Kidcare program shall withhold benefits from an enrollee if the program obtains evidence that the enrollee is no longer eligible, submitted incorrect or fraudulent information in order to establish eligibility, or failed to provide verification of eligibility. The applicant or enrollee shall be notified that because of such evidence program benefits will be withheld unless the applicant or enrollee contacts a designated representative of the program by a specified date, which must be within 10 working days after the date of notice, to discuss and resolve the matter. The program shall make every effort to resolve the matter within a timeframe that will not cause benefits to be withheld from an eligible enrollee.

(11) The following individuals may be subject to prosecution in accordance with s. 414.39:

(a) An applicant obtaining or attempting to obtain benefits for a potential enrollee under the Florida Kidcare program when the applicant knows or should have known the potential enrollee does not qualify for the Florida Kidcare program.

(b) An individual who assists an applicant in obtaining or attempting to obtain benefits for a potential enrollee under the Florida Kidcare program when the individual knows or should have known the potential enrollee does not qualify for the Florida Kidcare program.

Section 4. Subsections (3) through (8) are added to section 409.902, Florida Statutes, to read:

409.902 Designated single state agency; payment requirements; program title; release of medical records.—

(3) To the extent that funds are appropriated, the department shall collaborate with the Agency for Health Care Administration to develop an Internet-based system that is modular, interoperable, and scalable for eligibility determination for Medicaid and the Children's Health Insurance Program (CHIP) that complies with all applicable federal and state laws and requirements.

(4) The system shall accomplish the following primary business objectives:

(a) Provide individuals and families with a single point of access to information that explains benefits, premiums, and cost-sharing available through Medicaid, the Children's Health Insurance Program, or any other state or federal health insurance exchange.

(b) Enable timely, accurate, and efficient enrollment of eligible persons into available assistance programs.

(c) Prevent eligibility fraud.

(d) Allow for detailed financial analysis of eligibility-based cost drivers.

(5) The system shall include, but is not limited to, the following business and functional requirements:

(a) Allow for the completion and submission of an online application for eligibility determination that accepts the use of electronic signatures.

(b) Include a process that enables automatic enrollment of qualified individuals in Medicaid, the Children's Health Insurance Program, or any other state or federal exchange that offers cost-sharing benefits for the purchase of health insurance.

(c) Allow for the determination of Medicaid eligibility based on modified adjusted gross income by using information submitted in the application and information accessed and verified through automated and secure interfaces with authorized databases.

(d) Include the ability to determine specific categories of Medicaid eligibility and interfaces with the Florida Medicaid Management Information System to support a determination, using federally approved assessment methodologies, of state and federal financial participation rates for persons in each eligibility category.

(e) Allow for the accurate and timely processing of eligibility claims and adjudications.

(f) Align with and incorporate all applicable state and federal laws, requirements, and standards to include the information technology security requirements established pursuant to s. 282.318 and the accessibility standards established under part II of chapter 282.

(g) Produce transaction data, reports, and performance information that contribute to an evaluation of the program, continuous improvement in business operations, and increased transparency and accountability.

(6) The department shall develop the system, subject to the approval by the Legislative Budget Commission and as required by the General Appropriations Act for the 2012-2013 fiscal year.

(7) The system must be completed by October 1, 2013, and ready for implementation by January 1, 2014.

(8) The department shall implement the following project-governance structure until the system is implemented:

(a) The Secretary of Children and Family Services shall have overall responsibility for the project.

(b) The project shall be governed by an executive steering committee composed of three department staff members appointed by the Secretary of Children and Family Services; three agency staff members, including at least two state Medicaid program staff members, appointed by the Secretary of the Agency for Health Care Administration; one staff member from Children's Medical Services within the Department of Health appointed by the Surgeon General; and a representative from the Florida Healthy Kids Corporation.

(c) The executive steering committee shall have the overall responsibility for ensuring that the project meets its primary business objectives and shall:

1. Provide management direction and support to the project management team.

2. Review and approve any changes to the project's scope, schedule, and budget.

3. Review, approve, and determine whether to proceed with any major deliverable project.

4. Recommend suspension or termination of the project to the Governor, the President of the Senate, and the Speaker of the House of Representatives if the committee determines that the primary business objectives cannot be achieved.

(d) A project management team shall be appointed by and work under the direction of the executive steering committee. The project management team shall:

1. Provide planning, management, and oversight of the project.

2. Submit an operational work plan and provide quarterly updates to the plan to the executive steering committee. The plan must specify project milestones, deliverables, and expenditures.

3. Submit written monthly project status reports to the executive steering committee.

Section 5. Subsection (5) of section 409.905, Florida Statutes, is amended to read:

409.905 Mandatory Medicaid services.—The agency may make payments for the following services, which are required of the state by Title XIX of the Social Security Act, furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any service under this section shall be provided only when medically necessary and in accordance with state and federal law. Mandatory services rendered by providers in mobile units to Medicaid recipients may be restricted by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, number of services, or any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216.

(5) HOSPITAL INPATIENT SERVICES.—The agency shall pay for all covered services provided for the medical care and treatment of a recipient who is admitted as an inpatient by a licensed physician or dentist to a hospital licensed under part I of chapter 395. However, the agency shall limit the payment for inpatient hospital services for a Medicaid recipient 21 years of age or older to 45 days or the number of days necessary to comply with the General Appropriations Act. *Effective August 1, 2012, the agency shall limit payment for hospital emergency department visits for a nonpregnant Medicaid recipient 21 years of age or older to six visits per fiscal year.*

(a) The agency *may* ~~is authorized to~~ implement reimbursement and utilization management reforms in order to comply with any limitations or directions in the General Appropriations Act, which may include, but are not limited to: prior authorization for inpatient psychiatric days; prior authorization for nonemergency hospital inpatient admissions for individuals 21 years of age and older; authorization of emergency and urgent-care admissions within 24 hours after admission; enhanced utilization and concurrent review programs for highly utilized services; reduction or elimination of covered days of service; adjusting reimbursement ceilings for variable costs; adjusting reimbursement ceilings for fixed and property costs; and implementing target rates of increase. The agency may limit prior authorization for hospital inpatient services to selected diagnosis-related groups, based on an analysis of the cost and potential for unnecessary hospitalizations represented by certain diagnoses. Admissions for normal delivery and newborns are exempt from requirements for prior authorization. In implementing the provisions of this section related to prior authorization, the agency shall ensure that the process for authorization is accessible 24 hours per day, 7 days per week and authorization is automatically granted when not denied within 4 hours after the request. Authorization procedures must include steps for review of denials. Upon implementing the prior authorization program for hospital inpatient services, the agency shall discontinue its hospital retrospective review program.

(b) A licensed hospital maintained primarily for the care and treatment of patients having mental disorders or mental diseases is not eligible to participate in the hospital inpatient portion of the Medicaid program except as provided in federal law. However, the department shall apply for a waiver, within 9 months after June 5, 1991, designed to

provide hospitalization services for mental health reasons to children and adults in the most cost-effective and lowest cost setting possible. Such waiver shall include a request for the opportunity to pay for care in hospitals known under federal law as "institutions for mental disease" or "IMD's." The waiver proposal shall propose no additional aggregate cost to the state or Federal Government, and shall be conducted in Hillsborough County, Highlands County, Hardee County, Manatee County, and Polk County. The waiver proposal may incorporate competitive bidding for hospital services, comprehensive brokering, prepaid capitated arrangements, or other mechanisms deemed by the department to show promise in reducing the cost of acute care and increasing the effectiveness of preventive care. When developing the waiver proposal, the department shall take into account price, quality, accessibility, linkages of the hospital to community services and family support programs, plans of the hospital to ensure the earliest discharge possible, and the comprehensiveness of the mental health and other health care services offered by participating providers.

(c) The agency shall implement a methodology for establishing base reimbursement rates for each hospital based on allowable costs, as defined by the agency. Rates shall be calculated annually and take effect July 1 of each year based on the most recent complete and accurate cost report submitted by each hospital.

1. Adjustments may not be made to the rates after *October 31* ~~September 30~~ of the state fiscal year in which the *rates take* ~~rate takes~~ effect*, except for cases of insufficient collections of intergovernmental transfers authorized under s. 409.908(1) or the General Appropriations Act. In such cases, the agency shall submit a budget amendment or amendments under chapter 216 requesting approval of rate reductions by amounts necessary for the aggregate reduction to equal the dollar amount of intergovernmental transfers not collected and the corresponding federal match. Notwithstanding the $1 million limitation on increases to an approved operating budget contained in ss. 216.181(11) and 216.292(3), a budget amendment exceeding that dollar amount is subject to notice and objection procedures set forth in s. 216.177.*

2. Errors in cost reporting or calculation of rates discovered after *October 31* ~~September 30~~ must be reconciled in a subsequent rate period. The agency may not make any adjustment to a hospital's reimbursement rate more than 5 years after a hospital is notified of an audited rate established by the agency. The requirement that the agency may not make any adjustment to a hospital's reimbursement rate more than 5 years after a hospital is notified of an audited rate established by the agency is remedial and *applies* ~~shall apply~~ to actions by providers involving Medicaid claims for hospital services. Hospital rates *are* ~~shall be~~ subject to such limits or ceilings as may be established in law or described in the agency's hospital reimbursement plan. Specific exemptions to the limits or ceilings may be provided in the General Appropriations Act.

(d) The agency shall implement a comprehensive utilization management program for hospital neonatal intensive care stays in certain high-volume participating hospitals, select counties, or statewide, and replace existing hospital inpatient utilization management programs for neonatal intensive care admissions. The program shall be designed to manage the lengths of stay for children being treated in neonatal intensive care units and must seek the earliest medically appropriate discharge to the child's home or other less costly treatment setting. The agency may competitively bid a contract for the selection of a qualified organization to provide neonatal intensive care utilization management services. The agency may seek federal waivers to implement this initiative.

(e) The agency may develop and implement a program to reduce the number of hospital readmissions among the non-Medicare population eligible in areas 9, 10, and 11.

(f) The agency shall develop a plan to convert *Medicaid* inpatient hospital rates to a prospective payment system that categorizes each case into diagnosis-related groups (DRG) and assigns a payment weight based on the average resources used to treat Medicaid patients in that DRG. To the extent possible, the agency shall propose an adaptation of an existing prospective payment system, such as the one used by Medicare, and shall propose such adjustments as are necessary for the Medicaid population and to maintain budget neutrality for inpatient hospital expenditures.

1. The plan must:

a. Define and describe DRGs for inpatient hospital care specific to Medicaid in this state;

b. Determine the use of resources needed for each DRG;

c. Apply current statewide levels of funding to DRGs based on the associated resource value of DRGs. Current statewide funding levels shall be calculated both with and without the use of intergovernmental transfers;

d. Calculate the current number of services provided in the Medicaid program based on DRGs defined under this subparagraph;

e. Estimate the number of cases in each DRG for future years based on agency data and the official workload estimates of the Social Services Estimating Conference;

f. Calculate the expected total Medicaid payments in the current year for each hospital with a Medicaid provider agreement, based on the DRGs and estimated workload;

g. Propose supplemental DRG payments to augment hospital reimbursements based on patient acuity and individual hospital characteristics, including classification as a children's hospital, rural hospital, trauma center, burn unit, and other characteristics that could warrant higher reimbursements, while maintaining budget neutrality; and

h. Estimate potential funding for each hospital with a Medicaid provider agreement for DRGs defined pursuant to this subparagraph and supplemental DRG payments using current funding levels, calculated both with and without the use of intergovernmental transfers.

2. The agency shall engage a consultant with expertise and experience in the implementation of DRG systems for hospital reimbursement to develop the DRG plan under subparagraph 1.

3. The agency shall submit the ~~Medicaid~~ DRG plan, identifying all steps necessary for the transition and any costs associated with plan implementation, to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 1, 2013. *The plan shall include a timeline necessary to complete full implementation by July 1, 2013. If, during implementation of this paragraph, the agency determines that these timeframes might not be achievable, the agency shall report to the Legislative Budget Commission the status of its implementation efforts, the reasons the timeframes might not be achievable, and proposals for new timeframes.*

Section 6. Paragraph (c) of subsection (1) of section 409.908, Florida Statutes, is amended to read:

409.908 Reimbursement of Medicaid providers.—Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive bidding pursuant to s. 287.057, and other mechanisms the agency considers efficient and effective for purchasing services or goods on behalf of recipients. If a provider is reimbursed based on cost reporting and submits a cost report late and that cost report would have been used to set a lower reimbursement rate for a rate semester, then the provider's rate for that semester shall be retroactively calculated using the new cost report, and full payment at the recalculated rate shall be effected retroactively. Medicare-granted extensions for filing cost reports, if applicable, shall also apply to Medicaid cost reports. Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

(1) Reimbursement to hospitals licensed under part I of chapter 395 must be made prospectively or on the basis of negotiation.

(c) Hospitals that provide services to a disproportionate share of low-income Medicaid recipients, or that participate in the regional perinatal intensive care center program under chapter 383, or that participate in the statutory teaching hospital disproportionate share program may receive additional reimbursement. The total amount of payment for disproportionate share hospitals shall be fixed by the General Appropriations Act. The computation of these payments must be made in compliance with all federal regulations and the methodologies described in ss. 409.911~~, 409.9112,~~ and 409.9113.

Section 7. Subsection (1), paragraph (a) of subsection (2), and paragraph (d) of subsection (4) of section 409.911, Florida Statutes, are amended to read:

409.911 Disproportionate share program.—Subject to specific allocations established within the General Appropriations Act and any limitations established pursuant to chapter 216, the agency shall distribute, pursuant to this section, moneys to hospitals providing a disproportionate share of Medicaid or charity care services by making quarterly Medicaid payments as required. Notwithstanding the provisions of s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients.

(1) DEFINITIONS.—As used in this section~~, s. 409.9112,~~ and the Florida Hospital Uniform Reporting System manual:

(a) "Adjusted patient days" means the sum of acute care patient days and intensive care patient days as reported to the Agency for Health Care Administration, divided by the ratio of inpatient revenues generated from acute, intensive, ambulatory, and ancillary patient services to gross revenues.

(b) "Actual audited data" or "actual audited experience" means data reported to the Agency for Health Care Administration which has been audited in accordance with generally accepted auditing standards by the agency or representatives under contract with the agency.

(c) "Charity care" or "uncompensated charity care" means that portion of hospital charges reported to the Agency for Health Care Administration for which there is no compensation, other than restricted or unrestricted revenues provided to a hospital by local governments or tax districts regardless of the method of payment, for care provided to a patient whose family income for the 12 months preceding the determination is less than or equal to 200 percent of the federal poverty level, unless the amount of hospital charges due from the patient exceeds 25 percent of the annual family income. However, in no case shall the hospital charges for a patient whose family income exceeds four times the federal poverty level for a family of four be considered charity.

(d) "Charity care days" means the sum of the deductions from revenues for charity care minus 50 percent of restricted and unrestricted revenues provided to a hospital by local governments or tax districts, divided by gross revenues per adjusted patient day.

(e) "Hospital" means a health care institution licensed as a hospital pursuant to chapter 395, but does not include ambulatory surgical centers.

(f) "Medicaid days" means the number of actual days attributable to Medicaid patients as determined by the Agency for Health Care Administration.

(2) The Agency for Health Care Administration shall use the following actual audited data to determine the Medicaid days and charity care to be used in calculating the disproportionate share payment:

(a) The average of the 2004, 2005, and 2006 audited disproportionate share data to determine each hospital's Medicaid days and charity care for the *2012-2013* ~~2011-2012~~ state fiscal year.

(4) The following formulas shall be used to pay disproportionate share dollars to public hospitals:

(d) Any nonstate government owned or operated hospital eligible for payments under this section on July 1, 2011, remains eligible for payments during the *2012-2013* ~~2011-2012~~ state fiscal year.

Section 8. *Section 409.9112, Florida Statutes, is repealed.*

Section 9. Section 409.9113, Florida Statutes, is amended to read:

409.9113 Disproportionate share program for teaching hospitals.—In addition to the payments made under *s.* ~~ss.~~ 409.911 ~~and 409.9112~~, the agency shall make disproportionate share payments to teaching hospitals, as defined in s. 408.07, for their increased costs associated with medical education programs and for tertiary health care services provided to the indigent. This system of payments must conform to federal requirements and distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients. ~~For the 2011-2012 state fiscal year,~~ The agency shall distribute the moneys provided in the General Appropriations Act to statutorily defined teaching hospitals and family practice teaching hospitals, as defined in s. 395.805, pursuant to this section. The funds provided for statutorily defined teaching hospitals shall be distributed as provided in the General Appropriations Act. The funds provided for family practice teaching hospitals shall be distributed equally among family practice teaching hospitals.

(1) On or before September 15 of each year, the agency shall calculate an allocation fraction to be used for distributing funds to statutory teaching hospitals. Subsequent to the end of each quarter of the state fiscal year, the agency shall distribute to each statutory teaching hospital an amount determined by multiplying one-fourth of the funds appropriated for this purpose by the Legislature times such hospital's allocation fraction. The allocation fraction for each such hospital shall be determined by the sum of the following three primary factors, divided by three:

(a) The number of nationally accredited graduate medical education programs offered by the hospital, including programs accredited by the Accreditation Council for Graduate Medical Education *or programs accredited by the Council on Postdoctoral Training of the American Osteopathic Association* and the combined Internal Medicine and Pediatrics programs acceptable to both the American Board of Internal Medicine and the American Board of Pediatrics at the beginning of the state fiscal year preceding the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the hospital represents of the total number of programs, where the total is computed for all statutory teaching hospitals.

(b) The number of full-time equivalent trainees in the hospital, which comprises two components:

1. The number of trainees enrolled in nationally accredited graduate medical education programs, as defined in paragraph (a). Full-time equivalents are computed using the fraction of the year during which each trainee is primarily assigned to the given institution, over the state fiscal year preceding the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the hospital represents of the total number of full-time equivalent trainees enrolled in accredited graduate programs, where the total is computed for all statutory teaching hospitals.

2. The number of medical students enrolled in accredited colleges of medicine and engaged in clinical activities, including required clinical clerkships and clinical electives. Full-time equivalents are computed using the fraction of the year during which each trainee is primarily assigned to the given institution, over the course of the state fiscal year preceding the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the given hospital represents of the total number of full-time equivalent students enrolled in accredited colleges of medicine, where the total is computed for all statutory teaching hospitals.

The primary factor for full-time equivalent trainees is computed as the sum of these two components, divided by two.

(c) A service index that comprises three components:

1. The Agency for Health Care Administration Service Index, computed by applying the standard Service Inventory Scores established by the agency to services offered by the given hospital, as reported on Worksheet A-2 for the last fiscal year reported to the agency before the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the given hospital represents of the total index values, where the total is computed for all statutory teaching hospitals.

2. A volume-weighted service index, computed by applying the standard Service Inventory Scores established by the agency to the volume of each service, expressed in terms of the standard units of measure reported on Worksheet A-2 for the last fiscal year reported to the agency before the date on which the allocation factor is calculated. The numerical value of this factor is the fraction that the given hospital represents of the total volume-weighted service index values, where the total is computed for all statutory teaching hospitals.

3. Total Medicaid payments to each hospital for direct inpatient and outpatient services during the fiscal year preceding the date on which the allocation factor is calculated. This includes payments made to each hospital for such services by Medicaid prepaid health plans, whether the plan was administered by the hospital or not. The numerical value of this factor is the fraction that each hospital represents of the total of such Medicaid payments, where the total is computed for all statutory teaching hospitals.

The primary factor for the service index is computed as the sum of these three components, divided by three.

(2) By October 1 of each year, the agency shall use the following formula to calculate the maximum additional disproportionate share payment for statutory teaching hospitals:

TAP = THAF x A

Where:

TAP = total additional payment.

THAF = teaching hospital allocation factor.

A = amount appropriated for a teaching hospital disproportionate share program.

Section 10. *Section 409.9117, Florida Statutes, is repealed.*

Section 11. Paragraph (l) of subsection (2) of section 409.9122, Florida Statutes, is amended to read:

409.9122 Mandatory Medicaid managed care enrollment; programs and procedures.—

(2)

(l) If the Medicaid recipient is diagnosed with HIV/AIDS ~~and resides in Broward County, Miami-Dade County, or Palm Beach County~~, the agency shall assign the Medicaid recipient to a managed care plan that is a health maintenance organization authorized under chapter 641, is under contract with the agency on July 1, 2011, and which offers a delivery system through a university-based teaching and research-oriented organization that specializes in providing health care services and treatment for individuals diagnosed with HIV/AIDS.

This subsection expires October 1, 2014.

Section 12. Effective upon this act becoming a law, subsections (4), (5), and (6) of section 409.915, Florida Statutes, are amended, present subsection (7) is renumbered as subsection (6), and new subsections (7) through (12) are added to that section, to read:

409.915 County contributions to Medicaid.—Although the state is responsible for the full portion of the state share of the matching funds required for the Medicaid program, in order to acquire a certain portion of these funds, the state shall charge the counties for certain items of care and service as provided in this section.

(4) Each county shall *contribute* ~~pay into the General Revenue Fund, unallocated,~~ its pro rata share of the total county participation based upon statements rendered by the agency ~~in consultation with the counties~~. *The agency shall render such statements monthly based on each county's eligible recipients. For purposes of this section, each county's eligible recipients shall be determined by the recipient's address information contained in the federally approved Medicaid eligibility system within the Department of Children and Family Services. A county may use the process developed under subsection (10) to request a refund if it determines that the statement rendered by the agency contains errors.*

~~(5) The Department of Financial Services shall withhold from the cigarette tax receipts or any other funds to be distributed to the counties the individual county share that has not been remitted within 60 days after billing.~~

(5)~~(6)~~ In any county in which a special taxing district or authority is located which will benefit from the medical assistance programs covered by this section, the board of county commissioners may divide the county's financial responsibility for this purpose proportionately, and each such district or authority must furnish its share to the board of county commissioners in time for the board to comply with ~~the provisions of~~ subsection (3). Any appeal of the proration made by the board of county commissioners must be made to the Department of Financial Services, which shall then set the proportionate share of each party.

(6)~~(7)~~ Counties are exempt from contributing toward the cost of new exemptions on inpatient ceilings for statutory teaching hospitals, specialty hospitals, and community hospital education program hospitals that came into effect July 1, 2000, and for special Medicaid payments that came into effect on or after July 1, 2000.

(7)(a) By August 1, 2012, the agency shall certify to each county the amount of such county's billings from November 1, 2001, through April 30, 2012, which remain unpaid. A county may contest the amount certified by filing a petition under the applicable provisions of chapter 120 on or before September 1, 2012. This procedure is the exclusive method to challenge the amount certified. In order to successfully challenge the amount certified, a county must show, by a preponderance of the evidence, that a recipient was not an eligible recipient of that county or that the amount certified was otherwise in error.

(b) By September 15, 2012, the agency shall certify to the Department of Revenue:

1. For each county that files a petition on or before September 1, 2012, the amount certified under paragraph (a); and

2. For each county that does not file a petition on or before September 1, 2012, an amount equal to 85 percent of the amount certified under paragraph (a).

(c) The filing of a petition under paragraph (a) shall not stay or stop the Department of Revenue from reducing distributions in accordance with paragraph (b) and subsection (8). If a county that files a petition under paragraph (a) is able to demonstrate that the amount certified should be reduced, the agency shall notify the Department of Revenue of the amount of the reduction. The Department of Revenue shall adjust all future monthly distribution reductions under subsection (8) in a manner that results in the remaining total distribution reduction being applied in equal monthly amounts.

(8)(a) Beginning with the October 2012 distribution, the Department of Revenue shall reduce each county's distributions pursuant to s. 218.26 by one thirty-sixth of the amount certified by the agency under subsection (7) for that county, minus any amount required under paragraph (b). Beginning with the October 2013 distribution, the Department of Revenue shall reduce each county's distributions pursuant to s. 218.26 by one forty-eighth of two-thirds of the amount certified by the agency under subsection (7) for that county, minus any amount required under paragraph (b). However, the amount of the reduction may not exceed 50 percent of each county's distribution. If, after 60 months, the reductions for any county do not equal the total amount initially certified by the agency, the Department of Revenue shall continue to reduce such county's distribution by up to 50 percent until the total amount certified is reached. The amounts by which the distributions are reduced shall be transferred to the General Revenue Fund.

(b) As an assurance to holders of bonds issued before the effective date of this act to which distributions made pursuant to s. 218.26 are pledged,

or bonds issued to refund such bonds which mature no later than the bonds they refunded and which result in a reduction of debt service payable in each fiscal year, the amount available for distribution to a county shall remain as provided by law and continue to be subject to any lien or claim on behalf of the bondholders. The Department of Revenue must ensure, based on information provided by an affected county, that any reduction in amounts distributed pursuant to paragraph (a) does not reduce the amount of distribution to a county below the amount necessary for the timely payment of principal and interest when due on the bonds and the amount necessary to comply with any covenant under the bond resolution or other documents relating to the issuance of the bonds. If a reduction to a county's monthly distribution must be decreased in order to comply with this paragraph, the Department of Revenue must notify the agency of the amount of the decrease and the agency must send a bill for payment of such amount to the affected county.

(9)(a) Beginning May 1, 2012, and each month thereafter, the agency shall certify to the Department of Revenue by the 7th day of each month the amount of the monthly statement rendered to each county pursuant to subsection (4). Beginning with the May 2012 distribution, the Department of Revenue shall reduce each county's monthly distribution pursuant to s. 218.61 by the amount certified by the agency minus any amount required under paragraph (b). The amounts by which the distributions are reduced shall be transferred to the General Revenue Fund.

(b) As an assurance to holders of bonds issued before the effective date of this act to which distributions made pursuant to s. 218.61 are pledged, or bonds issued to refund such bonds which mature no later than the bonds they refunded and which result in a reduction of debt service payable in each fiscal year, the amount available for distribution to a county shall remain as provided by law and continue to be subject to any lien or claim on behalf of the bondholders. The Department of Revenue must ensure, based on information provided by an affected county, that any reduction in amounts distributed pursuant to paragraph (a) does not reduce the amount of distribution to a county below the amount necessary for the timely payment of principal and interest when due on the bonds and the amount necessary to comply with any covenant under the bond resolution or other documents relating to the issuance of the bonds. If a reduction to a county's monthly distribution must be decreased in order to comply with this paragraph, the Department of Revenue must notify the agency of the amount of the decrease and the agency must send a bill for payment of such amount to the affected county.

(10) The agency, in consultation with the Department of Revenue and the Florida Association of Counties, shall develop a process for refund requests which:

(a) Allows counties to submit to the agency written requests for refunds of any amounts by which the distributions were reduced as provided in subsection (9) and which set forth the reasons for the refund requests.

(b) Requires the agency to make a determination as to whether a refund request is appropriate and should be approved, in which case the agency shall certify the amount of the refund to the department.

(c) Requires the department to issue the refund for the certified amount to the county from the General Revenue Fund. The Department of Revenue may issue the refund in the form of a credit against reductions to be applied to subsequent monthly distributions.

(11) Beginning in the 2013-2014 fiscal year and each year thereafter through the 2020-2021 fiscal year, the Chief Financial Officer shall transfer from the General Revenue Fund to the Lawton Chiles Endowment Fund an amount equal to the amounts transferred to the General Revenue Fund in the previous fiscal year pursuant to subsections (8) and (9), reduced by the amount of refunds paid pursuant to subsection (10), which are in excess of the official estimate for medical hospital fees for such previous fiscal year adopted by the Revenue Estimating Conference on January 12, 2012, as reflected in the conference's workpapers. By July 20 of each year, the Office of Economic and Demographic Research shall certify the amount to be transferred to the Chief Financial Officer. Such transfers must be made before July 31 of each year until the total transfers for all years equal $350 million. In the event that such transfers do not total $350 million by July 1, 2021, the Legislature shall provide for the transfer of amounts necessary to total $350 million. The Office of Economic and Demographic Research shall publish the official estimates reflected in the conference's workpapers on its website.

(12) The agency may adopt rules to administer this section.

Section 13. *The Agency for Health Care Administration and the Department of Children and Family Services, in consultation with hospitals and nursing homes that serve Medicaid recipients, shall develop a process to update a recipient's address in the Medicaid eligibility system at the time a recipient is admitted to a hospital or nursing home. If a recipient's address information in the Medicaid eligibility system needs to be updated, the update shall be completed within 10 days after the recipient's admission to a hospital or nursing home.*

Section 14. Subsection (2) of section 409.979, Florida Statutes, is amended to read:

409.979 Eligibility.—

(2) Medicaid recipients who, on the date long-term care managed care plans become available in their region, reside in a nursing home facility or are enrolled in one of the following long-term care Medicaid waiver programs are eligible to participate in the long-term care managed care program for up to 12 months without being reevaluated for their need for nursing facility care as defined in s. 409.985(3):

(a) The Assisted Living for the Frail Elderly Waiver.

(b) The Aged and Disabled Adult Waiver.

~~(c) The Adult Day Health Care Waiver.~~

(c)~~(d)~~ The Consumer-Directed Care Plus Program as described in s. 409.221.

(d)~~(e)~~ The Program of All-inclusive Care for the Elderly.

(e)~~(f)~~ The long-term care community-based diversion pilot project as described in s. 430.705.

(f)~~(g)~~ The Channeling Services Waiver for Frail Elders.

Section 15. Subsection (15) of section 430.04, Florida Statutes, is amended to read:

430.04 Duties and responsibilities of the Department of Elderly Affairs.—The Department of Elderly Affairs shall:

(15) Administer all Medicaid waivers and programs relating to elders and their appropriations. The waivers include, but are not limited to:

(a) The Assisted Living for the Frail Elderly Waiver.

(b) The Aged and Disabled Adult Waiver.

~~(c) The Adult Day Health Care Waiver.~~

(c)~~(d)~~ The Consumer-Directed Care Plus Program as defined in s. 409.221.

(d)~~(e)~~ The Program of All-inclusive Care for the Elderly.

(e)~~(f)~~ The Long-Term Care Community-Based Diversion Pilot Project as described in s. 430.705.

(f)~~(g)~~ The Channeling Services Waiver for Frail Elders.

The department shall develop a transition plan for recipients receiving services in long-term care Medicaid waivers for elders or disabled adults on the date eligible plans become available in each recipient's region defined in s. 409.981(2) to enroll those recipients in eligible plans. This subsection expires October 1, 2014.

Section 16. Section 31 of chapter 2009-223, Laws of Florida, as amended by section 44 of chapter 2010-151, Laws of Florida, is redesignated as section 409.9132, Florida Statutes, and amended to read:

409.9132 ~~Section 31.~~ Pilot project to monitor home health services.—The Agency for Health Care Administration shall *expand the* ~~develop and implement a~~ home health agency monitoring pilot project in Miami-Dade County *on a statewide basis effective July 1, 2012, except in counties in which the program will not be cost-effective, as determined by the*

agency ~~by January 1, 2010~~. The agency shall contract with a vendor to verify the utilization and delivery of home health services and provide an electronic billing interface for home health services. The contract must require the creation of a program to submit claims electronically for the delivery of home health services. The program must verify telephonically visits for the delivery of home health services using voice biometrics. The agency may seek amendments to the Medicaid state plan and waivers of federal laws, as necessary, to implement *or expand* the pilot project. Notwithstanding s. 287.057(3)(f), ~~Florida Statutes,~~ the agency must award the contract through the competitive solicitation process *and may use the current contract to expand the home health agency monitoring pilot project to include additional counties as authorized under this section*. ~~The agency shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives evaluating the pilot project by February 1, 2011.~~

Section 17. Section 32 of chapter 2009-223, Laws of Florida, is redesignated as section 409.9133, Florida Statutes, and amended to read:

409.9133 ~~Section 32.~~ Pilot project for home health care management.—The Agency for Health Care Administration shall *expand the* ~~implement a~~ comprehensive care management pilot project for home health services *statewide and include private-duty nursing and personal care services effective July 1, 2012, except in counties in which the program will not be cost-effective, as determined by the agency. The program must include* ~~by January 1, 2010, which includes~~ face-to-face assessments by a nurse licensed pursuant to chapter 464, ~~Florida Statutes,~~ consultation with physicians ordering services to substantiate the medical necessity for services, and on-site or desk reviews of recipients' medical records ~~in Miami-Dade County~~. The agency may ~~enter into a~~ contract with a qualified organization to implement *or expand* the pilot project. *The agency shall use the current contract to expand the comprehensive care management pilot project to include the additional services and counties as authorized under this section.* The agency may seek amendments to the Medicaid state plan and waivers of federal laws, as necessary, to implement *or expand* the pilot project.

Section 18. *Notwithstanding s. 430.707, Florida Statutes, and subject to federal approval of an additional site for the Program of All-Inclusive Care for the Elderly (PACE), the Agency for Health Care Administration shall contract with a current PACE organization authorized to provide PACE services in Southeast Florida to develop and operate a PACE program in Broward County to serve frail elders who reside in Broward County. The organization shall be exempt from chapter 641, Florida Statutes. The agency, in consultation with the Department of Elderly Affairs and subject to an appropriation, shall approve up to 150 initial enrollee slots in the Broward program established by the organization.*

Section 19. *Notwithstanding s. 430.707, Florida Statutes, and subject to federal approval of the application to be a site for the Program of All-inclusive Care for the Elderly (PACE), the Agency for Health Care Administration shall contract with one private health care organization, the sole member of which is a private, not-for-profit corporation that owns and manages health care organizations licensed in Manatee, Sarasota, and DeSoto Counties which provide comprehensive services, including hospice and palliative care, to frail elders who reside in these counties. The organization shall be exempt from the requirements of chapter 641, Florida Statutes. The agency, in consultation with the Department of Elderly Affairs and subject to an appropriation, shall approve up to 150 initial enrollees in the Program of All-inclusive Care for the Elderly established by this organization to serve frail elders who reside in Manatee, Sarasota, and DeSoto Counties.*

Section 20. *Effective upon this act becoming a law and for the 2011-2012 state fiscal year only, a public hospital located in trauma service area 2 which has local funds available for intergovernmental transfers that allow for exemptions from inpatient and outpatient reimbursement limitations may, notwithstanding s. 409.905(5)(c), Florida Statues, have its reimbursement rates adjusted after September 30 of the state fiscal year in which the rates take effect.*

Section 21. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2012.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to health care services; amending s. 383.15, F.S.; revising legislative intent relating to funding for regional perinatal intensive care centers; amending s. 409.8132, F.S.; revising a cross-reference; amending s. 409.814, F.S.; deleting a prohibition preventing children who are eligible for coverage under a state health benefit plan from being eligible for services provided through the subsidized program; revising cross-references; requiring a completed application, including a clinical screening, for enrollment in the Children's Medical Services Network; amending s. 409.902, F.S.; creating, subject to an appropriation, an Internet-based system for eligibility determination for Medicaid and the Children's Health Insurance Program; requiring the system to accomplish specified business objectives; requiring the Department of Children and Family Services to develop the system contingent upon an appropriation; requiring the system to be completed and implemented by specified dates; requiring the department to implement a governance structure pending implementation of the program; providing for the membership and duties of an executive steering committee and a project management team; amending s. 409.905, F.S.; limiting the number of paid hospital emergency department visits for nonpregnant Medicaid recipients 21 years of age or older; authorizing the agency to submit a budget amendment to request approval of adjustments to hospital rates in cases of insufficient collection of intergovernmental transfers; amending the date by which the adjustments may be made to hospital rates; providing components for the agency's plan to convert inpatient hospital rates to a prospective payment system; requiring notice regarding certain budget amendments; revising dates for submitting the plan and implementing the system; amending s. 409.908, F.S.; conforming a cross-reference; amending s. 409.911, F.S.; updating references to data used for calculations in the disproportionate share program; repealing s. 409.9112, F.S., relating to the disproportionate share program for regional perinatal intensive care centers; amending s. 409.9113, F.S.; conforming a cross-reference; authorizing the agency to distribute moneys in the disproportionate share program for teaching hospitals; repealing s. 409.9117, F.S., relating to the primary care disproportionate share program; amending s. 409.9122, F.S.; expanding Medicaid managed care enrollment for recipients with HIV/AIDS; amending 409.915, F.S.; specifying criteria for determining a county's eligible recipients; providing for payment of billings that have been denied by the county from the county's tax revenues; providing conditions for refunds; requiring the agency to certify a percentage of certain funds to the Department of Revenue; authorizing the Department of Revenue to reduce a county's distribution of revenue under certain circumstances; requiring the department to notify the agency of the amount of the decrease in distribution; requiring the agency, in consultation with the department and the Florida Association of Counties, to develop a process for managing refund requests; providing conditions for the transfer of certain refunds to the Lawton Chiles Endowment Fund; authorizing the agency to adopt rules; directing the agency and the Department of Children and Family Services to develop a process to update information regarding Medicaid recipients; amending ss. 409.979 and 430.04, F.S.; deleting references to the Adult Day Health Care Waiver in provisions relating to Medicaid eligibility and duties and responsibilities of the Department of Elderly Affairs; amending s. 31, ch. 2009-223, Laws of Florida, as amended, and redesignating the section as s. 409.9132, F.S.; expanding the home health agency monitoring pilot project statewide; amending s. 32, ch. 2009-223, Laws of Florida, and redesignating the section as s. 409.9133, F.S.; expanding the comprehensive care management pilot project for home health services statewide and including new services; authorizing the Agency for Health Care Administration to contract with certain organizations to provide services under the federal Program of All-inclusive Care for the Elderly in specified counties; exempting such organizations from ch. 641, F.S., relating to health care services programs; authorizing, subject to appropriation, enrollment slots for the program in such counties; providing for certain public hospitals to have their reimbursement rates adjusted under certain conditions; providing effective dates.

On motion by Senator Alexander, the Conference Committee Report on **HB 5301** was adopted. **HB 5301** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—23

Mr. President	Altman	Bogdanoff
Alexander	Benacquisto	Bullard

Detert	Latvala	Ring
Flores	Margolis	Simmons
Gaetz	Negron	Storms
Garcia	Norman	Thrasher
Gardiner	Rich	Wise
Hays	Richter	

Nays—17

Bennett	Fasano	Oelrich
Braynon	Gibson	Sachs
Dean	Jones	Siplin
Diaz de la Portilla	Joyner	Smith
Dockery	Lynn	Sobel
Evers	Montford	

DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **HB 5301** which comes before the Senate floor for a vote on March 9, 2012.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 4th District

SPECIAL ORDER CALENDAR

On motion by Senator Jones, by unanimous consent—

CS for CS for SB 470—A bill to be entitled An act relating to chiropractic medicine; amending s. 460.4062, F.S.; revising the requirements for obtaining a chiropractic medicine faculty certificate; amending s. 460.408, F.S.; authorizing the Board of Chiropractic Medicine to approve continuing education courses sponsored by chiropractic colleges under certain circumstances; prohibiting the board from approving certain courses in continuing chiropractic education; amending s. 460.406, F.S.; revising requirements for a person who desires to be licensed as a chiropractic physician; amending s. 460.413, F.S.; requiring that a chiropractic physician preserve the identity of funds or property of a patient in excess of a specified amount; limiting the amount that may be advanced to a chiropractic physician for certain costs and expenses; amending s. 460.4165, F.S.; providing that services rendered by a certified chiropractic physician's assistant under indirect supervision may occur only at the supervising chiropractic physician's address of record; deleting the length of time specified for the basic program of education and training for certified chiropractic physician's assistants; amending s. 460.4167, F.S.; authorizing certain sole proprietorships, group practices, partnerships, corporations, limited liability companies, limited partnerships, professional associations, other entities, health care clinics licensed under part X of ch. 400, F.S., health maintenance organizations, or prepaid health clinics to employ a chiropractic physician or engage a chiropractic physician as an independent contractor to provide services authorized by ch. 460, F.S.; authorizing the spouse or adult children of a deceased chiropractic physician to hold, operate, pledge, sell, mortgage, assign, transfer, own, or control the deceased chiropractic physician's ownership interests under certain conditions; authorizing an employer that employs a chiropractic physician to exercise control over the patient records of the employed chiropractic physician, the policies and decisions relating to pricing, credit, refunds, warranties, and advertising, and the decisions relating to office personnel and hours of practice; deleting an obsolete provision; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for CS for SB 470**, on motion by Senator Jones, by two-thirds vote **CS for HB 413** was withdrawn from the Committees on Health Regulation; Budget Subcommittee on Health and Human Services Appropriations; and Budget.

On motion by Senator Jones—

CS for HB 413—A bill to be entitled An act relating to chiropractic medicine; amending s. 460.4062, F.S.; revising the requirements for obtaining a chiropractic medicine faculty certificate; amending s. 460.408, F.S.; authorizing the Board of Chiropractic Medicine to approve continuing education courses sponsored by chiropractic colleges under certain circumstances; prohibiting the board from approving certain courses in continuing chiropractic education; amending s. 460.406, F.S.; revising requirements for a person who desires to be licensed as a chiropractic physician; amending s. 460.413, F.S.; requiring that a chiropractic physician preserve the identity of funds or property of a patient in excess of a specified amount; limiting the amount that may be advanced to a chiropractic physician for certain costs and expenses; amending s. 460.4165, F.S.; providing that services rendered by a certified chiropractic physician's assistant under indirect supervision may occur only at the supervising chiropractic physician's address of record; deleting the length of time specified for the basic program of education and training for certified chiropractic physician's assistants; amending s. 460.4167, F.S.; authorizing certain sole proprietorships, group practices, partnerships, corporations, limited liability companies, limited partnerships, professional associations, other entities, health care clinics licensed under part X of ch. 400, F.S., health maintenance organizations, or prepaid health clinics to employ a chiropractic physician or engage a chiropractic physician as an independent contractor to provide services authorized by ch. 460, F.S.; authorizing the spouse or adult children of a deceased chiropractic physician to hold, operate, pledge, sell, mortgage, assign, transfer, own, or control the deceased chiropractic physician's ownership interests under certain conditions; authorizing an employer that employs a chiropractic physician to exercise control over the patient records of the employed chiropractic physician, the policies and decisions relating to pricing, credit, refunds, warranties, and advertising, and the decisions relating to office personnel and hours of practice; deleting an obsolete provision; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 470** and read the second time by title.

On motion by Senator Jones, by two-thirds vote **CS for HB 413** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

The Senate resumed consideration of—

CS for CS for HB 787—A bill to be entitled An act relating to nursing home facilities; amending s. 400.021, F.S.; revising definitions of the terms "geriatric outpatient clinic" and "resident care plan" and defining the term "therapeutic spa services"; amending s. 400.141, F.S.; revising provisions relating to other needed services provided by licensed nursing home facilities, including respite care, adult day, and therapeutic spa services; revising provisions relating to facilities eligible to share programming and staff; deleting requirements for the submission of certain reports to the Agency for Health Care Administration; creating s. 400.172, F.S.; providing requirements for a nursing home facility operated by a licensee that provides respite care services; providing for rights of persons receiving respite care in nursing home facilities; requiring a

prospective respite care recipient to provide certain information to the nursing home facility; amending s. 408.036, F.S.; providing an exemption from certain certificate-of-need requirements to provide for the creation of a pilot project in any of specified Agency for Health Care Administration subdistricts; requiring the nursing home to be affiliated with an accredited nursing school that offers certain degree programs; providing requirements for affiliation with a private accredited university and for location and staffing of the nursing home; providing for the pilot project to proceed notwithstanding any moratorium under certain conditions; providing for expiration of the exemption; amending s. 429.905, F.S.; defining the term "day" for purposes of day care services provided to adults who are not residents; amending s. 651.118, F.S.; providing a funding limitation on sheltered nursing home beds used to provide assisted living, rather than extended congregate care services; authorizing certain sharing of areas, services, and staff between such sheltered beds and nursing home beds in those facilities; providing an effective date.

—which was previously considered and amended this day with pending **Amendment 1 (109490)** by Senator Bogdanoff, **Amendment 1C (482012)** by Senator Hays and **Amendment lD (504688)** by Senator Bogdanoff. **Amendments 1C (482012)** and **1D (504688)** were adopted.

MOTION

On motion by Senator Siplin, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Siplin moved the following amendment to **Amendment 1** which was adopted:

Amendment 1E (298520) (with title amendment)—Between lines 1141 and 1142 insert:

Section 34. Subsection (1) of section 83.42, Florida Statutes, is amended to read:

83.42 Exclusions from application of part.—This part does not apply to:

(1) Residency or detention in a facility, whether public or private, when residence or detention is incidental to the provision of medical, geriatric, educational, counseling, religious, or similar services. *For residents of a facility licensed under part II of chapter 400, the provisions of s. 400.0255 are the exclusive procedures for all transfers and discharges.*

Section 35. Subsection (27) of section 400.462, Florida Statutes, is amended to read:

400.462 Definitions.—As used in this part, the term:

(27) "Remuneration" means any payment or other benefit made directly or indirectly, overtly or covertly, in cash or in kind. *However, if the term is used in any provision of law relating to health care providers, the term does not apply to an item that has an individual value of up to $15, including, but not limited to, a plaque, a certificate, a trophy, or a novelty item that is intended solely for presentation or is customarily given away solely for promotional, recognition, or advertising purposes.*

Section 36. Paragraph (c) of subsection (1) of section 408.037, Florida Statutes, is amended to read:

408.037 Application content.—

(1) Except as provided in subsection (2) for a general hospital, an application for a certificate of need must contain:

(c) An audited financial statement of the applicant *or the applicant's parent corporation if audited financial statements of the applicant do not exist*. In an application submitted by an existing health care facility, health maintenance organization, or hospice, financial condition documentation must include, but need not be limited to, a balance sheet and a profit-and-loss statement of the 2 previous fiscal years' operation.

Section 37. Subsection (2) of section 468.1695, Florida Statutes, is amended to read:

468.1695 Licensure by examination.—

(2) The department shall examine each applicant who the board certifies has completed the application form and remitted an examination fee set by the board not to exceed $250 and who:

(a)1. Holds a baccalaureate degree from an accredited college or university and majored in health care administration*, health services administration, or an equivalent major,* or has credit for at least 60 semester hours in subjects, as prescribed by rule of the board, which prepare the applicant for total management of a nursing home; and

2. Has fulfilled the requirements of a college-affiliated or university-affiliated internship in nursing home administration or of a 1,000-hour nursing home administrator-in-training program prescribed by the board; or

(b)1. Holds a baccalaureate degree from an accredited college or university; and

2.a. Has fulfilled the requirements of a 2,000-hour nursing home administrator-in-training program prescribed by the board; or

b. Has 1 year of management experience allowing for the application of executive duties and skills, including the staffing, budgeting, and directing of resident care, dietary, and bookkeeping departments within a skilled nursing facility, hospital, hospice, assisted living facility with a minimum of 60 licensed beds, or geriatric residential treatment program and, if such experience is not in a skilled nursing facility, has fulfilled the requirements of a 1,000-hour nursing home administrator-in-training program prescribed by the board.

And the title is amended as follows:

Delete line 1323 and insert: provisions to changes made by the act; amending s. 83.42, F.S., relating to exclusions from part II of ch. 83, F.S., the Florida Residential Landlord and Tenant Act; clarifying that the procedures in s. 400.0255, F.S., for transfers and discharges are exclusive to residents of a nursing home licensed under part II of ch. 400, F.S.; amending s. 400.462, F.S.; revising the definition of "remuneration" to exclude items having a value of $15 or less; amending s. 408.037, F.S.; revising requirements for the financial information to be included in an application for a certificate of need; amending s. 468.1695, F.S.; providing that a health services administration or an equivalent major satisfies the education requirements for nursing home administrator applicants; providing an

MOTION TO RECONSIDER AMENDMENT

Senator Storms moved that the Senate reconsider the vote by which **Amendment 1B (120526)** was adopted. The motion failed.

Amendment 1 (109490) as amended was adopted.

On motion by Senator Bogdanoff, by two-thirds vote **CS for CS for HB 787** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Flores	Norman
Alexander	Garcia	Richter
Altman	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Dean	Latvala	Smith
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	
Fasano	Negron	

Nays—10

Bullard	Joyner	Sobel
Dockery	Lynn	Storms
Evers	Oelrich	
Gaetz	Rich	

The Senate resumed consideration of—

CS for CS for CS for HB 599—A bill to be entitled An act relating to transportation and mitigation programs; amending s. 341.301, F.S.; revising the definition of the term "limited covered accident"; amending s. 341.302, F.S.; authorizing the Department of Transportation to contract to indemnify against loss and purchase liability insurance coverage for National Railroad Passenger Corporation subject to specified terms and conditions; amending s. 373.4137, F.S.; revising legislative intent to encourage the use of other mitigation options that satisfy state and federal requirements; providing the Department of Transportation or a transportation authority the option of participating in a mitigation project; requiring the Department of Transportation or a transportation authority to submit lists of its projects in the adopted work program to the water management districts; requiring a list rather than a survey of threatened or endangered species and species of special concern affected by a proposed project; providing conditions for the release of certain environmental mitigation funds; prohibiting a mitigation plan from being implemented unless the plan is submitted to and approved by the Department of Environmental Protection; providing additional factors that must be explained regarding the choice of mitigation bank; removing a provision requiring an explanation for excluding certain projects from the mitigation plan; providing criteria that the Department of Transportation must use in determining which projects to include in or exclude from the mitigation plan; amending s. 373.4135, F.S.; authorizing a governmental entity to create or provide mitigation for projects other than its own under specified circumstances; providing applicability; amending s. 373.4136, F.S.; authorizing certain seaport projects to use a mitigation bank; amending s. 20.23, F.S., relating to the Department of Transportation; authorizing district secretaries and executive directors to be a professional engineer from any state; removing obsolete language relating to authority of district secretaries to appoint district directors; amending s. 206.41, F.S., relating to payment of a tax on fuel under specified provisions; providing that a restriction on the use of agricultural equipment to qualify for a refund of the tax does not apply to citrus harvesting equipment or citrus fruit loaders; revising the title of ch. 311, F.S.; amending s. 311.07, F.S.; revising provisions for the financing of port transportation or port facilities projects; increasing funding for the Florida Seaport Transportation and Economic Development Program; directing the Florida Seaport Transportation and Economic Development Council to develop guidelines for project funding; directing council staff, the Department of Transportation, and the Department of Economic Opportunity to work in cooperation to review projects and allocate funds as specified; revising certain authorized uses of program funds; revising the list of projects eligible for funding under the program; removing a cap on distribution of program funds; removing a requirement for a specified audit; authorizing the Department of Transportation to subject projects funded under the program to a specified audit; amending s. 311.09, F.S.; revising provisions for rules of the council for evaluating certain projects; removing provisions for review by the Department of Community Affairs of the list of projects approved by the council; revising provisions for review and evaluation of such projects by the Department of Transportation and the Department of Economic Opportunity; increasing the amount of funding the Department of Transportation is required to include in its annual legislative budget request for the Florida Seaport Transportation and Economic Development Program; revising provisions relating to funding to be included in the budget; creating s. 311.10, F.S.; establishing the Strategic Port Investment Initiative within the Department of Transportation; providing for a minimum annual amount from the State Transportation Trust Fund to fund the initiative; directing the department to work with deepwater ports to develop and maintain a priority list of strategic investment projects; providing project selection criteria; requiring the department to schedule a publicly noticed workshop with the Department of Economic Opportunity and the deepwater ports to review the proposed projects; directing the department to finalize a prioritized list of potential projects after considering comments received in the workshop; directing the department to include the proposed seaport projects in the tentative work program; creating s. 311.101, F.S.; creating the Intermodal Logistics Center Infrastructure Support Program within the Department of Transportation; providing purpose of the program; defining the term "intermodal logistics center"; providing criteria for consideration by the department when evaluating projects for program assistance; directing the department to coordinate and consult with the Department of Economic Opportunity in the selection of projects to be funded; authorizing the department to administer contracts on behalf of the entity selected to receive funding; providing for the department's share of project costs; providing for a certain amount of funds in the State Transportation Trust Fund to be made available for eligible projects; directing the department to include the proposed projects in the tentative work program; authorizing the department to adopt rules; creating s. 311.106, F.S., relating to seaport stormwater permitting and mitigation; authorizing a seaport to provide for onsite and offsite stormwater treatment to mitigate the impact of port activities; requiring offsite treatment to be within the same drainage basin and constructed and maintained by the seaport or in conjunction with a local government; authorizing the port to provide a regional treatment facility constructed and maintained by the seaport or in conjunction with a local government; amending s. 311.14, F.S., relating to seaport planning; directing the department to develop, in coordination with certain partners, a Statewide Seaport and Waterways System Plan consistent with the goals of the Florida Transportation Plan; providing requirements for the plan; removing provisions for the Florida Seaport Transportation and Economic Development Council to develop freight-mobility and trade-corridor plans; removing provisions that require the Office of the State Public Transportation Administrator to integrate the Florida Transportation Plan with certain other plans and programs; removing provisions relating to the construction of seaport freight-mobility projects; amending s. 316.003, F.S.; revising the definition of the term "motor vehicle" for purposes of the payment and collection of tolls on toll facilities under specified provisions; amending s. 316.091, F.S.; permitting the use of shoulders for vehicular traffic under certain circumstances; requiring notice of where vehicular traffic is allowed; providing what may not be deemed as authorization; requiring the department to establish a pilot program to open certain limited access highways and bridges to bicycles and other human-powered vehicles; providing requirements for the pilot program; providing a timeframe for implementation of the program; authorizing the department to continue or expand the program; requiring the department to report findings and recommendations to the Governor and Legislature by a certain date; amending s. 316.1001, F.S.; revising requirements for mailing of citations for failure to pay a toll; authorizing mailing by certified mail in addition to first class mail; providing that mailing of the citation to the address of the registered motor vehicle owner constitutes notification; removing a requirement for a return receipt; amending s. 316.2068, F.S.; authorizing a county or municipality to regulate the operation of electric personal assistive mobility devices on any road, street, sidewalk, or bicycle path under its jurisdiction if the governing body of the county or municipality determines that such regulation is necessary in the interest of safety; amending s. 316.515, F.S.; revising provisions for the maximum allowed length of straight truck-trailer combinations; revising provisions for operation of implements of husbandry and farm equipment on state roads; authorizing the operation of citrus harvesting equipment and citrus fruit loaders for certain purposes; conforming a cross-reference; amending s. 320.01, F.S.; revising the definition of the term "low-speed vehicle" to include vehicles that are not electric powered; amending s. 332.08, F.S.; authorizing a municipality participating in a federal airport privatization pilot program to sell an airport or other air navigation facility or certain real property, improvements, and equipment; requiring department approval of the agreement under certain circumstances; providing criteria for department approval; amending s. 334.03, F.S.; removing the definition of the term "Florida Intrastate Highway System" and revising the definitions of the terms "functional classification" and "State Highway System" for purposes of the Florida Transportation Code; amending s. 334.044, F.S.; revising the powers and duties of the department relating to jurisdictional responsibility, designating facilities, and highway landscaping; adding the duty to develop a Freight Mobility and Trade Plan; requiring the plan to include certain proposed policies and investments; requiring the plan to be submitted to the Governor and Legislature; requiring freight issues to be emphasized in transportation plans; amending s. 334.047, F.S.; removing a provision that prohibits the department from establishing a maximum number of miles of urban principal arterial roads; amending s. 335.074, F.S., relating to bridge safety inspection reports; requiring the governmental entity having maintenance responsibility for a bridge to reduce the maximum weight, size, or speed limit for the bridge or to close the bridge upon receipt of a report recommending the reduction or closure; requiring the entity to post the reduced limits and notify the department; requiring the department to post the reduced limits or to close the bridge under certain circumstances; requiring costs associated with the department posting the revised limits or closure of the bridge to be assessed against and collected from the governmental entity; amending s. 335.17, F.S.; revising provisions relating to highway construction noise abatement; amending s. 336.021, F.S.; revising the date when imposition

of the ninth-cent fuel tax will be levied; amending s. 336.025, F.S.; revising the date when impositions and rate changes of the local option fuel tax shall be levied; revising the definition of the term "transportation expenditures" for purposes of specified provisions that restrict the use of local option fuel tax funds by counties and municipalities; amending s. 337.111, F.S.; providing additional forms of security for the cost of removal of monuments or memorials or modifications to an installation site at highway rest areas; removing a provision requiring renewal of a bond; amending s. 337.125, F.S.; revising provisions relating to a prime contractor's submission of a disadvantaged business enterprise utilization form; repealing s. 337.137, F.S., relating to subcontracting by socially and economically disadvantaged business enterprises; amending s. 337.139, F.S.; providing an updated reference to federal law as it relates to socially and economically disadvantaged business enterprises; amending s. 337.14, F.S.; revising provisions for applications for qualification to bid on department contracts; amending s. 337.29, F.S.; authorizing transfers of right-of-way between local governments by deed; amending ss. 337.403 and 337.404, F.S.; clarifying provisions relating to responsibility for the work and costs for alleviating interference on a public road or publicly owned rail corridor caused by a utility facility; requiring the utility owner to initiate and complete the work necessary within a certain time period; requiring the local governmental authority to bear the costs of work on a utility facility that was initially installed to serve the governmental entity or its tenants; providing that the governmental entity is not responsible for the costs of utility work related to subsequent additions to the facility; requiring that the local governmental authority bear the costs of removing or relocating a utility facility under certain circumstances; providing for notice to the utility; revising provisions for payment of costs; revising provisions for completion of work when the utility owner does not perform the work; amending s. 337.408, F.S.; revising provisions for certain facilities installed within the right-of-way limits of roads on the State Highway System; requiring counties and municipalities that have authorized a bench or transit shelter to be responsible for determining if the facility is compliant with applicable laws and rules or remove the bench or transit shelter; limiting liability of the department; requiring a municipality or county that authorizes a bench or transit shelter to be installed to require the supplier or installer to indemnify the department and annually certify that the requirement has been met; requiring the removal of such facilities under certain circumstances; authorizing the department to direct a county or municipality to remove or relocate a bus stop, bench, transit shelter, waste disposal receptacle, public pay telephone, or modular news rack that is not in compliance with applicable laws or rules; removing a provision for the replacement of an unusable transit bus bench that was in service before a certain date; prohibiting installation of a bus stop that conflicts with certain laws and regulations resulting in a loss of federal funds; authorizing the appropriate local government entity to regulate or deny competition to provide a bus stop; revising the title of ch. 338, F.S.; repealing s. 338.001, F.S., relating to provisions for the Florida Intrastate Highway System Plan; amending s. 338.01, F.S.; clarifying provisions governing the designation and function of limited access facilities; authorizing the department or other governmental entities collecting tolls to pursue collection of unpaid tolls by contracting with a private attorney or collection agency; authorizing a collection fee; providing an exception to statutory requirements related to private attorney services; creating s. 338.151, F.S.; authorizing the department to establish tolls on certain transportation facilities to pay for the cost of such project; prohibiting the department from establishing tolls on certain lanes of limited access facilities; providing an exception; providing for application; amending s. 338.155, F.S.; authorizing the department adopt rules to allow public transit vehicles and certain military-service-related funeral processions to use certain toll facilities without payment of tolls; amending s. 338.161, F.S.; authorizing the department to enter into agreements for the use of its electronic toll collection and video billing system; authorizing modification of its rules regarding toll collection and an administrative charge; providing for construction; amending s. 338.166, F.S.; revising a provision for issuance of bonds secured by toll revenues collected on high-occupancy toll lanes or express lanes; revising authorized uses of such toll revenues; providing restrictions on such use; amending s. 338.221, F.S.; revising the definition of the term "economically feasible" for purposes of proposed turnpike projects; amending s. 338.223, F.S.; revising provisions for department requests for legislative approval of proposed turnpike projects; conforming a cross-reference; amending s. 338.227, F.S.; conforming provisions to changes made by the act; directing the department and the Department of Management Services to create and implement a program designed to enhance participation of minority businesses in certain contracts related to the Strategic Intermodal System Plan; amending ss. 338.2275 and 338.228, F.S., relating to turnpike projects; revising cross-references; amending s. 338.231, F.S.; providing that inactive prepaid toll accounts are unclaimed property; providing for disposition by the Department of Financial Services and closing of the account; amending s. 338.234, F.S.; revising provisions that exempt certain lessees from payment of commercial rental tax; replacing a reference to the Florida Intrastate Highway System with a reference to the Strategic Intermodal System; amending s. 339.0805, F.S.; revising requirements for expenditure of certain funds with small business concerns owned and controlled by socially and economically disadvantaged individuals; revising a definition of the term "small business concern"; removing provisions for a periodic disparity study; deleting obsolete language; revising provisions for certification as a socially and economically disadvantaged business enterprise; revising requirements that a disadvantaged business enterprise notify the department of certain changes in ownership; revising criteria for such a business enterprise to participate in a construction management development program; revising references to federal law; amending s. 339.135, F.S.; revising provisions for developing the department's tentative work program; revising provisions for a list of project priorities submitted by a metropolitan planning organization; revising criteria for proposed amendment to the department's adopted work program which deletes, advances, or defers a project or project phase; revising threshold amounts; directing the department to index the budget amendment threshold amounts to the rate of inflation; prohibiting such adjustments more frequently than once a year; subjecting such adjustments to specified notice and review procedures; amending s. 339.155, F.S.; revising provisions for the Florida Transportation Plan; requiring the planning process to conform to specified federal provisions; removing provisions for a long-range component, short-range component, and a report; amending s. 339.175, F.S.; providing that to the extent possible only one metropolitan planning organization be designated in a urbanized area; providing that representatives of the department shall serve as nonvoting advisers to a metropolitan planning organization; authorizing the appointment of additional nonvoting advisers; requiring M.P.O.'s to coordinate in the development of regionally significant project priorities; amending s. 339.2819, F.S.; revising the state matching funds requirement for the Transportation Regional Incentive Program; conforming cross-references; requiring funded projects to be in the department's work program; requiring a project to meet the program's requirements prior to being funded; amending s. 339.62, F.S.; removing the Florida Intrastate Highway System from and adding highway corridors to the list of components of the Strategic Intermodal System; providing for other corridors to be included in the system; amending s. 339.63, F.S.; adding military access facilities to the types of facilities included in the Strategic Intermodal System and the Emerging Strategic Intermodal System which form components of an interconnected transportation system; providing that an intermodal logistics center meeting certain criteria shall be designated as part of the Strategic Intermodal System; providing for a waiver of transportation concurrency for such facility if it is located within a described area; amending s. 339.64, F.S.; deleting provisions creating the Statewide Intermodal Transportation Advisory Council; creating s. 339.65, F.S.; requiring the department to plan and develop for Strategic Intermodal System highway corridors to aid traffic movement around the state; providing for components of the corridors; requiring the department to follow specified policy guidelines when developing the corridors; directing the department to establish standards and criteria for functional design; providing for appropriations; requiring such highway corridor projects to be a part of the department's adopted work program; amending 341.840, F.S.; relating to the Florida Rail Enterprise Act; revising obsolete references to the Florida High-Speed Rail Authority; providing that certain transactions made by or on behalf of the enterprise are exempt from specified taxes; providing for certain contractors to act as agents on behalf of the enterprise for purposes of the tax exemption; authorizing the department to adopt rules; amending s. 343.52, F.S.; revising the definition of the term "area served" for purposes of provisions for the South Florida Regional Transportation Authority; revising a provision for expansion of the area; amending s. 343.53, F.S.; revising membership of and criteria for appointment to the board of the South Florida Regional Transportation Authority; amending s. 343.54, F.S.; requiring a two-thirds vote of such board to privatize certain functions; revising a provision authorizing such authority to expand its service area; amending s. 343.56, F.S., relating to bonds of the authority; removing a provision for the use of certain funds for payment of principal and interest on bonds; amending s. 343.57, F.S., relating to a state pledge to bondholders; providing for construction; providing that a

bondholder shall have no right to require the Legislature to make any appropriation of state funds; amending s. 343.58, F.S.; providing conditions for funds provided to such authority by the department; providing for certain funding to cease upon commencement of an alternate dedicated local funding source; creating s. 347.215, F.S.; providing for the operation of ferries by joint agreement between public and private entities; amending s. 348.0003, F.S.; revising financial disclosure requirements for certain transportation authorities; creating s. 348.7645, F.S.; requiring the Orlando-Orange County Expressway Authority to erect a sign under certain circumstances; providing for payment for the cost of the sign; amending s. 349.03, F.S.; providing for financial disclosure requirements for the Jacksonville Transportation Authority; amending s. 349.04, F.S.; providing that the Jacksonville Transportation Authority may conduct meetings and workshops using communications media technology; providing that certain actions may not be taken unless a quorum is present in person; providing that members must be physically present to vote on any item; amending s. 373.118, F.S.; requiring that the Department of Environmental Protection initiate rulemaking to adopt a general permit for stormwater management systems serving airside activities at airports; providing for statewide application of the general permit; providing for any water management district or delegated local government to administer the general permit; providing that the rules are not subject to any special rulemaking requirements relating to small business; amending s. 373.413, F.S.; providing legislative intent regarding flexibility in the permitting of stormwater management systems; requiring the cost of stormwater treatment for a transportation project to be balanced with benefits to the public; requiring that alternatives to onsite treatment be allowed; specifying responsibilities of the department relating to abatement of pollutants and permits for adjacent lands impacted by right-of-way acquisition; authorizing water management districts and the Department of Environmental Protection to adopt rules; repealing s. 479.28, F.S., relating to the rest area information panel or device program; authorizing the department to seek Federal Highway Administration approval of a tourist-oriented commerce sign pilot program; directing the department to submit the approved pilot program for legislative approval; establishing a pilot program for the Palm Beach County school district to recognize its business partners; providing for expiration of the program; providing for the transfer of administrative rules of the former Pilotage Rate Review Board to the Pilotage Rate Review Committee of the Board of Pilot Commissioners; providing for retroactive application of such rules; requiring the Florida Transportation Commission to study the potential costs savings of the department being the operating agent for certain expressway authorities; providing for certain related expenses to be paid by the department; requiring a report to the Governor and Legislature; providing that a challenge to a consolidated environmental resource permit or associated variance or any sovereign submerged lands authorization proposed or issued by the Department of Environmental Protection in connection with specified deepwater ports is subject to specified summary hearing provisions; requiring such proceedings to be conducted within a certain timeframe; providing that the administrative law judge's decision is a recommended order and does not constitute final agency action of the Department of Environmental Protection; requiring the Department of Environmental Protection to issue the final order within a certain timeframe; providing applicability of specified provisions; providing for a review by the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority to consider and identify opportunities and greater efficiency and service improvements for increasing connectivity between each authority; requiring a report to the Legislature; requiring the Tampa Bay Area Regional Transportation Authority to provide assistance; authorizing governmental units that regulate the operation of vehicles for public hire or other for-hire transportation to request and receive criminal history record information for the purpose of screening applicants; amending ss. 215.616, 288.063, 311.22, 316.2122, 318.12, 320.20, 335.02, 338.222, 339.285, 341.053, 341.8225, 403.7211, 479.01, 479.07, and 479.261, F.S., relating to bonds for federal aid highway construction, contracts for transportation projects, dredging projects, operation of low-speed vehicles or mini-trucks, traffic infractions, license tax distribution, standards for lanes, turnpike projects, the Enhanced Bridge Program for Sustainable Transportation, the Intermodal Development Program, high-speed rail projects, hazardous waste facilities, outdoor advertising, and the logo sign program, respectively; deleting obsolete language; revising references to conform to the incorporation of the Florida Intrastate Highway System into the Strategic Intermodal System and to changes made by the act; providing honorary designation of certain transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; amending s. 316.0083, F.S., providing an additional defense for certain red-light traffic infractions; providing for the dismissal of a uniform traffic citation for a red-light violation when the motor vehicle owner is deceased and an affidavit with specified supporting documents is filed with the issuing agency; amending s. 320.089, F.S.; providing for the issuance of a Combat Infantry Badge license plate and a Combat Action Badge license plate; providing qualifications and requirements for the plate; providing for the use of proceeds from the sale of the plate; amending s. 338.165, F.S.; authorizing the department to transfer certain transportation facilities to the turnpike system; providing for use of funds received from Florida Turnpike Enterprise for acquisition of such facilities; defining the term "Wekiva Parkway"; amending s. 348.7546, F.S.; revising provisions for the Orlando-Orange County Expressway Authority to construct and maintain the Wekiva Parkway; providing for construction of specified provisions; directing the authority to make certain payments to the department; providing for use of funds received by the department; providing that the department's obligation to construct its portions of the Wekiva Parkway is contingent upon certain events; amending s. 348.755, F.S.; prohibiting the Orlando-Orange County Expressway Authority from issuing bonds except under specified circumstances; amending s. 348.757, F.S.; revising provisions for the Orlando-Orange County Expressway Authority to enter into lease-purchase agreements with the department; amending s. 369.317, F.S.; revising provisions for the Wekiva Parkway; providing that the Department of Environmental Protection is the exclusive permitting authority for certain activities; revising provisions for location of the parkway; defining the term "autonomous technology"; providing legislative intent and findings; amending s. 316.003, F.S.; defining the terms "autonomous vehicle" and "autonomous technology" when used in provisions for traffic control; creating s. 316.85, F.S.; authorizing a person who possesses a valid driver license to operate an autonomous vehicle; specifying that the person who causes the vehicle's autonomous technology to engage is the operator; creating s. 319.145, F.S.; requiring an autonomous vehicle registered in this state to meet federal standards and regulations for a motor vehicle; specifying certain requirements for such vehicle; providing for the application of certain federal regulations; authorizing the operation of vehicles equipped with autonomous technology by certain persons for testing purposes under certain conditions; requiring an instrument of insurance, surety bond, or self-insurance prior to the testing of a vehicle; limiting liability of the original manufacturer of a vehicle converted to an autonomous vehicle; directing the department to prepare a report on the safe testing and operation of vehicles equipped with autonomous technology and submit the report to the Legislature by a certain date; providing an honorary designation of a transportation facility in a specified county; directing the department to erect suitable markers; providing effective dates.

—which was previously considered and amended this day.

MOTION

On motion by Senator Dean, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Dean moved the following amendment which was adopted:

Amendment 2 (689242) (with title amendment)—Delete line 567 and insert:

Section 6. Paragraphs (a) and (b) of subsection (5) of section 20.23, Florida Statutes, are amended to read:

20.23 Department of Transportation.—There is created a Department of Transportation which shall be a decentralized agency.

(5)(a) The operations of the department shall be organized into seven districts, each headed by a district secretary, and a turnpike enterprise and a rail enterprise, each enterprise headed by an executive director. The district secretaries and the executive directors shall be registered professional engineers in accordance with the provisions of chapter 471 *or the laws of another state,* or, in lieu of professional engineer registration, a district secretary or executive director may hold an advanced degree in an appropriate related discipline, such as a Master of Business Administration. The headquarters of the districts shall be located in Polk, Columbia, Washington, Broward, Volusia, Miami-Dade, and Hillsborough Counties. The headquarters of the turnpike enterprise shall be located in Orange County. The headquarters of the rail enterprise shall be located in Leon County. In order to provide for efficient

operations and to expedite the decisionmaking process, the department shall provide for maximum decentralization to the districts.

(b) Each district secretary may appoint up to three district directors ~~or, until July 1, 2005, each district secretary may appoint up to four district directors~~. These positions are exempt from part II of chapter 110.

Section 7. Paragraph (c) of subsection (4) of section 206.41, Florida Statutes, is amended to read:

206.41 State taxes imposed on motor fuel.—

(4)

(c)1. Any person who uses any motor fuel for agricultural, aquacultural, commercial fishing, or commercial aviation purposes on which fuel the tax imposed by paragraph (1)(e), paragraph (1)(f), or paragraph (1)(g) has been paid is entitled to a refund of such tax.

2. For the purposes of this paragraph, "agricultural and aquacultural purposes" means motor fuel used in any tractor, vehicle, or other farm equipment which is used exclusively on a farm or for processing farm products on the farm, and no part of which fuel is used in any vehicle or equipment driven or operated upon the public highways of this state. This restriction does not apply to the movement of a farm vehicle*,* ~~or~~ farm equipment*, citrus harvesting equipment, or citrus fruit loaders* between farms. The transporting of bees by water and the operating of equipment used in the apiary of a beekeeper shall be also deemed an agricultural purpose.

3. For the purposes of this paragraph, "commercial fishing and aquacultural purposes" means motor fuel used in the operation of boats, vessels, or equipment used exclusively for the taking of fish, crayfish, oysters, shrimp, or sponges from salt or fresh waters under the jurisdiction of the state for resale to the public, and no part of which fuel is used in any vehicle or equipment driven or operated upon the highways of this state; however, the term may in no way be construed to include fuel used for sport or pleasure fishing.

4. For the purposes of this paragraph, "commercial aviation purposes" means motor fuel used in the operation of aviation ground support vehicles or equipment, no part of which fuel is used in any vehicle or equipment driven or operated upon the public highways of this state.

Section 8. *Chapter 311, Florida Statutes, is retitled "SEAPORT PROGRAMS AND FACILITIES."*

Section 9. Section 311.07, Florida Statutes, is amended to read:

311.07 Florida seaport transportation and economic development funding.—

(1) There is created the Florida Seaport Transportation and Economic Development Program within the Department of Transportation to finance port transportation or port facilities projects that will improve the movement and intermodal transportation of cargo or passengers in commerce and trade and ~~that will~~ support the interests, purposes, and requirements of *all* ports *listed in s. 311.09* ~~located in this state~~.

(2) A minimum of *$15* ~~$8~~ million per year shall be made available from the State Transportation Trust Fund to fund the Florida Seaport Transportation and Economic Development Program. *The Florida Seaport Transportation and Economic Development Council created in s. 311.09 shall develop guidelines for project funding. Council staff, the Department of Transportation, and the Department of Economic Opportunity shall work in cooperation to review projects and allocate funds in accordance with the schedule required for the Department of Transportation to include these projects in the tentative work program developed pursuant to s. 339.135(4).*

(3)(a) *Florida Seaport Transportation and Economic Development* Program funds shall be used to fund approved projects on a 50-50 matching basis with any of the deepwater ports, as listed in *s. 311.09* ~~s. 403.021(9)(b)~~, which is governed by a public body or any other deepwater port which is governed by a public body and which complies with the water quality provisions of s. 403.061, the comprehensive master plan requirements of s. 163.3178(2)(k), and the local financial management and reporting provisions of part III of chapter 218. However, program funds used to fund projects that involve the rehabilitation of wharves, docks, berths, bulkheads, or similar structures shall require a 25-percent match of funds. Program funds also may be used by the Seaport Transportation and Economic Development Council *for data and analysis that* ~~to develop trade data information products which~~ will assist Florida's seaports and international trade.

(b) Projects eligible for funding by grants under the program are limited to the following port facilities or port transportation projects:

1. Transportation facilities within the jurisdiction of the port.

2. The dredging or deepening of channels, turning basins, or harbors.

3. The construction or rehabilitation of wharves, docks, structures, jetties, piers, storage facilities, cruise terminals, automated people mover systems, or any facilities necessary or useful in connection with any of the foregoing.

4. The acquisition of vessel tracking systems, container cranes, or other mechanized equipment used in the movement of cargo or passengers in international commerce.

5. The acquisition of land to be used for port purposes.

6. The acquisition, improvement, enlargement, or extension of existing port facilities.

7. Environmental protection projects which are necessary because of requirements imposed by a state agency as a condition of a permit or other form of state approval; which are necessary for environmental mitigation required as a condition of a state, federal, or local environmental permit; which are necessary for the acquisition of spoil disposal sites and improvements to existing and future spoil sites; or which result from the funding of eligible projects listed in this paragraph.

8. Transportation facilities as defined in *s. 334.03(30)* ~~s. 334.03(31)~~ which are not otherwise part of the Department of Transportation's adopted work program.

9. ~~Seaport~~ Intermodal access projects ~~identified in the 5-year Florida Seaport Mission Plan as provided in s. 311.09(3)~~.

10. Construction or rehabilitation of port facilities as defined in s. 315.02, excluding any park or recreational facilities, in ports listed in s. 311.09(1) with operating revenues of $5 million or less, provided that such projects create economic development opportunities, capital improvements, and positive financial returns to such ports.

11. Seaport master plan or strategic plan development or updates, including the purchase of data to support such plans.

(c) To be eligible for consideration by the council pursuant to this section, a project must be consistent with the port comprehensive master plan which is incorporated as part of the approved local government comprehensive plan as required by s. 163.3178(2)(k) or other provisions of the Community Planning Act, part II of chapter 163.

~~(4) A port eligible for matching funds under the program may receive a distribution of not more than $7 million during any 1 calendar year and a distribution of not more than $30 million during any 5-calendar-year period.~~

(4)~~(5)~~ Any port which receives funding under the program shall institute procedures to ensure that jobs created as a result of the state funding shall be subject to equal opportunity hiring practices in the manner provided in s. 110.112.

(5)~~(6)~~ The Department of Transportation *may* ~~shall~~ subject any project that receives funds pursuant to this section and s. 320.20 to a final audit. The department may adopt rules and perform such other acts as are necessary or convenient to ensure that the final audits are conducted and that any deficiency or questioned costs noted by the audit are resolved.

Section 10. Subsections (4) through (13) of section 311.09, Florida Statutes, are amended to read:

311.09 Florida Seaport Transportation and Economic Development Council.—

(4) The council shall adopt rules for evaluating projects which may be funded under ss. 311.07 and 320.20. The rules shall provide criteria for evaluating the *potential project, including, but not limited to, such factors as consistency with appropriate plans, economic benefit, readiness for construction, noncompetition with other Florida ports, and capacity within the seaport system* ~~economic benefit of the project, measured by the potential for the proposed project to maintain or increase cargo flow, cruise passenger movement, international commerce, port revenues, and the number of jobs for the port's local community~~.

(5) The council shall review and approve or disapprove each project eligible to be funded pursuant to the Florida Seaport Transportation and Economic Development Program. The council shall annually submit to the Secretary of Transportation and the executive director of the Department of Economic Opportunity, or his or her designee, a list of projects which have been approved by the council. The list shall specify the recommended funding level for each project; and, if staged implementation of the project is appropriate, the funding requirements for each stage shall be specified.

~~(6) The Department of Community Affairs shall review the list of projects approved by the council to determine consistency with approved local government comprehensive plans of the units of local government in which the port is located and consistency with the port master plan. The Department of Community Affairs shall identify and notify the council of those projects which are not consistent, to the maximum extent feasible, with such comprehensive plans and port master plans.~~

(6)~~(7)~~ The Department of Transportation shall review the list of *project applications* ~~projects~~ approved by the council for consistency with the Florida Transportation Plan*, the Statewide Seaport and Waterways System Plan,* and the department's adopted work program. In evaluating the consistency of a project, the department shall *assess the transportation impacts and economic benefits for each project* ~~determine whether the transportation impact of the proposed project is adequately handled by existing state-owned transportation facilities or by the construction of additional state-owned transportation facilities as identified in the Florida Transportation Plan and the department's adopted work program. In reviewing for consistency a transportation facility project as defined in s. 334.03(31) which is not otherwise part of the department's work program, the department shall evaluate whether the project is needed to provide for projected movement of cargo or passengers from the port to a state transportation facility or local road. If the project is needed to provide for projected movement of cargo or passengers, the project shall be approved for consistency as a consideration to facilitate the economic development and growth of the state in a timely manner~~. The Department of Transportation shall identify those projects which are inconsistent with the Florida Transportation Plan*, the Statewide Seaport and Waterways System Plan, or* ~~and~~ the adopted work program and shall notify the council of projects found to be inconsistent.

(7)~~(8)~~ The Department of Economic Opportunity shall review the list of *project applications* ~~projects~~ approved by the council to evaluate the economic benefit of the project and to determine whether the project is consistent with the Florida Seaport Mission Plan *and with state economic development goals and policies*. The Department of Economic Opportunity shall review the *proposed project's consistency with state, regional, and local plans, as appropriate, and the* economic benefits of each project based upon the rules adopted pursuant to subsection (4). The Department of Economic Opportunity shall identify those projects which it has determined do not offer an economic benefit to the state*, are not consistent with an appropriate plan,* or are not consistent with the Florida Seaport Mission Plan *or state economic development goals and policies* and shall notify the council of its findings.

(8)~~(9)~~ The council shall review the findings of the Department of Economic Opportunity and the Department of Transportation. Projects found to be inconsistent pursuant to subsections (6)~~,~~ *or* (7)~~, and (8)~~ *or* ~~and~~ projects which have been determined not to offer an economic benefit to the state pursuant to subsection *(7)* ~~(8)~~ *may* ~~shall~~ not be included in the list of projects to be funded.

(9)~~(10)~~ The Department of Transportation shall include *no less than $15 million per year* in its annual legislative budget request *for the* ~~a~~ Florida Seaport Transportation and Economic Development ~~grant~~ Program *funded under s. 311.07* ~~for expenditure of funds of not less than $8 million per year~~. Such budget shall include funding for projects approved by the council which have been determined by each agency to be consistent ~~and which have been determined by the Department of Economic Opportunity to be economically beneficial~~. The department shall include the specific approved *Florida Seaport Transportation and Economic Development Program* ~~seaport~~ projects to be funded under *s. 311.07* ~~this section~~ during the ensuing fiscal year in the tentative work program developed pursuant to s. 339.135(4). The total amount of funding to be allocated to *Florida Seaport Transportation and Economic Development Program* ~~seaport~~ projects under s. 311.07 during the successive 4 fiscal years shall also be included in the tentative work program developed pursuant to s. 339.135(4). The council may submit to the department a list of approved projects that could be made production-ready within the next 2 years. The list shall be submitted by the department as part of the needs and project list prepared pursuant to s. 339.135(2)(b). However, the department shall, upon written request of the Florida Seaport Transportation and Economic Development Council, submit work program amendments pursuant to s. 339.135(7) to the Governor within 10 days after the later of the date the request is received by the department or the effective date of the amendment, termination, or closure of the applicable funding agreement between the department and the affected seaport, as required to release the funds from the existing commitment. Notwithstanding s. 339.135(7)(c), any work program amendment to transfer prior year funds from one approved seaport project to another seaport project is subject to the procedures in s. 339.135(7)(d). Notwithstanding any provision of law to the contrary, the department may transfer unexpended budget between the seaport projects as identified in the approved work program amendments.

(10)~~(11)~~ The council shall meet at the call of its chairperson, at the request of a majority of its membership, or at such times as may be prescribed in its bylaws. However, the council must meet at least semiannually. A majority of voting members of the council constitutes a quorum for the purpose of transacting the business of the council. All members of the council are voting members. A vote of the majority of the voting members present is sufficient for any action of the council, except that a member representing the Department of Transportation or the Department of Economic Opportunity may vote to overrule any action of the council approving a project pursuant to subsection (5). The bylaws of the council may require a greater vote for a particular action.

(11)~~(12)~~ Members of the council shall serve without compensation but are entitled to receive reimbursement for per diem and travel expenses as provided in s. 112.061. The council may elect to provide an administrative staff to provide services to the council on matters relating to the Florida Seaport Transportation and Economic Development Program and the council. The cost for such administrative services shall be paid by all ports that receive funding from the Florida Seaport Transportation and Economic Development Program, based upon a pro rata formula measured by each recipient's share of the funds as compared to the total funds disbursed to all recipients during the year. The share of costs for administrative services shall be paid in its total amount by the recipient port upon execution by the port and the Department of Transportation of a joint participation agreement for each council-approved project, and such payment is in addition to the matching funds required to be paid by the recipient port. Except as otherwise exempted by law, all moneys derived from the Florida Seaport Transportation and Economic Development Program shall be expended in accordance with the provisions of s. 287.057. Seaports subject to competitive negotiation requirements of a local governing body shall abide by the provisions of s. 287.055.

(12)~~(13)~~ Until July 1, 2014, Citrus County may apply for a grant through the Florida Seaport Transportation and Economic Development Council to perform a feasibility study regarding the establishment of a port in Citrus County. The council shall evaluate such application pursuant to subsections *(5)-(8)* ~~(5)-(9)~~ and, if approved, the Department of Transportation shall include the feasibility study in its budget request pursuant to subsection *(9)* ~~(10)~~. If the study determines that a port in Citrus County is not feasible, the membership of Port Citrus on the council shall terminate.

Section 11. Section 311.10, Florida Statutes, is created to read:

311.10 Strategic Port Investment Initiative.—

(1) There is created the Strategic Port Investment Initiative within the Department of Transportation. Beginning in fiscal year 2012-2013, a minimum of $35 million annually shall be made available from the State Transportation Trust Fund to fund the Strategic Port Investment In-

itiative. The Department of Transportation shall work with the deepwater ports listed in s. 311.09 to develop and maintain a priority list of strategic investment projects. Project selection shall be based on projects that meet the state's economic development goal of becoming a hub for trade, logistics, and export-oriented activities by:

(a) Providing important access and major on-port capacity improvements;

(b) Providing capital improvements to strategically position the state to maximize opportunities in international trade, logistics, or the cruise industry;

(c) Achieving state goals of an integrated intermodal transportation system; and

(d) Demonstrating the feasibility and availability of matching funds through local or private partners.

(2) Prior to making final project allocations, the Department of Transportation shall schedule a publicly noticed workshop with the Department of Economic Opportunity and the deepwater ports listed in s. 311.09 to review the proposed projects. After considering the comments received, the Department of Transportation shall finalize a prioritized list of potential projects.

(3) The Department of Transportation shall, to the maximum extent feasible, include the seaport projects proposed to be funded under this section in the tentative work program developed under s. 339.135(4).

Section 12. Section 311.101, Florida Statutes, is created to read:

311.101 Intermodal Logistics Center Infrastructure Support Program.—

(1) There is created within the Department of Transportation the Intermodal Logistics Center Infrastructure Support Program. The purpose of the program is to provide funds for roads, rail facilities, or other means for the conveyance or shipment of goods through a seaport, thereby enabling the state to respond to private sector market demands and meet the state's economic development goal of becoming a hub for trade, logistics, and export-oriented activities. The department may provide funds to assist with local government projects or projects performed by private entities that meet the public purpose of enhancing transportation facilities for the conveyance or shipment of goods through a seaport to or from an intermodal logistics center.

(2) For the purposes of this section, "intermodal logistics center," including, but not limited to, an "inland port," means a facility or group of facilities serving as a point of intermodal transfer of freight in a specific area physically separated from a seaport where activities relating to transport, logistics, goods distribution, consolidation, or value-added activities are carried out and whose activities and services are designed to support or be supported by conveyance or shipping through one or more seaports listed in s. 311.09.

(3) The department must consider, but is not limited to, the following criteria when evaluating projects for Intermodal Logistics Center Infrastructure Support Program assistance:

(a) The ability of the project to serve a strategic state interest.

(b) The ability of the project to facilitate the cost-effective and efficient movement of goods.

(c) The extent to which the project contributes to economic activity, including job creation, increased wages, and revenues.

(d) The extent to which the project efficiently interacts with and supports the transportation network.

(e) A commitment of a funding match.

(f) The amount of investment or commitments made by the owner or developer of the existing or proposed facility.

(g) The extent to which the owner has commitments, including memorandums of understanding or memorandums of agreements, with private sector businesses planning to locate operations at the intermodal logistics center.

(h) Demonstrated local financial support and commitment to the project.

(4) The department shall coordinate and consult with the Department of Economic Opportunity in the selection of projects to be funded by this program.

(5) The department is authorized to administer contracts on behalf of the entity selected to receive funding for a project under this section.

(6) The department shall provide up to 50 percent of project costs for eligible projects.

(7) Beginning in fiscal year 2012-2013, up to $5 million per year shall be made available from the State Transportation Trust Fund for the program. The Department of Transportation shall include projects proposed to be funded under this section in the tentative work program developed pursuant so s. 339.135(4).

(8) The Department of Transportation is authorized to adopt rules to implement this section.

Section 13. Section 311.106, Florida Statutes, is created to read:

311.106 Seaport stormwater permitting and mitigation.—A seaport listed in s. 403.021(9)(b) is authorized to provide for onsite or offsite stormwater treatment for water quality impacts caused by a proposed port activity that requires a permit and that causes or contributes to pollution from stormwater runoff. Offsite stormwater treatment may occur outside of the established boundaries of the port, but must be within the same drainage basin in which the port activity occurs. A port offsite stormwater treatment project must be constructed and maintained by the seaport or by the seaport in conjunction with an adjacent local government. In order to limit stormwater treatment from individual parcels within a port, a seaport may provide for a regional stormwater treatment facility that must be constructed and maintained by the seaport or by the seaport in conjunction with an adjacent local government.

Section 14. Section 311.14, Florida Statutes, is amended to read:

311.14 Seaport planning.—

(1) *The Department of Transportation shall develop, in coordination with the ports listed in s. 311.09(1) and other partners, a Statewide Seaport and Waterways System Plan. This plan shall be consistent with the goals of the Florida Transportation Plan developed pursuant to s. 339.155 and shall consider needs identified in individual port master plans and those from the seaport strategic plans required under this section. The plan will identify 5-year, 10-year, and 20-year needs for the seaport system and will include seaport, waterway, road, and rail projects that are needed to ensure the success of the transportation system as a whole in supporting state economic development goals* ~~The Florida Seaport Transportation and Economic Development Council, in cooperation with the Office of the State Public Transportation Administrator within the Department of Transportation, shall develop freight mobility and trade corridor plans to assist in making freight mobility investments that contribute to the economic growth of the state. Such plans should enhance the integration and connectivity of the transportation system across and between transportation modes throughout Florida for people and freight~~.

~~(2) The Office of the State Public Transportation Administrator shall act to integrate freight mobility and trade corridor plans into the Florida Transportation Plan developed pursuant to s. 339.155 and into the plans and programs of metropolitan planning organizations as provided in s. 339.175. The office may also provide assistance in expediting the transportation permitting process relating to the construction of seaport freight mobility projects located outside the physical borders of seaports. The Department of Transportation may contract, as provided in s. 334.044, with any port listed in s. 311.09(1) or any such other statutorily authorized seaport entity to act as an agent in the construction of seaport freight mobility projects.~~

(2)~~(3)~~ Each port shall develop a strategic plan with a 10-year horizon. Each plan must include the following:

(a) An economic development component that identifies targeted business opportunities for increasing business and attracting new business for which a particular facility has a strategic advantage over its competitors, identifies financial resources and other inducements to encourage growth of existing business and acquisition of new business, and provides a projected schedule for attainment of the plan's goals.

(b) An infrastructure development and improvement component that identifies all projected infrastructure improvements within the plan area which require improvement, expansion, or development in order for a port to attain a strategic advantage for competition with national and international competitors.

(c) A component that identifies all intermodal transportation facilities, including sea, air, rail, or road facilities, which are available or have potential, with improvements, to be available for necessary national and international commercial linkages and provides a plan for the integration of port, airport, and railroad activities with existing and planned transportation infrastructure.

(d) A component that identifies physical, environmental, and regulatory barriers to achievement of the plan's goals and provides recommendations for overcoming those barriers.

(e) An intergovernmental coordination component that specifies modes and methods to coordinate plan goals and missions with the missions of the Department of Transportation, other state agencies, and affected local, general-purpose governments.

To the extent feasible, the port strategic plan must be consistent with the local government comprehensive plans of the units of local government in which the port is located. Upon approval of a plan by the port's board, the plan shall be submitted to the Florida Seaport Transportation and Economic Development Council.

(3)~~(4)~~ The Florida Seaport Transportation and Economic Development Council shall review the strategic plans submitted by each port and prioritize strategic needs for inclusion in the Florida Seaport Mission Plan prepared pursuant to s. 311.09(3).

Section 15. Subsection (21) of section 316.003, Florida Statutes, is amended to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(21) MOTOR VEHICLE.—*Except when used in s. 316.1001,* any self-propelled vehicle not operated upon rails or guideway, but not including any bicycle, motorized scooter, electric personal assistive mobility device, or moped. *For purposes of s. 316.1001, "motor vehicle" has the same meaning as in s. 320.01(1)(a).*

Section 16. Subsection (4) of section 316.091, Florida Statutes, is amended, subsection (5) is renumbered as subsection (7), and new subsections (5) and (6) are added to that section, to read:

316.091 Limited access facilities; interstate highways; use restricted.—

(4) No person shall operate a bicycle *or other human-powered vehicle* on the roadway or along the shoulder of *a limited access highway, including bridges, unless official signs and a designated, marked bicycle lane are present at the entrance of the section of highway indicating that such use is permitted pursuant to a pilot program of the Department of Transportation* ~~an interstate highway~~.

(5) The Department of Transportation and expressway authorities are authorized to designate use of shoulders of limited access facilities and interstate highways under their jurisdiction for such vehicular traffic determined to improve safety, reliability, and transportation system efficiency. Appropriate traffic signs or dynamic lane control signals shall be erected along those portions of the facility affected to give notice to the public of the action to be taken, clearly indicating when the shoulder is open to designated vehicular traffic. This section may not be deemed to authorize such designation in violation of any federal law or any covenant established in a resolution or trust indenture relating to the issuance of turnpike bonds, expressway authority bonds, or other bonds.

(6) The Department of Transportation shall establish a 2-year pilot program, in three separate urban areas, in which it shall erect signs and designate marked bicycle lanes indicating highway approaches and bridge segments of limited access highways as open to use by operators of bicycles and other human-powered vehicles, under the following conditions:

(a) The limited access highway approaches and bridge segments chosen must cross a river, lake, bay, inlet, or surface water where no street or highway crossing the water body is available for use within 2 miles of the entrance to the limited access facility measured along the shortest public right-of-way.

(b) The Department of Transportation, with the concurrence of the Federal Highway Administration on the interstate facilities, shall establish the three highway approaches and bridge segments for the pilot project by October 1, 2012. In selecting the highway approaches and bridge segments, the Department of Transportation shall consider, without limitation, a minimum size of population in the urban area within 5 miles of the highway approach and bridge segment, the lack of bicycle access by other means, cost, safety, and operational impacts.

(c) The Department of Transportation shall begin the pilot program by erecting signs and designating marked bicycle lanes indicating highway approaches and bridge segments of limited access highways, as qualified by the conditions described in this subsection, as open to use by operators of bicycles and other human-powered vehicles no later than March 1, 2013.

(d) The Department of Transportation shall conduct the pilot program for a minimum of 2 years following the implementation date.

(e) The Department of Transportation shall submit a report of its findings and recommendations from the pilot program to the Governor, the President of the Senate, and the Speaker of the House of Representatives by September 1, 2015. The report shall include, at a minimum, bicycle crash data occurring in the designated segments of the pilot program, usage by operators of bicycles and other human-powered vehicles, enforcement issues, operational impacts, and the cost of the pilot program.

Section 17. Paragraph (b) of subsection (2) of section 316.1001, Florida Statutes, is amended to read:

316.1001 Payment of toll on toll facilities required; penalties.—

(2)

(b) A citation issued under this subsection may be issued by mailing the citation by first-class mail *or by certified mail*~~, return receipt requested,~~ to the address of the registered owner of the motor vehicle involved in the violation. *Mailing* ~~Receipt of~~ the citation *to such address* constitutes notification. In the case of joint ownership of a motor vehicle, the traffic citation must be mailed to the first name appearing on the registration, unless the first name appearing on the registration is a business organization, in which case the second name appearing on the registration may be used. A citation issued under this paragraph must be mailed to the registered owner of the motor vehicle involved in the violation within 14 days after the date of issuance of the citation. In addition to the citation, notification must be sent to the registered owner of the motor vehicle involved in the violation specifying remedies available under ss. 318.14(12) and 318.18(7).

Section 18. Subsection (5) of section 316.2068, Florida Statutes, is amended to read:

316.2068 Electric personal assistive mobility devices; regulations.—

(5) A county or municipality may *regulate* ~~prohibit~~ the operation of electric personal assistive mobility devices on any road, street, *sidewalk,* or bicycle path under its jurisdiction if the governing body of the county or municipality determines that *regulation* ~~such a prohibition~~ is necessary in the interest of safety.

Section 19. Paragraph (a) of subsection (3) and paragraphs (a) and (c) of subsection (5) of section 316.515, Florida Statutes, are amended to read:

316.515 Maximum width, height, length.—

(3) LENGTH LIMITATION.—Except as otherwise provided in this section, length limitations apply solely to a semitrailer or trailer, and not to a truck tractor or to the overall length of a combination of vehicles. No combination of commercial motor vehicles coupled together and operating on the public roads may consist of more than one truck tractor and two trailing units. Unless otherwise specifically provided for in this section, a combination of vehicles not qualifying as commercial motor vehicles may consist of no more than two units coupled together; such nonqualifying combination of vehicles may not exceed a total length of 65 feet, inclusive of the load carried thereon, but exclusive of safety and energy conservation devices approved by the department for use on vehicles using public roads. Notwithstanding any other provision of this section, a truck tractor-semitrailer combination engaged in the transportation of automobiles or boats may transport motor vehicles or boats on part of the power unit; and, except as may otherwise be mandated under federal law, an automobile or boat transporter semitrailer may not exceed 50 feet in length, exclusive of the load; however, the load may extend up to an additional 6 feet beyond the rear of the trailer. The 50-feet length limitation does not apply to non-stinger-steered automobile or boat transporters that are 65 feet or less in overall length, exclusive of the load carried thereon, or to stinger-steered automobile or boat transporters that are 75 feet or less in overall length, exclusive of the load carried thereon. For purposes of this subsection, a "stinger-steered automobile or boat transporter" is an automobile or boat transporter configured as a semitrailer combination wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit. Notwithstanding paragraphs (a) and (b), any straight truck or truck tractor-semitrailer combination engaged in the transportation of horticultural trees may allow the load to extend up to an additional 10 feet beyond the rear of the vehicle, provided said trees are resting against a retaining bar mounted above the truck bed so that the root balls of the trees rest on the floor and to the front of the truck bed and the tops of the trees extend up over and to the rear of the truck bed, and provided the overhanging portion of the load is covered with protective fabric.

(a) *Straight trucks.—A* ~~No~~ straight truck may *not* exceed a length of 40 feet in extreme overall dimension, exclusive of safety and energy conservation devices approved by the department for use on vehicles using public roads. A straight truck may tow no more than one trailer, and *the overall length of the truck-trailer combination may not exceed 68 feet* ~~such trailer may not exceed a length of 28 feet. However, such trailer limitation does not apply if the overall length of the truck-trailer combination is 65 feet or less~~, including the load thereon. Notwithstanding any other provisions of this section, a truck-trailer combination engaged in the transportation of boats, or boat trailers whose design dictates a front-to-rear stacking method *may* ~~shall~~ not exceed the length limitations of this paragraph exclusive of the load; however, the load may extend up to an additional 6 feet beyond the rear of the trailer.

(5) IMPLEMENTS OF HUSBANDRY AND FARM EQUIPMENT; AGRICULTURAL TRAILERS; FORESTRY EQUIPMENT; SAFETY REQUIREMENTS.—

(a) Notwithstanding any other provisions of law, straight trucks, agricultural tractors, *citrus harvesting equipment, citrus fruit loaders,* and cotton module movers, not exceeding 50 feet in length, or any combination of up to and including three implements of husbandry, including the towing power unit, and any single agricultural trailer with a load thereon or any agricultural implements attached to a towing power unit, or a self-propelled agricultural implement or an agricultural tractor, is authorized for the purpose of transporting peanuts, grains, soybeans, *citrus,* cotton, hay, straw, or other perishable farm products from their point of production to the first point of change of custody or of long-term storage, and for the purpose of returning to such point of production, or for the purpose of moving such tractors, movers, and implements from one point of agricultural production to another, by a person engaged in the production of any such product or custom hauler, if such vehicle or combination of vehicles otherwise complies with this section. The Department of Transportation may issue overlength permits for cotton module movers greater than 50 feet but not more than 55 feet in overall length. Such vehicles shall be operated in accordance with all safety requirements prescribed by law and rules of the Department of Transportation.

(c) The width and height limitations of this section do not apply to farming or agricultural equipment, whether self-propelled, pulled, or hauled, when temporarily operated during daylight hours upon a public road that is not a limited access facility as defined in *s. 334.03(12)* ~~s. 334.03(13)~~, and the width and height limitations may be exceeded by such equipment without a permit. To be eligible for this exemption, the equipment shall be operated within a radius of 50 miles of the real property owned, rented, or leased by the equipment owner. However, equipment being delivered by a dealer to a purchaser is not subject to the 50-mile limitation. Farming or agricultural equipment greater than 174 inches in width must have one warning lamp mounted on each side of the equipment to denote the width and must have a slow-moving vehicle sign. Warning lamps required by this paragraph must be visible from the front and rear of the vehicle and must be visible from a distance of at least 1,000 feet.

Section 20. Subsection (42) of section 320.01, Florida Statutes, is amended to read:

320.01 Definitions, general.—As used in the Florida Statutes, except as otherwise provided, the term:

(42) "Low-speed vehicle" means any four-wheeled ~~electric~~ vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including*, but not limited to,* neighborhood electric vehicles. Low-speed vehicles must comply with the safety standards in 49 C.F.R. s. 571.500 and s. 316.2122.

Section 21. Section 332.08, Florida Statutes, is amended to read:

332.08 Additional powers.—

(1) In addition to the general powers in ss. 332.01-332.12 conferred and without limitation thereof, a municipality which has established or may hereafter establish airports, restricted landing areas, or other air navigation facilities, or which has acquired or set apart or may hereafter acquire or set apart real property for such purposes, is hereby authorized:

(a)~~(1)~~ To vest authority for the construction, enlargement, improvement, maintenance, equipment, operation, and regulation thereof in an officer, a board or body of such municipality by ordinance or resolution which shall prescribe the powers and duties of such officer, board or body. The expense of such construction, enlargement, improvement, maintenance, equipment, operation, and regulation shall be a responsibility of the municipality.

(b)1.~~(2)(a)~~ To adopt and amend all needful rules, regulations, and ordinances for the management, government, and use of any properties under its control, whether within or without the territorial limits of the municipality; to appoint airport guards or police, with full police powers; to fix by ordinance or resolution, as may be appropriate, penalties for the violation of *such* ~~said~~ rules, regulations, and ordinances, and enforce *such* ~~said~~ penalties in the same manner in which penalties prescribed by other rules, regulations, and ordinances of the municipality are enforced.

2.~~(b) Provided,~~ Where a county operates one or more airports, its regulations for the government thereof shall be by resolution of the board of county commissioners, ~~shall be~~ recorded in the minutes of the board*,* and promulgated by posting a copy at the courthouse and at every such airport for 4 consecutive weeks or by publication once a week in a newspaper published in the county for the same period. Such regulations shall be enforced as are the criminal laws. Violation thereof shall be a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(c)~~(3)~~ To lease for a term not exceeding 30 years such airports or other air navigation facilities, or real property acquired or set apart for airport purposes, to private parties, any municipal or state government or the national government, or any department of either thereof, for operation; to lease or assign for a term not exceeding 30 years to private parties, any municipal or state government or the national government, or any department of either thereof, for operation or use consistent with the purposes of ss. 332.01-332.12, space, area, improvements, or equipment on such airports; to sell any part of such airports, other air navigation facilities, or real property to any municipal or state government, or the United States or any department or instrumentality thereof, for aeronautical purposes or purposes incidental thereto, and to confer the privileges of concessions of supplying upon its airports goods, commodities, things, services, and facilities; provided, that in each case in so

doing the public is not deprived of its rightful equal and uniform use thereof.

(d)~~(4)~~ To sell or lease any property, real or personal, acquired for airport purposes and belonging to the municipality, which, in the judgment of its governing body, may not be required for aeronautic purposes, in accordance with the laws of this state, or the provisions of the charter of the municipality, governing the sale or leasing of similar municipally owned property.

(e)~~(5)~~ To exercise all powers necessarily incidental to the exercise of the general and special powers herein granted, and is specifically authorized to assess and shall assess against and collect from the owner or operator of each and every airplane using such airports a sufficient fee or service charge to cover the cost of the service furnished airplanes using such airports, including the liquidation of bonds or other indebtedness for construction and improvements.

(2) Notwithstanding any other provision of this section, a municipality participating in the Federal Aviation Administration's Airport Privatization Pilot Program pursuant to 49 U.S.C. s. 47134 may lease or sell an airport or other air navigation facility or real property, together with improvements and equipment, acquired or set apart for airport purposes to a private party under such terms and conditions as negotiated by the municipality. If state funds were provided to the municipality pursuant to s. 332.007, the municipality must obtain approval of the agreement from the Department of Transportation, which is authorized to approve the agreement if it determines the state's investment has been adequately considered and protected consistent with the applicable conditions specified in 49 U.S.C. s. 47134.

Section 22. Subsections (11) through (37) of section 334.03, Florida Statutes, are renumbered as subsections (10) through (36), respectively, and present subsections (10), (11), and (25) of that section are amended to read:

334.03 Definitions.—When used in the Florida Transportation Code, the term:

~~(10) "Florida Intrastate Highway System" means a system of limited access and controlled access facilities on the State Highway System which have the capacity to provide high speed and high volume traffic movements in an efficient and safe manner.~~

(10)~~(11)~~ "Functional classification" means the assignment of roads into systems according to the character of service they provide in relation to the total road network *using procedures developed by the Federal Highway Administration*. ~~Basic functional categories include arterial roads, collector roads, and local roads which may be subdivided into principal, major, or minor levels. Those levels may be additionally divided into rural and urban categories.~~

(24)~~(25)~~ "State Highway System" means ~~the following, which shall be facilities to which access is regulated:~~

~~(a)~~ the interstate system *and all other roads within the state which were under the jurisdiction of the state on June 10, 1995, and roads constructed by an agency of the state for the State Highway System, plus roads transferred to the state's jurisdiction after that date by mutual consent with another governmental entity, but not including roads so transferred from the state's jurisdiction. These facilities shall be facilities to which access is regulated.*~~;~~

~~(b) All rural arterial routes and their extensions into and through urban areas;~~

~~(c) All urban principal arterial routes; and~~

~~(d) The urban minor arterial mileage on the existing State Highway System as of July 1, 1987, plus additional mileage to comply with the 2-percent requirement as described below.~~

~~However, not less than 2 percent of the public road mileage of each urbanized area on record as of June 30, 1986, shall be included as minor arterials in the State Highway System. Urbanized areas not meeting the foregoing minimum requirement shall have transferred to the State Highway System additional minor arterials of the highest significance in which case the total minor arterials in the State Highway System from any urbanized area shall not exceed 2.5 percent of that area's total public urban road mileage.~~

Section 23. Subsections (11), (13), and (26) of section 334.044, Florida Statutes, are amended, and subsection (33) is added to that section, to read:

334.044 Department; powers and duties.—The department shall have the following general powers and duties:

(11) To establish a numbering system for public roads~~,~~ *and* to functionally classify such roads~~, and to assign jurisdictional responsibility~~.

(13) To ~~designate existing and to~~ plan proposed transportation facilities as part of the State Highway System, and to construct, maintain, and operate such facilities.

(26) To provide for the enhancement of environmental benefits, including air and water quality; to prevent roadside erosion; to conserve the natural roadside growth and scenery; and to provide for the implementation and maintenance of roadside conservation, enhancement, and stabilization programs. No less than 1.5 percent of the amount contracted for construction projects shall be allocated by the department *on a statewide basis* for the purchase of plant materials. *Department districts may not expend funds for landscaping in connection with any project that is limited to resurfacing existing lanes unless the expenditure has been approved by the department's secretary or the secretary's designee.*~~, with,~~ To the greatest extent practical, a minimum of 50 percent of *the* ~~these~~ funds *allocated under this subsection shall be allocated* for large plant materials and the remaining funds for other plant materials. All ~~such~~ plant materials shall be purchased from Florida commercial nursery stock in this state on a uniform competitive bid basis. The department *shall* ~~will~~ develop grades and standards for landscaping materials purchased through this process. To accomplish these activities, the department may contract with nonprofit organizations having the primary purpose of developing youth employment opportunities.

(33) To develop, in coordination with its partners and stakeholders, a Freight Mobility and Trade Plan to assist in making freight mobility investments that contribute to the economic growth of the state. Such plan should enhance the integration and connectivity of the transportation system across and between transportation modes throughout the state. The department shall deliver the Freight Mobility and Trade Plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives by July 1, 2013.

(a) The Freight Mobility and Trade Plan shall include, but need not be limited to, proposed policies and investments that promote the following:

1. Increasing the flow of domestic and international trade through the state's seaports and airports, including specific policies and investments that will recapture cargo currently shipped through seaports and airports located outside the state.

2. Increasing the development of intermodal logistic centers in the state, including specific strategies, policies, and investments that capitalize on the empty backhaul trucking and rail market in the state.

3. Increasing the development of manufacturing industries in the state, including specific policies and investments in transportation facilities that will promote the successful development and expansion of manufacturing facilities.

4. Increasing the implementation of compressed natural gas (CNG), liquefied natural gas (LNG), and propane energy policies that reduce transportation costs for businesses and residents located in the state.

(b) Freight issues and needs shall also be given emphasis in all appropriate transportation plans, including the Florida Transportation Plan and the Strategic Intermodal System Plan.

Section 24. Section 334.047, Florida Statutes, is amended to read:

334.047 Prohibition.—Notwithstanding any other provision of law to the contrary, the Department of Transportation may not establish a cap on the number of miles in the State Highway System ~~or a maximum number of miles of urban principal arterial roads, as defined in s. 334.03, within a district or county~~.

Section 25. Subsection (5) is added to section 335.074, Florida Statutes, to read:

335.074 Safety inspection of bridges.—

(5) Upon receipt of an inspection report that recommends reducing the weight, size, or speed limit on a bridge, the governmental entity having maintenance responsibility for the bridge must reduce the maximum limits for the bridge in accordance with the inspection report and post the limits in accordance with s. 316.555. The governmental entity must, within 30 days after receipt of an inspection report recommending lower limits, notify the department that the limitations have been implemented and the bridge has been posted accordingly. If the required actions are not taken within 30 days after receipt of an inspection report, the department shall post the bridge in accordance with the recommendations in the inspection report. All costs incurred by the department in connection with providing notice of the bridge's limitations or restrictions shall be assessed against and collected from the governmental entity having maintenance responsibility for the bridge. If an inspection report recommends closure of a bridge, the bridge shall be immediately closed. If the governmental entity does not close the bridge immediately upon receipt of an inspection report recommending closure, the department shall close the bridge. All costs incurred by the department in connection with the bridge closure shall be assessed against and collected from the governmental entity having maintenance responsibility for the bridge. Nothing in this subsection alters existing jurisdictional responsibilities for the operation and maintenance of bridges.

Section 26. Subsections (1) and (2) of section 335.17, Florida Statutes, are amended to read:

335.17 State highway construction; means of noise abatement.—

(1) The department shall make use of noise-control methods *as part of highway construction projects involving new location or capacity expansion* ~~in the construction of all new state highways~~, with particular emphasis on those highways located in or near urban-residential developments which abut such highway rights-of-way.

(2) All highway projects by the department, regardless of funding source, shall be developed in conformity with federal standards for noise abatement as contained in 23 C.F.R. 772 as such regulations existed on *July 13, 2011* ~~March 1, 1989~~. The department shall, at a minimum, comply with federal requirements in the following areas:

(a) Analysis of traffic noise impacts and abatement measures;

(b) Noise abatement;

(c) Information for local officials;

(d) Traffic noise prediction; and

(e) Construction noise.

Section 27. Subsection (5) of section 336.021, Florida Statutes, is amended to read:

336.021 County transportation system; levy of ninth-cent fuel tax on motor fuel and diesel fuel.—

(5) All impositions of the tax shall be levied before *October* ~~July~~ 1 of each year to be effective January 1 of the following year. However, levies of the tax which were in effect on July 1, 2002, and which expire on August 31 of any year may be reimposed at the current authorized rate to be effective September 1 of the year of expiration. All impositions shall be required to end on December 31 of a year. A decision to rescind the tax shall not take effect on any date other than December 31 and shall require a minimum of 60 days' notice to the department of such decision.

Section 28. Paragraphs (a) and (b) of subsection (1), paragraph (a) of subsection (5), and subsection (7) of section 336.025, Florida Statutes, are amended to read:

336.025 County transportation system; levy of local option fuel tax on motor fuel and diesel fuel.—

(1)(a) In addition to other taxes allowed by law, there may be levied as provided in ss. 206.41(1)(e) and 206.87(1)(c) a 1-cent, 2-cent, 3-cent, 4-cent, 5-cent, or 6-cent local option fuel tax upon every gallon of motor fuel and diesel fuel sold in a county and taxed under the provisions of part I or part II of chapter 206.

1. All impositions and rate changes of the tax shall be levied before *October* ~~July~~ 1 to be effective January 1 of the following year for a period not to exceed 30 years, and the applicable method of distribution shall be established pursuant to subsection (3) or subsection (4). However, levies of the tax which were in effect on July 1, 2002, and which expire on August 31 of any year may be reimposed at the current authorized rate effective September 1 of the year of expiration. Upon expiration, the tax may be relevied provided that a redetermination of the method of distribution is made as provided in this section.

2. County and municipal governments shall utilize moneys received pursuant to this paragraph only for transportation expenditures.

3. Any tax levied pursuant to this paragraph may be extended on a majority vote of the governing body of the county. A redetermination of the method of distribution shall be established pursuant to subsection (3) or subsection (4), if, after July 1, 1986, the tax is extended or the tax rate changed, for the period of extension or for the additional tax.

(b) In addition to other taxes allowed by law, there may be levied as provided in s. 206.41(1)(e) a 1-cent, 2-cent, 3-cent, 4-cent, or 5-cent local option fuel tax upon every gallon of motor fuel sold in a county and taxed under the provisions of part I of chapter 206. The tax shall be levied by an ordinance adopted by a majority plus one vote of the membership of the governing body of the county or by referendum.

1. All impositions and rate changes of the tax shall be levied before *October* ~~July~~ 1, to be effective January 1 of the following year. However, levies of the tax which were in effect on July 1, 2002, and which expire on August 31 of any year may be reimposed at the current authorized rate effective September 1 of the year of expiration.

2. The county may, prior to levy of the tax, establish by interlocal agreement with one or more municipalities located therein, representing a majority of the population of the incorporated area within the county, a distribution formula for dividing the entire proceeds of the tax among county government and all eligible municipalities within the county. If no interlocal agreement is adopted before the effective date of the tax, tax revenues shall be distributed pursuant to the provisions of subsection (4). If no interlocal agreement exists, a new interlocal agreement may be established prior to June 1 of any year pursuant to this subparagraph. However, any interlocal agreement agreed to under this subparagraph after the initial levy of the tax or change in the tax rate authorized in this section shall under no circumstances materially or adversely affect the rights of holders of outstanding bonds which are backed by taxes authorized by this paragraph, and the amounts distributed to the county government and each municipality shall not be reduced below the amount necessary for the payment of principal and interest and reserves for principal and interest as required under the covenants of any bond resolution outstanding on the date of establishment of the new interlocal agreement.

3. County and municipal governments shall use moneys received pursuant to this paragraph for transportation expenditures needed to meet the requirements of the capital improvements element of an adopted comprehensive plan or for expenditures needed to meet immediate local transportation problems and for other transportation-related expenditures that are critical for building comprehensive roadway networks by local governments. For purposes of this paragraph, expenditures for the construction of new roads, the reconstruction or resurfacing of existing paved roads, or the paving of existing graded roads shall be deemed to increase capacity and such projects shall be included in the capital improvements element of an adopted comprehensive plan. Expenditures for purposes of this paragraph shall not include routine maintenance of roads.

(5)(a) By *October* ~~July~~ 1 of each year, the county shall notify the Department of Revenue of the rate of the taxes levied pursuant to paragraphs (1)(a) and (b), and of its decision to rescind or change the rate of a tax, if applicable, and shall provide the department with a certified copy of the interlocal agreement established under subparagraph (1)(b)2. or subparagraph (3)(a)1. with distribution proportions established by such agreement or pursuant to subsection (4), if applicable. A decision to rescind a tax *may* ~~shall~~ not take effect on any date other than December

31 and *requires* ~~shall require~~ a minimum of 60 days' notice to the Department of Revenue of such decision.

(7) For the purposes of this section, "transportation expenditures" means expenditures by the local government from local or state shared revenue sources, excluding expenditures of bond proceeds, for the following programs:

(a) Public transportation operations and maintenance.

(b) Roadway and right-of-way maintenance and equipment and structures used primarily for the storage and maintenance of such equipment.

(c) Roadway and right-of-way drainage.

(d) Street lighting *installation, operation, maintenance, and repair*.

(e) Traffic signs, traffic engineering, signalization, and pavement markings*, installation, operation, maintenance, and repair*.

(f) Bridge maintenance and operation.

(g) Debt service and current expenditures for transportation capital projects in the foregoing program areas, including construction or reconstruction of roads and sidewalks.

Section 29. Subsection (4) of section 337.111, Florida Statutes, is amended to read:

337.111 Contracting for monuments and memorials to military veterans at rest areas.—The Department of Transportation is authorized to enter into contract with any not-for-profit group or organization that has been operating for not less than 2 years for the installation of monuments and memorials honoring Florida's military veterans at highway rest areas around the state pursuant to the provisions of this section.

(4) The group or organization making the proposal shall provide *an annual renewable* ~~a 10-year~~ bond*, an irrevocable letter of credit, or another form of security as approved by the department's comptroller, for the purpose of* securing the cost of removal of the monument and any modifications made to the site as part of the placement of the monument should the Department of Transportation determine it necessary to remove or relocate the monument. Such removal or relocation shall be approved by the committee described in subsection (1). ~~Prior to expiration, the bond shall be renewed for another 10-year period if the memorial is to remain in place.~~

Section 30. Subsection (1) of section 337.125, Florida Statutes, is amended to read:

337.125 Socially and economically disadvantaged business enterprises; notice requirements.—

(1) *When contract goals are established,* in order to document that a subcontract is with a certified socially and economically disadvantaged business enterprise, the prime contractor must either submit a disadvantaged business enterprise utilization form which has been signed by the socially and economically disadvantaged business enterprise and the prime contractor, or submit the written or oral quotation of the socially and economically disadvantaged business enterprise, and information contained in the quotation must be confirmed as determined by the department by rule.

Section 31. *Section 337.137, Florida Statutes, is repealed.*

Section 32. Section 337.139, Florida Statutes, is amended to read:

337.139 Efforts to encourage awarding contracts to disadvantaged business enterprises.—In implementing chapter 90-136, Laws of Florida, the Department of Transportation shall institute procedures to encourage the awarding of contracts for professional services and construction to disadvantaged business enterprises. For the purposes of this section, the term "disadvantaged business enterprise" means a small business concern certified by the Department of Transportation to be owned and controlled by socially and economically disadvantaged individuals as defined by the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)* ~~Surface Transportation and Uniform Relocation Act of 1987~~. The Department of Transportation shall develop and implement activities to encourage the participation of disadvantaged business enterprises in the contracting process. Such efforts may include:

(1) Presolicitation or prebid meetings for the purpose of informing disadvantaged business enterprises of contracting opportunities.

(2) Written notice to disadvantaged business enterprises of contract opportunities for commodities or contractual and construction services which the disadvantaged business provides.

(3) Provision of adequate information to disadvantaged business enterprises about the plans, specifications, and requirements of contracts or the availability of jobs.

(4) Breaking large contracts into several single-purpose contracts of a size which may be obtained by certified disadvantaged business enterprises.

Section 33. Subsection (1) of section 337.14, Florida Statutes, is amended to read:

337.14 Application for qualification; certificate of qualification; restrictions; request for hearing.—

(1) Any person desiring to bid for the performance of any construction contract in excess of $250,000 which the department proposes to let must first be certified by the department as qualified pursuant to this section and rules of the department. The rules of the department shall address the qualification of persons to bid on construction contracts in excess of $250,000 and shall include requirements with respect to the equipment, past record, experience, financial resources, and organizational personnel of the applicant necessary to perform the specific class of work for which the person seeks certification. The department *may* ~~is authorized to~~ limit the dollar amount of any contract upon which a person is qualified to bid or the aggregate total dollar volume of contracts such person is allowed to have under contract at any one time. Each applicant seeking qualification to bid on construction contracts in excess of $250,000 shall furnish the department a statement under oath, on such forms as the department may prescribe, setting forth detailed information as required on the application. Each application for certification shall be accompanied by the latest annual financial statement of the applicant completed within the last 12 months. If the application or the annual financial statement shows the financial condition of the applicant more than 4 months prior to the date on which the application is received by the department, then an interim financial statement must be submitted and be accompanied by an updated application. The interim financial statement must cover the period from the end date of the annual statement and must show the financial condition of the applicant no more than 4 months prior to the date the interim financial statement is received by the department. *However, upon request by the applicant, an application and accompanying annual or interim financial statement received by the department within 15 days after either 4-month period under this subsection shall be considered timely.* Each required annual or interim financial statement must be audited and accompanied by the opinion of a certified public accountant ~~or a public accountant approved by the department~~. *An applicant desiring to bid exclusively for the performance of construction contracts with proposed budget estimates of less than $1 million may submit reviewed annual or reviewed interim financial statements prepared by a certified public accountant.* The information required by this subsection is confidential and exempt from the provisions of s. 119.07(1). The department shall act upon the application for qualification within 30 days after the department determines that the application is complete. The department may waive the requirements of this subsection for projects having a contract price of $500,000 or less if the department determines that the project is of a noncritical nature and the waiver will not endanger public health, safety, or property.

Section 34. Subsection (3) of section 337.29, Florida Statutes, is amended to read:

337.29 Vesting of title to roads; liability for torts.—

(3) Title to all roads transferred in accordance with ~~the provisions of~~ s. 335.0415 shall be in the governmental entity to which such roads have been transferred, upon the recording of *a deed or* a right-of-way map by

the appropriate governmental entity in the public land records of the county or counties in which such rights-of-way are located. To the extent that sovereign immunity has been waived, liability for torts shall be in the governmental entity having operation and maintenance responsibility as provided in s. 335.0415. Except as otherwise provided by law, a municipality shall have the same governmental, corporate, and proprietary powers with relation to any public road or right-of-way within the municipality which has been transferred to another governmental entity pursuant to s. 335.0415 that the municipality has with relation to other public roads and rights-of-way within the municipality.

Section 35. Section 337.403, Florida Statutes, is amended to read:

337.403 *Interference caused by* relocation of utility; expenses.—

(1) *If a* ~~Any~~ utility *that is* ~~heretofore or hereafter~~ placed upon, under, over, or along any public road or publicly owned rail corridor ~~that~~ is found by the authority to be unreasonably interfering in any way with the convenient, safe, or continuous use, or the maintenance, improvement, extension, or expansion, of such public road or publicly owned rail corridor*, the utility owner* shall, upon 30 days' written notice to the utility or its agent by the authority, *initiate the work necessary to alleviate the interference* ~~be removed or relocated by such utility~~ at its own expense except as provided in paragraphs *(a)-(g)* ~~(a)-(f)~~. *The work must be completed within such reasonable time as stated in the notice or such time as agreed to by the authority and the utility owner.*

(a) If the relocation of utility facilities, as referred to in s. 111 of the Federal-Aid Highway Act of 1956, Pub. L. No. 627 of the 84th Congress, is necessitated by the construction of a project on the federal-aid interstate system, including extensions thereof within urban areas, and the cost of the project is eligible and approved for reimbursement by the Federal Government to the extent of 90 percent or more under the Federal Aid Highway Act, or any amendment thereof, then in that event the utility owning or operating such facilities shall *perform any necessary work* ~~relocate the facilities~~ upon *notice from* ~~order of~~ the department, and the state shall pay the entire expense properly attributable to such *work* ~~relocation~~ after deducting therefrom any increase in the value of *a* ~~the~~ new facility and any salvage value derived from *an* ~~the~~ old facility.

(b) When a joint agreement between the department and the utility is executed for utility ~~improvement, relocation, or removal~~ work to be accomplished as part of a contract for construction of a transportation facility, the department may participate in those utility *work* ~~improvement, relocation, or removal~~ costs that exceed the department's official estimate of the cost of the work by more than 10 percent. The amount of such participation shall be limited to the difference between the official estimate of all the work in the joint agreement plus 10 percent and the amount awarded for this work in the construction contract for such work. The department may not participate in any utility *work* ~~improvement, relocation, or removal~~ costs that occur as a result of changes or additions during the course of the contract.

(c) When an agreement between the department and utility is executed for utility ~~improvement, relocation, or removal~~ work to be accomplished in advance of a contract for construction of a transportation facility, the department may participate in the cost of clearing and grubbing necessary to perform such work.

(d) If the utility facility ~~being removed or relocated~~ was initially installed to exclusively serve the *authority or* ~~department,~~ its tenants, or both, the *authority* ~~department~~ shall bear the costs of *the* ~~removing or relocating that~~ utility *work* ~~facility~~. However, the *authority* ~~department~~ is not responsible for ~~bearing~~ the cost of *utility work related to* ~~removing or relocating~~ any subsequent additions to that facility for the purpose of serving others.

(e) If, under an agreement between a utility and the authority entered into after July 1, 2009, the utility conveys, subordinates, or relinquishes a compensable property right to the authority for the purpose of accommodating the acquisition or use of the right-of-way by the authority, without the agreement expressly addressing future responsibility for the cost of *necessary utility work* ~~removing or relocating the utility~~, the authority shall bear the cost of removal or relocation. This paragraph does not impair or restrict, and may not be used to interpret, the terms of any such agreement entered into before July 1, 2009.

(f) If the utility is an electric facility being relocated underground in order to enhance vehicular, bicycle, and pedestrian safety and in which ownership of the electric facility to be placed underground has been transferred from a private to a public utility within the past 5 years, the department shall incur all costs of the *necessary utility work* ~~relocation~~.

(g) An authority may bear the costs of utility work required to eliminate an unreasonable interference when the utility is not able to establish that it has a compensable property right in the particular property where the utility is located if:

1. The utility was physically located on the particular property before the authority acquired rights in the property;

2. The utility demonstrates that it has a compensable property right in all adjacent properties along the alignment of the utility; and

3. The information available to the authority does not establish the relative priorities of the authority's and the utility's interests in the particular property.

(2) If such *utility work* ~~removal or relocation~~ is incidental to work to be done on such road or publicly owned rail corridor, the notice shall be given at the same time the contract for the work is advertised for bids, or *no less than* 30 days *before* ~~prior to~~ the commencement of such work by the authority*, whichever occurs later*.

(3) Whenever *a notice from* ~~an order of~~ the authority requires such *utility work* ~~removal or change in the location of any utility from the right-of-way of a public road or publicly owned rail corridor,~~ and the owner thereof fails to *perform the work* ~~remove or change the same~~ at his or her own expense ~~to conform to the order~~ within the time stated in the notice *or such other time as agreed to by the authority and the utility owner*, the authority shall proceed to cause the utility *work to be performed* ~~to be removed~~. The expense thereby incurred shall be paid out of any money available therefor, and such expense shall, except as provided in subsection (1), be charged against the owner and levied and collected and paid into the fund from which the expense of such relocation was paid.

Section 36. Subsection (1) of section 337.404, Florida Statutes, is amended to read:

337.404 Removal or relocation of utility facilities; notice and order; court review.—

(1) Whenever it *becomes* ~~shall become~~ necessary for the authority to *perform utility work* ~~remove or relocate any utility~~ as provided in *s. 337.403* ~~the preceding section~~, the owner of the utility~~,~~ or the owner's chief agent~~,~~ shall be given notice *that the authority will perform* ~~of~~ such *work* ~~removal or relocation~~ and*, after the work is completed, shall be given* an order requiring the payment of the cost thereof~~,~~ and *a* ~~shall be given~~ reasonable time, which *may* ~~shall~~ not be less than 20 *or* ~~nor~~ more than 30 days, in which to appear before the authority to contest the reasonableness of the order. Should the owner or the owner's representative not appear, the determination of the cost to the owner shall be final. Authorities considered agencies for the purposes of chapter 120 shall adjudicate removal or relocation of utilities pursuant to chapter 120.

Section 37. Subsections (1), (4), and (5) of section 337.408, Florida Statutes, are amended to read:

337.408 Regulation of *bus stops,* benches, transit shelters, street light poles, waste disposal receptacles, and modular news racks within rights-of-way.—

(1) Benches or transit shelters, including advertising displayed on benches or transit shelters, may be installed within the right-of-way limits of any municipal, county, or state road, except a limited access highway, provided that such benches or transit shelters are for the comfort or convenience of the general public or are at designated stops on official bus routes and provided that written authorization has been given to a qualified private supplier of such service by the municipal government within whose incorporated limits such benches or transit shelters are installed or by the county government within whose unincorporated limits such benches or transit shelters are installed. A municipality or county may authorize the installation, without public bid, of benches and transit shelters together with advertising displayed thereon

within the right-of-way limits of such roads. *All installations shall be in compliance with all applicable laws and rules, including, without limitation, the Americans with Disabilities Act. Municipalities and counties that authorize or have authorized a bench or transit shelter to be installed within the right-of-way limits of any road on the State Highway System shall be responsible for ensuring that the bench or transit shelter complies with all applicable laws and rules, including, without limitation, the Americans with Disabilities Act, or shall remove the bench or transit shelter. The department shall have no liability for any claims, losses, costs, charges, expenses, damages, liabilities, attorney fees, or court costs relating to the installation, removal, or relocation of any benches or transit shelters authorized by a municipality or county. On and after July 1, 2012, a municipality or county that authorizes a bench or transit shelter to be installed within the right-of-way limits of any road on the State Highway System must require the qualified private supplier, or any other person under contract to install the bench or transit shelter, to indemnify, defend, and hold harmless the department from any suits, actions, proceedings, claims, losses, costs, charges, expenses, damages, liabilities, attorney fees, and court costs relating to the installation, removal, or relocation of such installations, and shall annually certify to the department in a notarized signed statement that this requirement has been met. The certification shall include the name and address of each person responsible for indemnifying the department for an authorized installation. Municipalities and counties that have authorized the installation of benches or transit shelters within the right-of-way limits of any road on the State Highway System must remove or relocate, or cause the removal or relocation of, the installation at no cost to the department within 60 days after written notice by the department that the installation is unreasonably interfering in any way with the convenient, safe, or continuous use of or the maintenance, improvement, extension, or expansion of the State Highway System road.* Any contract for the installation of benches or transit shelters or advertising on benches or transit shelters which was entered into before April 8, 1992, without public bidding is ratified and affirmed. Such benches or transit shelters may not interfere with right-of-way preservation and maintenance. Any bench or transit shelter located on a sidewalk within the right-of-way limits of any road on the State Highway System or the county road system shall be located so as to leave at least 36 inches of clearance for pedestrians and persons in wheelchairs. Such clearance shall be measured in a direction perpendicular to the centerline of the road.

(4) The department has the authority to direct the immediate relocation or removal of any *bus stop,* bench, transit shelter, waste disposal receptacle, public pay telephone, or modular news rack that endangers life or property *or that is otherwise not in compliance with applicable laws and rules*, except that transit bus benches that were placed in service before April 1, 1992, are not required to comply with bench size and advertising display size requirements established by the department before March 1, 1992. ~~Any transit bus bench that was in service before April 1, 1992, may be replaced with a bus bench of the same size or smaller, if the bench is damaged or destroyed or otherwise becomes unusable.~~ The department may adopt rules relating to the regulation of bench size and advertising display size requirements. If a municipality or county within which a bench is to be located has adopted an ordinance or other applicable regulation that establishes bench size or advertising display sign requirements different from requirements specified in department rule, the local government requirement applies within the respective municipality or county. Placement of any bench or advertising display on the National Highway System under a local ordinance or regulation adopted under this subsection is subject to approval of the Federal Highway Administration.

(5) A *bus stop,* bench, transit shelter, waste disposal receptacle, public pay telephone, or modular news rack, or advertising thereon, may not be erected or placed on the right-of-way of any road in a manner that conflicts with the requirements of federal law, regulations, or safety standards, thereby causing the state or any political subdivision the loss of federal funds. Competition among persons seeking to provide *bus stop,* bench, transit shelter, waste disposal receptacle, public pay telephone, or modular news rack services or advertising on such benches, shelters, receptacles, public pay telephone, or news racks may be regulated, restricted, or denied by the appropriate local government entity consistent with this section.

Section 38. *Chapter 338, Florida Statutes, is retitled "LIMITED ACCESS AND TOLL FACILITIES."*

Section 39. *Section 338.001, Florida Statutes, is repealed.*

Section 40. Present subsections (1) through (6) of section 338.01, Florida Statutes, are renumbered as subsections (2) through (7), respectively, and new subsections (1) and (8) are added to that section to read:

338.01 Authority to establish and regulate limited access facilities.—

(1) The department may establish limited access facilities as provided in s. 335.02. The primary function of such limited access facilities shall be to allow high-speed and high-volume traffic movements within the state. Access to abutting land is subordinate to this function, and such access must be prohibited or highly regulated.

(8) The department, or other governmental entity responsible for the collection of tolls, may pursue the collection of unpaid tolls and associated fees and other amounts to which it is entitled by contracting with a private attorney who is a member in good standing with The Florida Bar or a collection agent who is registered and in good standing pursuant to chapter 559. A collection fee in an amount that is reasonable within the collection industry, including any reasonable attorney fees, may be added to the delinquent amount collected by any attorney or collection agent retained by the department or other governmental entity. The requirements of s. 287.059 do not apply to private attorney services procured under this section.

Section 41. Section 338.151, Florida Statutes, is created to read:

338.151 Authority of the department to establish tolls on the State Highway System.—Notwithstanding s. 338.165(8), the department may establish tolls on new limited access facilities on the State Highway System, lanes added to existing limited access facilities on the State Highway System, new major bridges on the State Highway System over waterways, and replacements for existing major bridges on the State Highway System over waterways to pay, fully or partially, for the cost of such projects. Except for high-occupancy vehicle lanes, express lanes, the turnpike system, and as otherwise authorized by law, the department may not establish tolls on lanes of limited access facilities that exist on July 1, 2012, unless tolls were in effect for the lanes prior to that date. The authority provided in this section is in addition to the authority provided under the Florida Turnpike Enterprise Law and s. 338.166.

Section 42. Subsection (1) of section 338.155, Florida Statutes, is amended to read:

338.155 Payment of toll on toll facilities required; exemptions.—

(1) *A person may not* ~~No persons are permitted to~~ use any toll facility without payment of tolls, except employees of the agency operating the toll project when using the toll facility on official state business, state military personnel while on official military business, handicapped persons as provided in this section, persons exempt from toll payment by the authorizing resolution for bonds issued to finance the facility, and persons exempt on a temporary basis where use of such toll facility is required as a detour route. Any law enforcement officer operating a marked official vehicle is exempt from toll payment when on official law enforcement business. Any person operating a fire vehicle when on official business or a rescue vehicle when on official business is exempt from toll payment. Any person participating in the funeral procession of a law enforcement officer or firefighter killed in the line of duty is exempt from toll payment. The secretary~~,~~ or the secretary's designee~~,~~ may suspend the payment of tolls on a toll facility when necessary to assist in emergency evacuation. The failure to pay a prescribed toll constitutes a noncriminal traffic infraction, punishable as a moving violation *as provided in* ~~pursuant to~~ s. 318.18. The department *may* ~~is authorized to~~ adopt rules relating to the payment, collection, and enforcement of tolls, as authorized in chapters 316, 318, 320, 322, and 338, including, but not limited to, rules for the implementation of video or other image billing and variable pricing. *With respect to toll facilities managed by the department, the revenues of which are not pledged to repayment of bonds, the department may by rule allow the use of such facilities by public transit vehicles or by vehicles participating in a funeral procession for an active-duty military service member without the payment of tolls.*

Section 43. Paragraph (c) is added to subsection (3) of section 338.161, Florida Statutes, to read:

338.161 Authority of department or toll agencies to advertise and promote electronic toll collection; expanded uses of electronic toll col-

lection system; studies authorized*; authority of department to collect tolls, fares, and fees for private and public entities*.—

(3)

(c) If the department finds that it can increase nontoll revenues or add convenience or other value for its customers, the department is authorized to enter into agreements with private or public entities for the department's use of its electronic toll collection and video billing systems to collect tolls, fares, administrative fees, and other applicable charges imposed in connection with transportation facilities of the private or public entities that become interoperable with the department's electronic toll collection system. The department may modify its rules regarding toll collection procedures and the imposition of administrative charges to be applicable to toll facilities that are not part of the turnpike system or otherwise owned by the department. This paragraph may not be construed to limit the authority of the department under any other provision of law or under any agreement entered into prior to July 1, 2012.

Section 44. Section 338.166, Florida Statutes, is amended to read:

338.166 High-occupancy toll lanes or express lanes.—

(1) Under s. 11, Art. VII of the State Constitution, the department may request the Division of Bond Finance to issue bonds secured by toll revenues collected on high-occupancy toll lanes or express lanes *established on facilities owned by the department* ~~located on Interstate 95 in Miami-Dade and Broward Counties~~.

(2) The department may continue to collect the toll on the high-occupancy toll lanes or express lanes after the discharge of any bond indebtedness related to such project. All tolls so collected shall first be used to pay the annual cost of the operation, maintenance, and improvement of the high-occupancy toll lanes or express lanes project or associated transportation system.

(3) Any remaining toll revenue from the high-occupancy toll lanes or express lanes shall be used by the department for the construction, maintenance, or improvement of any road on the State Highway System *within the county or counties in which the toll revenues were collected or to support express bus service on the facility where the toll revenues were collected*.

(4) The department may implement variable rate tolls on high-occupancy toll lanes or express lanes.

(5) Except for high-occupancy toll lanes or express lanes, tolls may not be charged for use of an interstate highway where tolls were not charged as of July 1, 1997.

(6) This section does not apply to the turnpike system as defined under the Florida Turnpike Enterprise Law.

Section 45. Paragraph (a) of subsection (8) of section 338.221, Florida Statutes, is amended to read:

338.221 Definitions ~~of terms used in ss. 338.22-338.241~~.—As used in ss. 338.22-338.241, the following words and terms have the following meanings, unless the context indicates another or different meaning or intent:

(8) "Economically feasible" means:

(a) For a proposed turnpike project, that, as determined by the department before the issuance of revenue bonds for the project, the estimated net revenues of the proposed turnpike project, excluding feeder roads and turnpike improvements, will be sufficient to pay at least 50 percent of the *annual* debt service on the bonds *associated with the project* by the end of the 12th year of operation and to pay at least 100 percent of the debt service on the bonds by the end of the *30th* ~~22nd~~ year of operation. In implementing this paragraph, up to 50 percent of the adopted work program costs of the project may be funded from turnpike revenues.

This subsection does not prohibit the pledging of revenues from the entire turnpike system to bonds issued to finance or refinance a turnpike project or group of turnpike projects.

Section 46. Paragraphs (a) and (b) of subsection (1) of section 338.223, Florida Statutes, are amended to read:

338.223 Proposed turnpike projects.—

(1)(a) Any proposed project to be constructed or acquired as part of the turnpike system and any turnpike improvement shall be included in the tentative work program. *A* ~~No~~ proposed project or group of proposed projects *may not* ~~shall~~ be added to the turnpike system unless such project or projects are determined to be economically feasible and a statement of environmental feasibility has been completed for such project or projects and such projects are determined to be consistent, to the maximum extent feasible, with approved local government comprehensive plans of the local governments in which such projects are located. The department may authorize engineering studies, traffic studies, environmental studies, and other expert studies of the location, costs, economic feasibility, and practicality of proposed turnpike projects throughout the state and may proceed with the design phase of such projects. The department *may* ~~shall~~ not request legislative approval of a proposed turnpike project until the design phase of that project is at least *30* ~~60~~ percent complete. If a proposed project or group of proposed projects is found to be economically feasible, consistent, to the maximum extent feasible, with approved local government comprehensive plans of the local governments in which such projects are located, and a favorable statement of environmental feasibility has been completed, the department, with the approval of the Legislature, shall, after the receipt of all necessary permits, construct, maintain, and operate such turnpike projects.

(b) Any proposed turnpike project or improvement shall be developed in accordance with the Florida Transportation Plan and the work program pursuant to s. 339.135. Turnpike projects that add capacity, alter access, affect feeder roads, or affect the operation of the local transportation system shall be included in the transportation improvement plan of the affected metropolitan planning organization. If such turnpike project does not fall within the jurisdiction of a metropolitan planning organization, the department shall notify the affected county and provide for public hearings in accordance with *s. 339.155(5)(c)* ~~s. 339.155(6)(c)~~.

Section 47. Subsection (4) of section 338.227, Florida Statutes, is amended to read:

338.227 Turnpike revenue bonds.—

(4) The Department of Transportation and the Department of Management Services shall create and implement an outreach program designed to enhance the participation of minority persons and minority business enterprises in all contracts entered into by their respective departments for services related to the financing of department projects for the *Strategic Intermodal System Plan developed pursuant to s. 339.64* ~~Florida Intrastate Highway System Plan~~. These services shall include, but *are* not ~~be~~ limited to, bond counsel and bond underwriters.

Section 48. Subsection (2) of section 338.2275, Florida Statutes, is amended to read:

338.2275 Approved turnpike projects.—

(2) The department *may* ~~is authorized to~~ use turnpike revenues, the State Transportation Trust Fund moneys allocated for turnpike projects pursuant to *s. 339.65* ~~s. 338.001~~, federal funds, and bond proceeds, and shall use the most cost-efficient combination of such funds, in developing a financial plan for funding turnpike projects. The department must submit a report of the estimated cost for each ongoing turnpike project and for each planned project to the Legislature 14 days before the convening of the regular legislative session. Verification of economic feasibility and statements of environmental feasibility for individual turnpike projects must be based on the entire project as approved. Statements of environmental feasibility are not required for those projects listed in s. 12, chapter 90-136, Laws of Florida, for which the Project Development and Environmental Reports were completed by July 1, 1990. All required environmental permits must be obtained before the department may advertise for bids for contracts for the construction of any turnpike project.

Section 49. Section 338.228, Florida Statutes, is amended to read:

338.228 Bonds not debts or pledges of credit of state.—Turnpike revenue bonds issued under the provisions of ss. 338.22-338.241 are not debts of the state or pledges of the faith and credit of the state. Such bonds are payable exclusively from revenues pledged for their payment. All such bonds shall contain a statement on their face that the state is not obligated to pay the same or the interest thereon, except from the revenues pledged for their payment, and that the faith and credit of the state is not pledged to the payment of the principal or interest of such bonds. The issuance of turnpike revenue bonds under the provisions of ss. 338.22-338.241 does not directly, indirectly, or contingently obligate the state to levy or to pledge any form of taxation whatsoever, or to make any appropriation for their payment. Except as provided in ss. ~~338.001,~~ 338.223, ~~and~~ 338.2275*, and 339.65*, ~~no~~ state funds *may not* ~~shall~~ be used on any turnpike project or to pay the principal or interest of any bonds issued to finance or refinance any portion of the turnpike system, and all such bonds shall contain a statement on their face to this effect.

Section 50. Paragraph (c) is added to subsection (3) of section 338.231, Florida Statutes, to read:

338.231 Turnpike tolls, fixing; pledge of tolls and other revenues.—The department shall at all times fix, adjust, charge, and collect such tolls and amounts for the use of the turnpike system as are required in order to provide a fund sufficient with other revenues of the turnpike system to pay the cost of maintaining, improving, repairing, and operating such turnpike system; to pay the principal of and interest on all bonds issued to finance or refinance any portion of the turnpike system as the same become due and payable; and to create reserves for all such purposes.

(3)

(c) Notwithstanding any other provision of law to the contrary, any prepaid toll account of any kind which has remained inactive for 3 years shall be presumed unclaimed and its disposition shall be handled by the Department of Financial Services in accordance with all applicable provisions of chapter 717 relating to the disposition of unclaimed property, and the prepaid toll account shall be closed by the department.

Section 51. Subsection (2) of section 338.234, Florida Statutes, is amended to read:

338.234 Granting concessions or selling along the turnpike system; immunity from taxation.—

(2) The effectuation of the authorized purposes of the *Strategic Intermodal System, created under ss. 339.61-339.65,* ~~Florida Intrastate Highway System~~ and Florida Turnpike Enterprise, created under this chapter, is for the benefit of the people of the state, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions; and, because the system and enterprise perform essential government functions in effectuating such purposes, neither the turnpike enterprise nor any nongovernment lessee or licensee renting, leasing, or licensing real property from the turnpike enterprise, pursuant to an agreement authorized by this section, are required to pay any commercial rental tax imposed under s. 212.031 on any capital improvements constructed, improved, acquired, installed, or used for such purposes.

Section 52. Subsections (1), (2), and (3) of section 339.0805, Florida Statutes, are amended to read:

339.0805 Funds to be expended with certified disadvantaged business enterprises; ~~specified percentage to be expended;~~ construction management development program; bond guarantee program.—It is the policy of the state to meaningfully assist socially and economically disadvantaged business enterprises through a program that will provide for the development of skills through construction and business management training, as well as by providing contracting opportunities and financial assistance in the form of bond guarantees, to primarily remedy the effects of past economic disparity.

(1)(a) ~~Except to the extent that the head of the department determines otherwise,~~ The department shall expend ~~not less than 10 percent of~~ federal-aid highway funds as defined in 49 C.F.R. *part 26* ~~s. 23.63(a)~~ and state matching funds with small business concerns owned and controlled by socially and economically disadvantaged individuals as defined by the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)* ~~Surface Transportation and Uniform Relocation Assistance Act of 1987~~.

(b) Upon a determination by the department of past and continuing discrimination in nonfederally funded projects on the basis of race, color, creed, national origin, or sex, the department may implement a program tailored to address specific findings of disparity. The program may include the establishment of annual goals for expending a percentage of state-administered highway funds with small business concerns. The department may utilize set-asides for small business concerns to assist in achieving goals established pursuant to this subsection. For the purpose of this subsection, *the term* "small business concern" means a business owned and controlled by socially and economically disadvantaged individuals as defined by the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)* ~~Surface Transportation and Uniform Relocation Assistance Act of 1987~~. The head of the department may elect to set goals only when significant disparity is documented. The findings of a disparity study shall be considered in determining the program goals for each group qualified to participate. ~~Such a study shall be conducted or updated by the department or its designee at a minimum of every 5 years. The department shall adopt rules to implement this subsection on or before October 1, 1993.~~

(c) The department shall certify a socially and economically disadvantaged business enterprise, ~~which certification shall be valid for 12 months, or~~ as prescribed by 49 C.F.R. part *26* ~~23~~. The department's initial application for certification for a socially and economically disadvantaged business enterprise shall require sufficient information to determine eligibility as a small business concern owned and controlled by a socially and economically disadvantaged individual. For *continuing eligibility* ~~recertification~~ of a disadvantaged business enterprise, the department may accept an affidavit, which meets department criteria as to form and content, certifying that the business remains qualified for certification in accordance with program requirements. A firm which does not fulfill all the department's criteria for certification *may* ~~shall~~ not be considered a disadvantaged business enterprise. An applicant who is denied certification may not reapply within *12* ~~6~~ months after issuance of the denial letter ~~or the final order, whichever is later~~. The application and financial information required by this section are confidential and exempt from s. 119.07(1).

(2) The department shall *remove* ~~revoke~~ the certification of a disadvantaged business enterprise upon receipt of notification of any change in ownership which results in the disadvantaged individual or individuals used to qualify the business as a disadvantaged business enterprise~~,~~ no longer owning at least 51 percent of the business enterprise. Such notification shall be made to the department by certified mail within *30* ~~10~~ days after the change in ownership~~, and such business shall be removed from the certified disadvantaged business list until a new application is submitted and approved by the department~~. Failure to notify the department of the change in the ownership which qualifies the business as a disadvantaged business enterprise will *also* result in *removal* ~~revocation~~ of certification and subject the business to the provisions of s. 337.135. In addition, the department may, for good cause, deny or *remove* ~~suspend~~ the certification of a disadvantaged business enterprise. As used in this subsection, the term "good cause" includes, but is not limited to, the disadvantaged business enterprise:

(a) No longer meeting the certification standards set forth in department rules;

(b) Making a false, deceptive, or fraudulent statement in its application for certification or in any other information submitted to the department;

(c) Failing to maintain the records required by department rules;

(d) Failing to perform a commercially useful function on projects for which the enterprise was used to satisfy contract goals;

(e) Failing to fulfill its contractual obligations with contractors;

(f) Failing to respond with a statement of interest to requests for bid quotations from contractors for three consecutive lettings;

~~(g) Subcontracting to others more than 49 percent of the amount of any single subcontract that was used by the prime contractor to meet a contract goal;~~

(g)~~(h)~~ Failing to provide notarized certification of payments received on specific projects to the prime contractor when required to do so by contract specifications;

(h)~~(i)~~ Failing to schedule an onsite review upon request of the department; or

(i)~~(j)~~ Becoming insolvent or the subject of a bankruptcy proceeding.

(3) The head of the department *may* ~~is authorized to~~ expend up to 6 percent of the funds specified in subsection (1) which are designated to be expended on small business firms owned and controlled by socially and economically disadvantaged individuals to conduct, by contract or otherwise, a construction management development program. Participation in the program will be limited to those firms which are certified under the provisions of subsection (1) by the department or the federal Small Business Administration or to any firm which *meets the definition of a small business in 49 C.F.R. s. 26.65* ~~has annual gross receipts not exceeding $2 million averaged over a 3 year period~~. The program *shall* ~~will~~ consist of classroom instruction and on-the-job instruction. To the extent feasible, the registration fee shall be set to cover the cost of instruction and overhead. ~~No~~ Salary *may not* ~~will~~ be paid to any participant.

Section 53. Paragraph (c) of subsection (4) and paragraph (e) of subsection (7) of section 339.135, Florida Statutes, are amended to read:

339.135 Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.—

(4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

(c)1. For purposes of this section, the board of county commissioners shall serve as the metropolitan planning organization in those counties which are not located in a metropolitan planning organization and shall be involved in the development of the district work program to the same extent as a metropolitan planning organization.

2. The district work program shall be developed cooperatively from the outset with the various metropolitan planning organizations of the state and include, to the maximum extent feasible, the project priorities of metropolitan planning organizations which have been submitted to the district by October 1 of each year *pursuant to s. 339.175(8)(b)*; however, the department and a metropolitan planning organization may, in writing, cooperatively agree to vary this submittal date. To assist the metropolitan planning organizations in developing their lists of project priorities, the district shall disclose to each metropolitan planning organization any anticipated changes in the allocation or programming of state and federal funds which may affect the inclusion of metropolitan planning organization project priorities in the district work program.

3. Prior to submittal of the district work program to the central office, the district shall provide the affected metropolitan planning organization with written justification for any project proposed to be rescheduled or deleted from the district work program which project is part of the metropolitan planning organization's transportation improvement program and is contained in the last 4 years of the previous adopted work program. By no later than 14 days after submittal of the district work program to the central office, the affected metropolitan planning organization may file an objection to such rescheduling or deletion. When an objection is filed with the secretary, the rescheduling or deletion *may* ~~shall~~ not be included in the district work program unless the inclusion of such rescheduling or deletion is specifically approved by the secretary. The Florida Transportation Commission shall include such objections in its evaluation of the tentative work program only when the secretary has approved the rescheduling or deletion.

(7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

(e) The department may amend the adopted work program to transfer fixed capital outlay appropriations for projects within the same appropriations category or between appropriations categories, including the following amendments which shall be subject to the procedures in paragraph (f):

1. Any amendment which deletes any project or project phase *estimated to cost over $150,000*;

2. Any amendment which adds a project estimated to cost over *$500,000* ~~$150,000~~ in funds appropriated by the Legislature;

3. Any amendment which advances or defers to another fiscal year, a right-of-way phase, a construction phase, or a public transportation project phase estimated to cost over *$1.5 million* ~~$500,000~~ in funds appropriated by the Legislature, except an amendment advancing *a phase by 1 year to the current fiscal year* or deferring a phase for a period of 90 days or less; or

4. Any amendment which advances or defers to another fiscal year, any preliminary engineering phase or design phase estimated to cost over *$500,000* ~~$150,000~~ in funds appropriated by the Legislature, except an amendment advancing *a phase by 1 year to the current fiscal year* or deferring a phase for a period of 90 days or less.

Beginning July 1, 2013, the department shall index the budget amendment threshold amounts established in this paragraph to the Consumer Price Index or similar inflation indicators. Threshold adjustments for inflation under this paragraph may be made no more frequently than once a year. Adjustments for inflation are subject to the notice and review procedures contained in s. 216.177.

Section 54. Section 339.155, Florida Statutes, is amended to read:

339.155 Transportation planning.—

(1) THE FLORIDA TRANSPORTATION PLAN.—The department shall develop ~~and annually update~~ a statewide transportation plan, to be known as the Florida Transportation Plan. The plan shall be designed so as to be easily read and understood by the general public. The plan shall consider the needs of the entire state transportation system and examine the use of all modes of transportation to effectively and efficiently meet such needs. The purpose of the Florida Transportation Plan is to establish and define the state's long-range transportation goals and objectives to be accomplished over a period of at least 20 years within the context of the State Comprehensive Plan, and any other statutory mandates and authorizations and based upon the prevailing principles of:

(a) Preserving the existing transportation infrastructure.

(b) Enhancing Florida's economic competitiveness.

(c) Improving travel choices to ensure mobility.

(d) Expanding the state's role as a hub for trade and investment.

(2) SCOPE OF PLANNING PROCESS.—The department shall carry out a transportation planning process in conformance with s. 334.046(1) *and 23 U.S.C. s. 135.* ~~which provides for consideration of projects and strategies that will:~~

~~(a) Support the economic vitality of the United States, Florida, and the metropolitan areas, especially by enabling global competitiveness, productivity, and efficiency;~~

~~(b) Increase the safety and security of the transportation system for motorized and nonmotorized users;~~

~~(c) Increase the accessibility and mobility options available to people and for freight;~~

~~(d) Protect and enhance the environment, promote energy conservation, and improve quality of life;~~

~~(e) Enhance the integration and connectivity of the transportation system, across and between modes throughout Florida, for people and freight;~~

~~(f) Promote efficient system management and operation; and~~

~~(g) Emphasize the preservation of the existing transportation system.~~

(3) FORMAT, SCHEDULE, AND REVIEW.—The Florida Transportation Plan shall be a unified, concise planning document that clearly defines the state's long-range transportation goals and objectives ~~and documents the department's short range objectives developed to further such goals and objectives~~. The plan shall*:*

(a) Include a glossary that clearly and succinctly defines any and all phrases, words, or terms of art included in the plan, with which the general public may be unfamiliar. ~~and shall consist of, at a minimum, the following components:~~

(b)~~(a)~~ *Document* ~~A long range component documenting~~ the goals and long-term objectives necessary to implement the results of the department's findings from its examination of the criteria *specified* ~~listed~~ in ~~subsection (2) and~~ s. 334.046(1) *and 23 U.S.C. s. 135*. ~~The long range component must~~

(c) Be developed in cooperation with the metropolitan planning organizations and reconciled, to the maximum extent feasible, with the long-range plans developed by metropolitan planning organizations pursuant to s. 339.175. ~~The plan must also~~

(d) Be developed in consultation with affected local officials in nonmetropolitan areas and with any affected Indian tribal governments. ~~The plan must~~

(e) Provide an examination of transportation issues likely to arise during at least a 20-year period. ~~The long range component shall~~

(f) Be updated at least once every 5 years, or more often as necessary, to reflect substantive changes to federal or state law.

~~(b) A short range component documenting the short term objectives and strategies necessary to implement the goals and long-term objectives contained in the long range component. The short range component must define the relationship between the long range goals and the short range objectives, specify those objectives against which the department's achievement of such goals will be measured, and identify transportation strategies necessary to efficiently achieve the goals and objectives in the plan. It must provide a policy framework within which the department's legislative budget request, the strategic information resource management plan, and the work program are developed. The short range component shall serve as the department's annual agency strategic plan pursuant to s. 186.021. The short range component shall be developed consistent with available and forecasted state and federal funds. The short range component shall also be submitted to the Florida Transportation Commission.~~

~~(4) ANNUAL PERFORMANCE REPORT. The department shall develop an annual performance report evaluating the operation of the department for the preceding fiscal year. The report shall also include a summary of the financial operations of the department and shall annually evaluate how well the adopted work program meets the short-term objectives contained in the short range component of the Florida Transportation Plan. This performance report shall be submitted to the Florida Transportation Commission and the legislative appropriations and transportation committees.~~

(4)~~(5)~~ ADDITIONAL TRANSPORTATION PLANS.—

(a) Upon request by local governmental entities, the department may in its discretion develop and design transportation corridors, arterial and collector streets, vehicular parking areas, and other support facilities which are consistent with the plans of the department for major transportation facilities. The department may render to local governmental entities or their planning agencies such technical assistance and services as are necessary so that local plans and facilities are coordinated with the plans and facilities of the department.

(b) Each regional planning council, as provided for in s. 186.504, or any successor agency thereto, shall develop, as an element of its strategic regional policy plan, transportation goals and policies. The transportation goals and policies must be prioritized to comply with the prevailing principles provided in subsection *(1)* ~~(2)~~ and s. 334.046(1). The transportation goals and policies shall be consistent, to the maximum extent feasible, with the goals and policies of the metropolitan planning organization and the Florida Transportation Plan. The transportation goals and policies of the regional planning council will be advisory only and shall be submitted to the department and any affected metropolitan planning organization for their consideration and comments. Metropolitan planning organization plans and other local transportation plans shall be developed consistent, to the maximum extent feasible, with the regional transportation goals and policies. The regional planning council shall review urbanized area transportation plans and any other planning products stipulated in s. 339.175 and provide the department and respective metropolitan planning organizations with written recommendations*,* which the department and the metropolitan planning organizations shall take under advisement. Further, the regional planning councils shall directly assist local governments *that* ~~which~~ are not part of a metropolitan area transportation planning process in the development of the transportation element of their comprehensive plans as required by s. 163.3177.

(c) Regional transportation plans may be developed in regional transportation areas in accordance with an interlocal agreement entered into pursuant to s. 163.01 by two or more contiguous metropolitan planning organizations; one or more metropolitan planning organizations and one or more contiguous counties, none of which is a member of a metropolitan planning organization; a multicounty regional transportation authority created by or pursuant to law; two or more contiguous counties that are not members of a metropolitan planning organization; or metropolitan planning organizations comprised of three or more counties.

(d) The interlocal agreement must, at a minimum, identify the entity that will coordinate the development of the regional transportation plan; delineate the boundaries of the regional transportation area; provide the duration of the agreement and specify how the agreement may be terminated, modified, or rescinded; describe the process by which the regional transportation plan will be developed; and provide how members of the entity will resolve disagreements regarding interpretation of the interlocal agreement or disputes relating to the development or content of the regional transportation plan. Such interlocal agreement shall become effective upon its recordation in the official public records of each county in the regional transportation area.

(e) The regional transportation plan developed pursuant to this section must, at a minimum, identify regionally significant transportation facilities located within a regional transportation area and contain a prioritized list of regionally significant projects. The projects shall be adopted into the capital improvements schedule of the local government comprehensive plan pursuant to s. 163.3177(3).

(5)~~(6)~~ PROCEDURES FOR PUBLIC PARTICIPATION IN TRANSPORTATION PLANNING.—

(a) During the development of the ~~long range component of the~~ Florida Transportation Plan and prior to substantive revisions, the department shall provide citizens, affected public agencies, representatives of transportation agency employees, other affected employee representatives, private providers of transportation, and other known interested parties with an opportunity to comment on the proposed plan or revisions. These opportunities shall include, at a minimum, publishing a notice in the Florida Administrative Weekly and within a newspaper of general circulation within the area of each department district office.

(b) During development of major transportation improvements, such as those increasing the capacity of a facility through the addition of new lanes or providing new access to a limited or controlled access facility or construction of a facility in a new location, the department shall hold one or more hearings prior to the selection of the facility to be provided; prior to the selection of the site or corridor of the proposed facility; and prior to the selection of and commitment to a specific design proposal for the proposed facility. Such public hearings shall be conducted so as to provide an opportunity for effective participation by interested persons in the process of transportation planning and site and route selection and in the specific location and design of transportation facilities. The various factors involved in the decision or decisions and any alternative proposals shall be clearly presented so that the persons attending the hearing may present their views relating to the decision or decisions *that* ~~which~~ will be made.

(c) Opportunity for design hearings:

1. The department, prior to holding a design hearing, shall duly notify all affected property owners of record, as recorded in the property

appraiser's office, by mail at least 20 days prior to the date set for the hearing. The affected property owners shall be:

a. Those whose property lies in whole or in part within 300 feet on either side of the centerline of the proposed facility.

b. Those *who* ~~whom~~ the department determines will be substantially affected environmentally, economically, socially, or safetywise.

2. For each subsequent hearing, the department shall publish notice prior to the hearing date in a newspaper of general circulation for the area affected. These notices must be published twice, with the first notice appearing at least 15 days, but no later than 30 days, before the hearing.

3. A copy of the notice of opportunity for the hearing must be furnished to the United States Department of Transportation and to the appropriate departments of the state government at the time of publication.

4. The opportunity for another hearing shall be afforded in any case when proposed locations or designs are so changed from those presented in the notices specified above or at a hearing as to have a substantially different social, economic, or environmental effect.

5. The opportunity for a hearing shall be afforded in each case in which the department is in doubt as to whether a hearing is required.

Section 55. Paragraph (a) of subsection (2), paragraph (a) of subsection (4), and paragraph (b) of subsection (8) of section 339.175, Florida Statutes, are amended to read:

339.175 Metropolitan planning organization.—

(2) DESIGNATION.—

(a)1. An M.P.O. shall be designated for each urbanized area of the state; however, this does not require that an individual M.P.O. be designated for each such area. Such designation shall be accomplished by agreement between the Governor and units of general-purpose local government representing at least 75 percent of the population of the urbanized area; however, the unit of general-purpose local government that represents the central city or cities within the M.P.O. jurisdiction, as defined by the United States Bureau of the Census, must be a party to such agreement.

2. *To the extent possible, only one M.P.O. shall be designated for each urbanized area or group of contiguous urbanized areas.* More than one M.P.O. may be designated within an existing *urbanized* ~~metropolitan planning~~ area only if the Governor and the existing M.P.O. determine that the size and complexity of the existing *urbanized* ~~metropolitan planning~~ area makes the designation of more than one M.P.O. for the area appropriate.

Each M.P.O. required under this section must be fully operative no later than 6 months following its designation.

(4) APPORTIONMENT.—

(a) The Governor shall, with the agreement of the affected units of general-purpose local government as required by federal rules and regulations, apportion the membership on the applicable M.P.O. among the various governmental entities within the area. At the request of a majority of the affected units of general-purpose local government comprising an M.P.O., the Governor and a majority of units of general-purpose local government serving on an M.P.O. shall cooperatively agree upon and prescribe who may serve as an alternate member and a method for appointing alternate members who may vote at any M.P.O. meeting that an alternate member attends in place of a regular member. The method shall be set forth as a part of the interlocal agreement describing the M.P.O.'s membership or in the M.P.O.'s operating procedures and bylaws. The governmental entity so designated shall appoint the appropriate number of members to the M.P.O. from eligible officials. Representatives of the department shall serve as nonvoting *advisers to* ~~members of~~ the M.P.O. governing board. *Additional* nonvoting advisers may be appointed by the M.P.O. as deemed necessary; however, to the maximum extent feasible, each M.P.O. shall seek to appoint nonvoting representatives of various multimodal forms of transportation not otherwise represented by voting members of the M.P.O. An M.P.O. shall appoint nonvoting advisers representing major military installations located within the jurisdictional boundaries of the M.P.O. upon the request of the aforesaid major military installations and subject to the agreement of the M.P.O. All nonvoting advisers may attend and participate fully in governing board meetings but *may* ~~shall~~ not ~~have a~~ vote *or* ~~and shall not~~ be members of the governing board. The Governor shall review the composition of the M.P.O. membership in conjunction with the decennial census as prepared by the United States Department of Commerce, Bureau of the Census, and reapportion it as necessary to comply with subsection (3).

(8) TRANSPORTATION IMPROVEMENT PROGRAM.—Each M.P.O. shall, in cooperation with the state and affected public transportation operators, develop a transportation improvement program for the area within the jurisdiction of the M.P.O. In the development of the transportation improvement program, each M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the proposed transportation improvement program.

(b) Each M.P.O. annually shall prepare a list of project priorities and shall submit the list to the appropriate district of the department by October 1 of each year; however, the department and a metropolitan planning organization may, in writing, agree to vary this submittal date. *Where more than one M.P.O. exists in an urbanized area, the M.P.O.'s shall coordinate in the development of regionally significant project priorities.* The list of project priorities must be formally reviewed by the technical and citizens' advisory committees, and approved by the M.P.O., before it is transmitted to the district. The approved list of project priorities must be used by the district in developing the district work program and must be used by the M.P.O. in developing its transportation improvement program. The annual list of project priorities must be based upon project selection criteria that, at a minimum, consider the following:

1. The approved M.P.O. long-range transportation plan;

2. The Strategic Intermodal System Plan developed under s. 339.64.

3. The priorities developed pursuant to s. 339.2819(4).

4. The results of the transportation management systems; and

5. The M.P.O.'s public-involvement procedures.

Section 56. Subsections (1), (2), (3), and (4) of section 339.2819, Florida Statutes, are amended to read:

339.2819 Transportation Regional Incentive Program.—

(1) There is created within the Department of Transportation a Transportation Regional Incentive Program for the purpose of providing funds to improve regionally significant transportation facilities in regional transportation areas created pursuant to *s. 339.155(4)* ~~s. 339.155(5)~~.

(2) The percentage of matching funds provided from the Transportation Regional Incentive Program shall be *up to* 50 percent of project costs.

(3) The department shall allocate funding available for the Transportation Regional Incentive Program to the districts based on a factor derived from equal parts of population and motor fuel collections for eligible counties in regional transportation areas created pursuant to *s. 339.155(4)* ~~s. 339.155(5)~~.

(4)(a) Projects to be funded with Transportation Regional Incentive Program funds shall, at a minimum:

1. ~~Support those transportation facilities that~~ Serve national, statewide, or regional functions and function as *part of* an integrated regional transportation system.

2. Be identified in the capital improvements element of a comprehensive plan that has been determined to be in compliance with part II of chapter 163, after July 1, 2005. Further, the project shall be in com-

pliance with local government comprehensive plan policies relative to corridor management.

3. Be consistent with the Strategic Intermodal System Plan developed under s. 339.64.

4. Have a commitment for local, regional, or private financial matching funds as a percentage of the overall project cost.

(b) *Projects funded under this section shall be included in the department's work program developed pursuant to s. 339.135. The department may not program a project to be funded under this section unless the project meets the requirements of this section.* ~~In allocating Transportation Regional Incentive Program funds, priority shall be given to projects that:~~

(c) The department shall give priority to projects that:

1. Provide connectivity to the Strategic Intermodal System developed under s. 339.64.

2. Support economic development and the movement of goods in rural areas of critical economic concern designated under s. 288.0656(7).

3. Are subject to a local ordinance that establishes corridor management techniques, including access management strategies, right-of-way acquisition and protection measures, appropriate land use strategies, zoning, and setback requirements for adjacent land uses.

4. Improve connectivity between military installations and the Strategic Highway Network or the Strategic Rail Corridor Network.

The department shall also consider the extent to which local matching funds are available to be committed to the project.

Section 57. Subsections (1) and (6) of section 339.62, Florida Statutes, are amended to read:

339.62 System components.—The Strategic Intermodal System shall consist of appropriate components of:

(1) *Highway corridors* ~~The Florida Intrastate Highway System~~ established under *s. 339.65* ~~s. 338.001~~.

(6) *Other* existing or planned corridors that serve a statewide or interregional purpose.

Section 58. Subsection (2) of section 339.63, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

339.63 System facilities designated; additions and deletions.—

(2) The Strategic Intermodal System and the Emerging Strategic Intermodal System include *five* ~~four~~ different types of facilities that each form one component of an interconnected transportation system which types include:

(a) Existing or planned hubs that are ports and terminals including airports, seaports, spaceports, passenger terminals, and rail terminals serving to move goods or people between Florida regions or between Florida and other markets in the United States and the rest of the world.

(b) Existing or planned corridors that are highways, rail lines, waterways, and other exclusive-use facilities connecting major markets within Florida or between Florida and other states or nations.

(c) Existing or planned intermodal connectors that are highways, rail lines, waterways or local public transit systems serving as connectors between the components listed in paragraphs (a) and (b).

(d) Existing or planned military access facilities that are highways or rail lines linking Strategic Intermodal System corridors to the state's strategic military installations.

(e)~~(d)~~ Existing or planned facilities that significantly improve the state's competitive position to compete for the movement of additional goods into and through this state.

(5)(a) The Secretary of Transportation shall designate a planned facility as part of the Strategic Intermodal System upon request of the facility if it meets the criteria and thresholds established by the department pursuant to subsection (4), meets the definition of an "intermodal logistics center" as defined in s. 311.101(2), and has been designated in a local comprehensive plan or local government development order as an intermodal logistics center or an equivalent planning term.

(b) A facility designated part of the Strategic Intermodal System pursuant to paragraph (a) that is within the jurisdiction of a local government that maintains a transportation concurrency system shall receive a waiver of transportation concurrency requirements applicable to Strategic Intermodal System facilities in order to accommodate any development at the facility which occurs pursuant to a building permit issued on or before December 31, 2017, but only if such facility is located:

1. Within an area designated pursuant to s. 288.0656(7) as a rural area of critical economic concern;

2. Within a rural enterprise zone as defined in s. 290.004(5); or

3. Within 15 miles of the boundary of a rural area of critical economic concern or a rural enterprise zone.

Section 59. Section 339.64, Florida Statutes, is amended to read:

339.64 Strategic Intermodal System Plan.—

(1) The department shall develop, in cooperation with metropolitan planning organizations, regional planning councils, local governments, ~~the Statewide Intermodal Transportation Advisory Council~~ and other transportation providers, a Strategic Intermodal System Plan. The plan shall be consistent with the Florida Transportation Plan developed pursuant to s. 339.155 and shall be updated at least once every 5 years, subsequent to updates of the Florida Transportation Plan.

(2) In association with the continued development of the Strategic Intermodal System Plan, the Florida Transportation Commission, as part of its work program review process, shall conduct an annual assessment of the progress that the department and its transportation partners have made in realizing the goals of economic development, improved mobility, and increased intermodal connectivity of the Strategic Intermodal System. The Florida Transportation Commission shall coordinate with the department~~, the Statewide Intermodal Transportation Advisory Council,~~ and other appropriate entities when developing this assessment. The Florida Transportation Commission shall deliver a report to the Governor and Legislature no later than 14 days after the regular session begins, with recommendations as necessary to fully implement the Strategic Intermodal System.

(3)(a) During the development of updates to the Strategic Intermodal System Plan, the department shall provide metropolitan planning organizations, regional planning councils, local governments, transportation providers, affected public agencies, and citizens with an opportunity to participate in and comment on the development of the update.

(b) The department also shall coordinate with federal, regional, and local partners the planning for the Strategic Highway Network and the Strategic Rail Corridor Network transportation facilities that either are included in the Strategic Intermodal System or that provide a direct connection between military installations and the Strategic Intermodal System. In addition, the department shall coordinate with regional and local partners to determine whether the *roads* ~~road~~ and other transportation infrastructure that connect military installations to the Strategic Intermodal System, the Strategic Highway Network, or the Strategic Rail Corridor *are* ~~is~~ regionally significant and should be included in the Strategic Intermodal System Plan.

(4) The Strategic Intermodal System Plan shall include the following:

(a) A needs assessment.

(b) A project prioritization process.

(c) A map of facilities designated as Strategic Intermodal System facilities; facilities that are emerging in importance *and* ~~that~~ are likely to become part of the system in the future; and planned facilities that will meet the established criteria.

(d) A finance plan based on reasonable projections of anticipated revenues, including both 10-year and *at least* 20-year cost-feasible components.

(e) An assessment of the impacts of proposed improvements to Strategic Intermodal System corridors on military installations that are either located directly on the Strategic Intermodal System or located on the Strategic Highway Network or Strategic Rail Corridor Network.

~~(5) STATEWIDE INTERMODAL TRANSPORTATION ADVISORY COUNCIL.—~~

~~(a) The Statewide Intermodal Transportation Advisory Council is created to advise and make recommendations to the Legislature and the department on policies, planning, and funding of intermodal transportation projects. The council's responsibilities shall include:~~

~~1. Advising the department on the policies, planning, and implementation of strategies related to intermodal transportation.~~

~~2. Providing advice and recommendations to the Legislature on funding for projects to move goods and people in the most efficient and effective manner for the State of Florida.~~

~~(b) MEMBERSHIP.—Members of the Statewide Intermodal Transportation Advisory Council shall consist of the following:~~

~~1. Six intermodal industry representatives selected by the Governor as follows:~~

~~a. One representative from an airport involved in the movement of freight and people from their airport facility to another transportation mode.~~

~~b. One individual representing a fixed-route, local government transit system.~~

~~c. One representative from an intercity bus company providing regularly scheduled bus travel as determined by federal regulations.~~

~~d. One representative from a spaceport.~~

~~e. One representative from intermodal trucking companies.~~

~~f. One representative having command responsibilities of a major military installation.~~

~~2. Three intermodal industry representatives selected by the President of the Senate as follows:~~

~~a. One representative from major line railroads.~~

~~b. One representative from seaports listed in s. 311.09(1) from the Atlantic Coast.~~

~~c. One representative from an airport involved in the movement of freight and people from their airport facility to another transportation mode.~~

~~3. Three intermodal industry representatives selected by the Speaker of the House of Representatives as follows:~~

~~a. One representative from short line railroads.~~

~~b. One representative from seaports listed in s. 311.09(1) from the Gulf Coast.~~

~~c. One representative from intermodal trucking companies. In no event may this representative be employed by the same company that employs the intermodal trucking company representative selected by the Governor.~~

~~(c) Initial appointments to the council must be made no later than 30 days after the effective date of this section.~~

~~1. The initial appointments made by the President of the Senate and the Speaker of the House of Representatives shall serve terms concurrent with those of the respective appointing officer. Beginning January 15, 2005, and for all subsequent appointments, council members appointed by the President of the Senate and the Speaker of the House of Representatives shall serve 2-year terms, concurrent with the term of the respective appointing officer.~~

~~2. The initial appointees, and all subsequent appointees, made by the Governor shall serve 2-year terms.~~

~~3. Vacancies on the council shall be filled in the same manner as the initial appointments.~~

~~(d) Each member of the council shall be allowed one vote. The council shall select a chair from among its membership. Meetings shall be held at the call of the chair, but not less frequently than quarterly. The members of the council shall be reimbursed for per diem and travel expenses as provided in s. 112.061.~~

~~(e) The department shall provide administrative staff support and shall ensure that council meetings are electronically recorded. Such recordings and all documents received, prepared for, or used by the council in conducting its business shall be preserved pursuant to chapters 119 and 257.~~

Section 60. Section 339.65, Florida Statutes, is created to read:

339.65 Strategic Intermodal System highway corridors.—

(1) The department shall plan and develop Strategic Intermodal System highway corridors, including limited and controlled access facilities, allowing for high-speed and high-volume traffic movements within the state. The primary function of the corridors is to provide such traffic movements. Access to abutting land is subordinate to this function, and such access must be prohibited or highly regulated.

(2) Strategic Intermodal System highway corridors shall include facilities from the following components of the State Highway System that meet the criteria adopted by the department pursuant to s. 339.63:

(a) Interstate highways.

(b) The Florida Turnpike System.

(c) Interregional and intercity limited access facilities.

(d) Existing interregional and intercity arterial highways previously upgraded or upgraded in the future to limited access or controlled access facility standards.

(e) New limited access facilities necessary to complete a balanced statewide system.

(3) The department shall adhere to the following policy guidelines in the development of Strategic Intermodal System highway corridors. The department shall:

(a) Make capacity improvements to existing facilities where feasible to minimize costs and environmental impacts.

(b) Identify appropriate arterial highways in major transportation corridors for inclusion in a program to bring these facilities up to limited access or controlled access facility standards.

(c) Coordinate proposed projects with appropriate limited access projects undertaken by expressway authorities and local governmental entities.

(d) Maximize the use of limited access facility standards when constructing new arterial highways.

(e) Identify appropriate new limited access highways for inclusion as a part of the Florida Turnpike System.

(f) To the maximum extent feasible, ensure that proposed projects are consistent with approved local government comprehensive plans of the local jurisdictions in which such facilities are to be located and with the transportation improvement program of any metropolitan planning organization where such facilities are to be located.

(4) The department shall develop and maintain a plan of Strategic Intermodal System highway corridor projects that are anticipated to be let to contract for construction within a time period of at least 20 years.

The plan shall also identify when segments of the corridor will meet the standards and criteria developed pursuant to subsection (5).

(5) The department shall establish the standards and criteria for the functional characteristics and design of facilities proposed as part of Strategic Intermodal System highway corridors.

(6) For the purposes of developing the proposed Strategic Intermodal System highway corridors, beginning in fiscal year 2012-2013 and for each fiscal year thereafter, the minimum amount allocated shall be based on the fiscal year 2003-2004 allocation of $450 million adjusted annually by the change in the Consumer Price Index for the prior fiscal year compared to the Consumer Price Index for fiscal year 2003-2004.

(7) Any project to be constructed as part of a Strategic Intermodal System highway corridor shall be included in the department's adopted work program. Any Strategic Intermodal System highway corridor projects that are added to or deleted from the previous adopted work program, or any modification to Strategic Intermodal System highway corridor projects contained in the previous adopted work program, shall be specifically identified and submitted as a separate part of the tentative work program.

Section 61. Section 341.840, Florida Statutes, is amended to read:

341.840 Tax exemption.—

(1) The exercise of the powers granted *under ss. 341.8201-341.842* ~~by this act~~ will be in all respects for the benefit of the people of this state, for the increase of their commerce, welfare, and prosperity, and for the improvement of their health and living conditions. The design, construction, operation, maintenance, and financing of a high-speed rail system by the *enterprise* ~~authority~~, its agent, or the owner or lessee thereof, as herein authorized, constitutes the performance of an essential public function.

(2)(a) For the purposes of this section, the term "*enterprise* ~~authority~~" does not include agents of the *enterprise* ~~authority~~ other than contractors who qualify as such pursuant to subsection (7).

(b) For the purposes of this section, any item or property that is within the definition of *the term* "associated development" in s. 341.8203(1) *may* ~~shall~~ not be considered ~~to be~~ part of the high-speed rail system as defined in s. 341.8203*(3)*~~(6)~~.

(3)(a) Purchases or leases of tangible personal property or real property by the *enterprise* ~~authority~~, excluding agents of the *enterprise* ~~authority~~, are exempt from taxes imposed by chapter 212 as provided in s. 212.08(6). Purchases or leases of tangible personal property that is incorporated into the high-speed rail system as a component part thereof, as determined by the *enterprise* ~~authority~~, by agents of the *enterprise* ~~authority~~ or the owner of the high-speed rail system are exempt from sales or use taxes imposed by chapter 212. Leases, rentals, or licenses to use real property granted to agents of the *enterprise* ~~authority~~ or the owner of the high-speed rail system are exempt from taxes imposed by s. 212.031 if the real property becomes part of such system. The exemptions granted in this subsection do not apply to sales, leases, or licenses by the *enterprise* ~~authority~~, agents of the authority, or the owner of the high-speed rail system.

(b) The exemption granted in paragraph (a) to purchases or leases of tangible personal property by agents of the *enterprise* ~~authority~~ or by the owner of the high-speed rail system applies only to property that becomes a component part of such system. It does not apply to items, including, but not limited to, cranes, bulldozers, forklifts, other machinery and equipment, tools and supplies, or other items of tangible personal property used in the construction, operation, or maintenance of the high-speed rail system when such items are not incorporated into the high-speed rail system as a component part thereof.

(4) Any bonds or other security, and all notes, mortgages, security agreements, letters of credit, or other instruments that arise out of or are given to secure the repayment of bonds or other security, issued by the *enterprise* ~~authority~~, or on behalf of the *enterprise* ~~authority~~, their transfer, and the income therefrom, including any profit made on the sale thereof, shall at all times be free from taxation of every kind by the state, the counties, and the municipalities and other political subdivisions in the state. This subsection, however, does not exempt from taxation or assessment the leasehold interest of a lessee in any project or any other property or interest owned by the lessee. The exemption granted by this subsection is not applicable to any tax imposed by chapter 220 on interest income or profits on the sale of debt obligations owned by corporations.

(5) When property of the *enterprise* ~~authority~~ is leased to another person or entity, the property shall be exempt from ad valorem taxation only if the use by the lessee qualifies the property for exemption under s. 196.199.

(6) A leasehold interest held by the *enterprise* ~~authority~~ is not subject to intangible tax. However, if a leasehold interest held by the *enterprise* ~~authority~~ is subleased to a nongovernmental lessee, such subleasehold interest shall be deemed to be an interest described in s. 199.023(1)(d), Florida Statutes 2005, and is subject to the intangible tax.

(7)(a) In order to be considered an agent of the *enterprise* ~~authority~~ for purposes of the exemption from sales and use tax granted by subsection (3) for tangible personal property incorporated into the high-speed rail system, a contractor of the *enterprise* ~~authority~~ that purchases or fabricates such tangible personal property must be certified by the *enterprise* ~~authority~~ as provided in this subsection.

(b)1. A contractor must apply for a renewal of the exemption not later than December 1 of each calendar year.

2. A contractor must apply to the *enterprise* ~~authority~~ on the application form adopted by the *enterprise* ~~authority~~, which shall develop the form in consultation with the Department of Revenue.

3. The *enterprise* ~~authority~~ shall review each submitted application and determine whether it is complete. The *enterprise* ~~authority~~ shall notify the applicant of any deficiencies in the application within 30 days. Upon receipt of a completed application, the *enterprise* ~~authority~~ shall evaluate the application for exemption under this subsection and issue a certification that the contractor is qualified to act as an agent of the *enterprise* ~~authority~~ for purposes of this section or a denial of such certification within 30 days. The *enterprise* ~~authority~~ shall provide the Department of Revenue with a copy of each certification issued upon approval of an application. Upon receipt of a certification from the *enterprise* ~~authority~~, the Department of Revenue shall issue an exemption permit to the contractor.

(c)1. The contractor may extend a copy of its exemption permit to its vendors in lieu of paying sales tax on purchases of tangible personal property qualifying for exemption under this section. Possession of a copy of the exemption permit relieves the seller of the responsibility of collecting tax on the sale, and the Department of Revenue shall look solely to the contractor for recovery of tax upon a determination that the contractor was not entitled to the exemption.

2. The contractor may extend a copy of its exemption permit to real property subcontractors supplying and installing tangible personal property that is exempt under subsection (3). Any such subcontractor *may* ~~is authorized to~~ extend a copy of the permit to the subcontractor's vendors in order to purchase qualifying tangible personal property tax-exempt. If the subcontractor uses the exemption permit to purchase tangible personal property that is determined not to qualify for exemption under subsection (3), the Department of Revenue may assess and collect any tax, penalties, and interest that are due from either the contractor holding the exemption permit or the subcontractor that extended the exemption permit to the seller.

(d) Any contractor authorized to act as an agent of the *enterprise* ~~authority~~ under this section shall maintain the necessary books and records to document the exempt status of purchases and fabrication costs made or incurred under the permit. In addition, an authorized contractor extending its exemption permit to its subcontractors shall maintain a copy of the subcontractor's books, records, and invoices indicating all purchases made by the subcontractor under the authorized contractor's permit. If, in an audit conducted by the Department of Revenue, it is determined that tangible personal property purchased or fabricated claiming exemption under this section does not meet the criteria for exemption, the amount of taxes not paid at the time of purchase or fabrication shall be immediately due and payable to the Department of Revenue, together with the appropriate interest and pen-

alty, computed from the date of purchase, in the manner prescribed by chapter 212.

(e) If a contractor fails to apply for a high-speed rail system exemption permit, or if a contractor initially determined by the *enterprise* ~~authority~~ to not qualify for exemption is subsequently determined to be eligible, the contractor shall receive the benefit of the exemption in this subsection through a refund of previously paid taxes for transactions that otherwise would have been exempt. A refund may not be made for such taxes without the issuance of a certification by the *enterprise* ~~authority~~ that the contractor was authorized to make purchases tax-exempt and a determination by the Department of Revenue that the purchases qualified for the exemption.

(f) The *enterprise* ~~authority~~ may adopt rules governing the application process for exemption of a contractor as an authorized agent of the *enterprise* ~~authority~~.

(g) The Department of Revenue may adopt rules governing the issuance and form of high-speed rail system exemption permits, the audit of contractors and subcontractors using such permits, the recapture of taxes on nonqualified purchases, and the manner and form of refund applications.

Section 62. Subsection (3) of section 343.52, Florida Statutes, is amended to read:

343.52 Definitions.—As used in this part, the term:

(3) "Area served" means Miami-Dade, Broward, and Palm Beach Counties. However, this area may be expanded by mutual consent of the authority and the board of county commissioners *of Monroe County* ~~representing the proposed expansion area~~. *The authority may not expand into any additional counties without the department's prior written approval.*

Section 63. Section 343.53, Florida Statutes, is amended to read:

343.53 South Florida Regional Transportation Authority.—

(1) There is created and established a body politic and corporate, an agency of the state, to be known as the "South Florida Regional Transportation Authority," hereinafter referred to as the "authority."

(2) The governing board of the authority shall consist of *10* ~~nine~~ voting members, as follows:

(a) The county commissions of Miami-Dade, Broward, and Palm Beach Counties shall each elect a commissioner as that commission's representative on the board. The commissioner must be a member of the county commission when elected and for the full extent of his or her term.

(b) The county commissions of Miami-Dade, Broward, and Palm Beach Counties shall each appoint a citizen member to the board who is not a member of the county commission but who is a resident of the county from which he or she is appointed and a qualified elector of that county. Insofar as practicable, the citizen member shall represent the business and civic interests of the community.

(c) The secretary of the Department of Transportation shall appoint one of the district secretaries, or his or her designee, for the districts within which the area served by the South Florida Regional Transportation Authority is located*, who shall serve ex officio as a voting member*.

(d) If the authority's service area is expanded pursuant to s. 343.54(5), the county containing the new service area shall have *two* ~~three~~ members appointed to the board as follows:

1. The county commission of the county shall elect a commissioner as that commission's representative on the board. The commissioner must be a member of the county commission when elected and for the full extent of his or her term.

~~2. The county commission of the county shall appoint a citizen member to the board who is not a member of the county commission but who is a resident and a qualified elector of that county. Insofar as is practicable, the citizen member shall represent the business and civic interests of the community.~~

2.~~3.~~ The Governor shall appoint a citizen member to the board who is not a member of the county commission but who is a resident and a qualified elector of that county.

(e) The Governor shall appoint *three* ~~two~~ members to the board who are residents and qualified electors in the area served by the authority but who are not residents of the same county ~~and also not residents of the county in which the district secretary who was appointed pursuant to paragraph (c) is a resident~~.

(3)~~(a)~~ Members of the governing board of the authority shall be appointed to serve 4-year staggered terms, except that the terms of the appointees of the Governor shall be concurrent.

~~(b) The terms of the board members currently serving on the authority that is being succeeded by this act shall expire July 30, 2003, at which time the terms of the members appointed pursuant to subsection (2) shall commence. The Governor shall make his or her appointments to the board within 30 days after July 30, 2003.~~

(4) A vacancy during a term shall be filled by the respective appointing authority in the same manner as the original appointment and only for the balance of the unexpired term.

(5) The members of the authority shall serve without compensation, but are entitled to reimbursement for travel expenses actually incurred in their duties as provided by law.

Section 64. Paragraph (q) is added to subsection (3) of section 343.54, Florida Statutes, and subsection (5) of that section is amended, to read:

343.54 Powers and duties.—

(3) The authority may exercise all powers necessary, appurtenant, convenient, or incidental to the carrying out of the aforesaid purposes, including, but not limited to, the following rights and powers:

(q) To privatize any of the administrative functions of the authority existing as of July 1, 2012, by contracting with a private entity or entities to perform any or all of those functions, which shall require a two-thirds vote of the entire membership of the board.

(5) The authority, by a resolution of its governing board, may expand its service area *into Monroe County* ~~and enter into a partnership with any county that is contiguous to the service area of the authority~~. The board shall determine the conditions and terms of the partnership, except as provided herein. However, the authority may not expand its service area without the consent of the board of county commissioners representing the proposed expansion area, and a county may not be added to the service area except in the year that federal reauthorization legislation for transportation funds is enacted. *The authority shall not expand into any county other than Monroe County without the department's prior written approval.*

Section 65. Section 343.56, Florida Statutes, is amended to read:

343.56 Bonds not debts or pledges of credit of state.—Revenue bonds issued under the provisions of this part are not debts of the state or pledges of the faith and credit of the state. Such bonds are payable exclusively from revenues pledged for their payment. All such bonds shall contain a statement on their face that the state is not obligated to pay the same or the interest thereon, except from the revenues pledged for their payment, and that the faith and credit of the state is not pledged to the payment of the principal or interest of such bonds. The issuance of revenue bonds under the provisions of this part does not directly, indirectly, or contingently obligate the state to levy or to pledge any form of taxation whatsoever, or to make any appropriation for their payment. No state funds shall be used *or pledged* to pay the principal or interest of any bonds issued to finance or refinance any portion of the South Florida Regional Transportation Authority transit system, and all such bonds shall contain a statement on their face to this effect. ~~However, federal funds being passed through the department to the South Florida Regional Transportation Authority and those state matching funds required by the United States Department of Transportation as a condition of federal funding may be used to pay principal and interest of any bonds issued.~~

Section 66. Section 343.57, Florida Statutes, is amended to read:

343.57 Pledge to bondholders not to restrict certain rights of authority.—The state pledges to and agrees with the holders of the bonds issued pursuant to this part that the state will not limit or restrict the rights vested in the authority to construct, reconstruct, maintain, and operate any project as defined in this part, to establish and collect such fees or other charges as may be convenient or necessary to produce sufficient revenues to meet the expenses of maintenance and operation of the system, and to fulfill the terms of any agreements made with the holders of bonds authorized by this part. The state further pledges that it will not in any way impair the rights or remedies of the holders of such bonds until the bonds, together with interest thereon, are fully paid and discharged. *Nothing in this section or in any agreement between the authority and the Department of Transportation shall be construed to require the Legislature to make or continue any appropriation of state funds to the authority, including, but not limited to, the amounts specified in s. 343.58(4), nor shall any holder of bonds have any right to require the Legislature to make or continue any appropriation of state funds.*

Section 67. Subsection (4) of section 343.58, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

343.58 County funding for the South Florida Regional Transportation Authority.—

(4) Notwithstanding any other provision of law to the contrary and effective July 1, 2010, *until as provided in paragraph (d),* the department shall transfer annually from the State Transportation Trust Fund to the South Florida Regional Transportation Authority the amounts specified in subparagraph (a)1. or subparagraph (a)2.

(a)1. If the authority becomes responsible for maintaining and dispatching the South Florida Rail Corridor:

a. $15 million from the State Transportation Trust Fund to the South Florida Regional Transportation Authority for operations, maintenance, and dispatch; and

b. An amount no less than the work program commitments equal to $27.1 million for fiscal year 2010-2011, as of July 1, 2009, for operating assistance to the authority and corridor track maintenance and contract maintenance for the South Florida Rail Corridor.

2. If the authority does not become responsible for maintaining and dispatching the South Florida Rail Corridor:

a. $13.3 million from the State Transportation Trust Fund to the South Florida Regional Transportation Authority for operations; and

b. An amount no less than the work program commitments equal to $17.3 million for fiscal year 2010-2011, as of July 1, 2009, for operating assistance to the authority.

(b) Funding required by this subsection may not be provided from the funds dedicated to the Florida Rail Enterprise under s. 201.15(1)(c) 1.d.

(c)1. Funds provided to the authority by the department under this subsection may not be committed by the authority without the approval of the department, which may not be unreasonably withheld. At least 90 days before advertising any procurement or renewing any existing contract that will rely on state funds for payment, the authority shall notify the department of the proposed procurement or renewal and the proposed terms thereof. If the department, within 60 days after receipt of notice, objects in writing to the proposed procurement or renewal, specifying its reasons for objection, the authority may not proceed with the proposed procurement or renewal. Failure of the department to object in writing within 60 days after notice shall be deemed consent. This requirement does not impair or cause the authority to cancel contracts that exist as of June 30, 2012.

2. To enable the department to evaluate the authority's proposed uses of state funds, the authority shall annually provide the department with its proposed budget for the following authority fiscal year and shall provide the department with any additional documentation or information required by the department for its evaluation of the proposed uses of the state funds.

(d) Funding required by this subsection shall cease upon commencement of an alternate dedicated local funding source sufficient for the authority to meet its responsibilities for operating, maintaining, and dispatching the South Florida Rail Corridor. The authority and the department shall cooperate in the effort to identify and implement such an alternate dedicated local funding source before July 1, 2019. Upon commencement of the alternate dedicated local funding source, the department shall convey to the authority a perpetual commuter rail easement in the South Florida Rail Corridor and all of the department's right, title, and interest in rolling stock, equipment, tracks, and other personal property owned and used by the department for the operation and maintenance of the commuter rail operations in the South Florida Rail Corridor.

(6) Before the authority undertakes any new capital projects or transit system improvements not approved by the authority board, and not identified in the authority's 5-year capital program, on or before July 1, 2012, the authority shall ensure that the funding available to the authority under this section, together with any revenues available to the authority, are currently, and are anticipated to continue to be, sufficient for the authority to meet its obligations under any agreement through which federal funds have been or are anticipated to be received by the authority.

Section 68. Section 347.215, Florida Statutes, is created to read:

347.215 Operation of ferries by joint agreement between public and private entities.—The county commission of any county that has granted a license to operate a ferry in the county may authorize the operation of such ferry by a single party or multiple parties under a joint agreement between the appropriate public entities and one or more private corporations conducting business in the state.

Section 69. Paragraph (c) of subsection (4) of section 348.0003, Florida Statutes, is amended to read:

348.0003 Expressway authority; formation; membership.—

(4)

(c) Members of each expressway authority, transportation authority, bridge authority, or toll authority, created pursuant to this chapter, chapter 343, ~~or chapter 349~~ or any other *general law,* ~~legislative enactment~~ shall comply with the applicable financial disclosure requirements of s. 8, Art. II of the State Constitution. This paragraph does not subject any statutorily created authority, other than an expressway authority created under this part, to any other requirement of this part except the requirement of this paragraph.

Section 70. Section 348.7645, Florida Statutes, is created to read:

348.7645 Exit sign to university.—Notwithstanding any provision of law to the contrary, the authority, upon request by a university described in this section, shall erect signage at the most convenient, existing exit directing traffic to a university with at least 6,000 full-time students which is located within 5 miles of a roadway operated by the authority. Any such university shall pay to the authority the actual costs of any signage erected.

Section 71. Subsection (3) of section 349.03, Florida Statutes, is amended to read:

349.03 Jacksonville Transportation Authority.—

(3)*(a)* The terms of appointed members shall be for 4 years deemed to have commenced on June 1 of the year in which they are appointed. Each member shall hold office until a successor has been appointed and has qualified. A vacancy during a term shall be filled by the respective appointing authority only for the balance of the unexpired term. Any member appointed to the authority for two consecutive full terms shall not be eligible for appointment to the next succeeding term. One of the members so appointed shall be designated annually by the members as chair of the authority, one member shall be designated annually as the vice chair of the authority, one member shall be designated annually as the secretary of the authority, and one member shall be designated annually as the treasurer of the authority. The members of the authority shall not be entitled to compensation, but shall be reimbursed for travel expenses or other expenses actually incurred in their duties as provided by law. Four voting members of the authority shall constitute a quorum, and no resolution adopted by the authority shall become effective unless with the affirmative vote of at least four members. *Members of the au-*

thority shall file as their mandatory financial disclosure a statement of financial interest with the Commission on Ethics as provided in s. 112.3145.

(b) The authority shall employ an executive director, and the executive director may hire such staff, permanent or temporary, as he or she may determine and may organize the staff of the authority into such departments and units as he or she may determine. The executive director may appoint department directors, deputy directors, division chiefs, and staff assistants to the executive director, as he or she may determine. In so appointing the executive director, the authority may fix the compensation of such appointee, who shall serve at the pleasure of the authority. All employees of the authority shall be exempt from the provisions of part II of chapter 110. The authority may employ such financial advisers and consultants, technical experts, engineers, and agents and employees, permanent or temporary, as it may require and may fix the compensation and qualifications of such persons, firms, or corporations. The authority may delegate to one or more of its agents or employees such of its powers as it shall deem necessary to carry out the purposes of this chapter, subject always to the supervision and control of the governing body of the authority.

Section 72. Subsection (8) is added to section 349.04, Florida Statutes, to read:

349.04 Purposes and powers.—

(8) The authority may conduct public meetings and workshops by means of communications media technology, as provided in s. 120.54(5). However, a resolution, rule, or formal action is not binding unless a quorum is physically present at the noticed meeting location, and only members physically present may vote on any item.

Section 73. Subsection (6) is added to section 373.118, Florida Statutes, to read:

373.118 General permits; delegation.—

(6) By July 1, 2012, the department shall initiate rulemaking to adopt a general permit for stormwater management systems serving airside activities at airports. The general permit applies statewide and shall be administered by any water management district or any delegated local government pursuant to the operating agreements applicable to part IV, with no additional rulemaking required. Such rules are not subject to any special rulemaking requirements related to small business.

Section 74. Subsection (6) is added to section 373.413, Florida Statutes, to read:

373.413 Permits for construction or alteration.—

(6) It is the intent of the Legislature that the governing board or department exercise flexibility in the permitting of stormwater management systems associated with the construction or alteration of systems serving state transportation projects and facilities. Because of the unique limitations of linear facilities, the governing board or department shall balance the expenditure of public funds for stormwater treatment for state transportation projects and facilities with the benefits to the public in providing the most cost-efficient and effective method of achieving the treatment objectives. In consideration thereof, the governing board or department shall allow alternatives to onsite treatment, including, but not limited to, regional stormwater treatment systems. The Department of Transportation is responsible for treating stormwater generated from state transportation projects but is not responsible for the abatement of pollutants and flows entering its stormwater management systems from offsite sources; however, this subsection does not prohibit the Department of Transportation from receiving and managing such pollutants and flows when cost effective and prudent. Further, in association with right-of-way acquisition for state transportation projects, the Department of Transportation is responsible for providing stormwater treatment and attenuation for the acquired right-of-way but is not responsible for modifying permits for adjacent lands affected by right-of-way acquisition when it is not the permittee. The governing board or department may establish, by rule, specific criteria to implement the management and treatment alternatives and activities under this subsection.

Section 75. *Section 479.28, Florida Statutes, is repealed.*

Section 76. *The Department of Transportation may seek Federal Highway Administration approval of a tourist-oriented commerce sign pilot program for small businesses, as defined in s. 288.703, Florida Statutes, in rural areas of critical economic concern, as defined by s. 288.0656(2)(d) and (e), Florida Statutes. Upon Federal Highway Administration approval, the department shall submit the pilot program for legislative approval in the next regular legislative session.*

Section 77. *There is established a pilot program for the Palm Beach County school district to recognize its business partners. The district may recognize its business partners by publicly displaying such business partners' names on school district property in the unincorporated areas of the county. Project graduation and athletic sponsorships are examples of appropriate recognition. The district shall make every effort to display its business partners' names in a manner that is consistent with the county standards for uniformity in size, color, and placement of signs. If the provisions of this section are inconsistent with county ordinances or regulations relating to signs in the unincorporated areas of the county or inconsistent with chapter 125 or chapter 166, Florida Statutes, the provisions of this section prevail. The pilot program expires June 30, 2014.*

Section 78. *Effective upon this act becoming a law, all administrative rules adopted by the former Pilotage Rate Review Board, which were in effect upon the effective date of ss. 5 and 6, chapter 2010-225, Laws of Florida, are transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, to the Pilotage Rate Review Committee of the Board of Pilot Commissioners and shall apply retroactively to the effective date of ss. 5 and 6, chapter 2010-225, Laws of Florida.*

Section 79. *The Florida Transportation Commission shall conduct a study of the potential for cost savings that might be realized through increased efficiencies through the sharing of resources for the accomplishment of design, construction, and maintenance activities by or on behalf of expressway authorities in the state. The commission may retain such experts as are reasonably necessary to complete the study, and the department shall pay the expenses of such experts. The commission shall complete the study and provide a written report of its findings and conclusions to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of each of the appropriations committees of the Legislature by December 31, 2012. In conducting the study, the commission shall seek input from the existing expressway authorities.*

Section 80. *Notwithstanding s. 120.569, s. 120.57, or s. 373.427, Florida Statutes, or any other provision of law to the contrary, a challenge to a consolidated environmental resource permit or any associated variance or any sovereign submerged lands authorization proposed or issued by the Department of Environmental Protection in connection with the state's deepwater ports, as listed in s. 403.021(9), Florida Statutes, shall be conducted pursuant to the summary hearing provisions of s. 120.574, Florida Statutes; however, the summary proceeding shall be conducted within 30 days after a party files a motion for a summary hearing, regardless of whether the parties agree to the summary proceeding, and the administrative law judge's decision shall be in the form of a recommended order and does not constitute final agency action of the department. The Department of Environmental Protection shall issue the final order within 45 working days after receipt of the administrative law judge's recommended order. The summary hearing provisions of this section apply to pending administrative proceedings; however, s. 120.574(1)(b) and (d) and (2)(a)3. and 5., Florida Statutes, do not apply to pending administrative proceedings. This section shall take effect upon this act becoming a law.*

Section 81. *It is the intent of the Legislature to encourage and facilitate a review by the Pinellas Suncoast Transit Authority (PSTA) and the Hillsborough Area Regional Transit Authority (HART) in order to achieve improvements in regional transit connectivity and implementation of operational efficiencies and service enhancements that are consistent with the regional approach to transit identified in the Tampa Bay Area Regional Transportation Authority's (TBARTA's) Regional Transportation Master Plan. The Legislature finds that such improvements and efficiencies can best be achieved through a joint review, evaluation, and recommendations by the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority.*

(1) The governing bodies or a designated subcommittee of both the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority shall hold a joint meeting within 30 days after July 1,

2012, and as often as deemed necessary thereafter, in order to consider and identify opportunities for greater efficiency and service improvements, including specific methods for increasing service connectivity between the jurisdictions of each agency. The elements to be reviewed must also include:

(a) Governance structure, including governing board membership, terms, responsibilities, officers, powers, duties, and responsibilities;

(b) Funding options and implementation;

(c) Facilities ownership and management;

(d) Current financial obligations and resources; and

(e) Actions to be taken that are consistent with the Tampa Bay Area Regional Transportation Authority's master plan.

(2) The Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority shall jointly submit a report to the Speaker of the House of Representatives and the President of the Senate on the elements described in this section by February 1, 2013. The report must include proposed legislation to implement each recommendation and specific recommendations concerning the reorganization of each agency, the organizational merger of both agencies, or the consolidation of functions within and between each agency.

(3) The Tampa Bay Area Regional Transportation Authority shall assist and facilitate the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority in carrying out the purposes of this section. The Tampa Bay Area Regional Transportation Authority shall provide technical assistance and information regarding its master plan, make recommendations for achieving consistency and improved regional connectivity, and provide support to the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority in the preparation of their joint report and recommendations to the Legislature. For this purpose, the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority shall reimburse the Tampa Bay Area Regional Transportation Authority for necessary and reasonable expense in a total amount not to exceed $100,000.

Section 82. Subsection (7) of section 215.616, Florida Statutes, is amended to read:

215.616 State bonds for federal aid highway construction.—

~~(7) Up to $325 million in bonds may be issued for the Mobility 2000 Initiative with emphasis on the Florida Intrastate Highway System to advance projects in the most cost-effective manner and to support emergency evacuation, improved access to urban areas, or the enhancement of trade and economic growth corridors of statewide and regional significance which promote Florida's economic growth.~~

Section 83. Subsection (3) of section 288.063, Florida Statutes, is amended to read:

288.063 Contracts for transportation projects.—

(3) With respect to any contract executed pursuant to this section, the term "transportation project" means a transportation facility as defined in *s. 334.03(30)* ~~s. 334.03(31)~~ which is necessary in the judgment of the department to facilitate the economic development and growth of the state. Such transportation projects shall be approved only as a consideration to attract new employment opportunities to the state or expand or retain employment in existing companies operating within the state, or to allow for the construction or expansion of a state or federal correctional facility in a county *having* ~~with~~ a population of 75,000 or less that creates new employment opportunities or expands or retains employment in the county. The department shall institute procedures to ensure that small and minority businesses have equal access to funding provided under this section. Funding for approved transportation projects may include any expenses, other than administrative costs and equipment purchases specified in the contract, necessary for new, or improvement to existing, transportation facilities. Funds made available pursuant to this section may not be expended in connection with the relocation of a business from one community to another community in this state unless the department determines that without such relocation the business will move outside this state or determines that the business has a compelling economic rationale for the relocation which creates additional jobs. Subject to appropriation for projects under this section, any appropriation greater than $10 million shall be allocated to each of the districts of the Department of Transportation to ensure equitable geographical distribution. Such allocated funds that remain uncommitted by the third quarter of the fiscal year shall be reallocated among the districts based on pending project requests.

Section 84. Subsection (2) of section 311.22, Florida Statutes, is amended to read:

311.22 Additional authorization for funding certain dredging projects.—

(2) The council shall adopt rules for evaluating the projects that may be funded pursuant to this section. The rules must provide criteria for evaluating the economic benefit of the project. The rules must include the creation of an administrative review process by the council which is similar to the process described in *s. 311.09(5)-(11)* ~~s. 311.09(5)-(12)~~, and provide for a review by the Department of Transportation and the Department of Economic Opportunity of all projects submitted for funding under this section.

Section 85. Section 316.2122, Florida Statutes, is amended to read:

316.2122 Operation of a low-speed vehicle or mini truck on certain roadways.—The operation of a low-speed vehicle as defined in s. 320.01(42) or a mini truck as defined in s. 320.01(45) on any road ~~as defined in s. 334.03(15) or (33)~~ is authorized with the following restrictions:

(1) A low-speed vehicle or mini truck may be operated only on streets where the posted speed limit is 35 miles per hour or less. This does not prohibit a low-speed vehicle or mini truck from crossing a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour.

(2) A low-speed vehicle must be equipped with headlamps, stop lamps, turn signal lamps, taillamps, reflex reflectors, parking brakes, rearview mirrors, windshields, seat belts, and vehicle identification numbers.

(3) A low-speed vehicle or mini truck must be registered and insured in accordance with s. 320.02 and titled pursuant to chapter 319.

(4) Any person operating a low-speed vehicle or mini truck must have in his or her possession a valid driver's license.

(5) A county or municipality may prohibit the operation of low-speed vehicles or mini trucks on any road under its jurisdiction if the governing body of the county or municipality determines that such prohibition is necessary in the interest of safety.

(6) The Department of Transportation may prohibit the operation of low-speed vehicles or mini trucks on any road under its jurisdiction if it determines that such prohibition is necessary in the interest of safety.

Section 86. Section 318.12, Florida Statutes, is amended to read:

318.12 Purpose.—It is the legislative intent in the adoption of this chapter to decriminalize certain violations of chapter 316, the Florida Uniform Traffic Control Law; chapter 320, Motor Vehicle Licenses; chapter 322, Drivers' Licenses; chapter 338, *Limited Access* ~~Florida Intrastate Highway System~~ and Toll Facilities; and chapter 1006, Support of Learning, thereby facilitating the implementation of a more uniform and expeditious system for the disposition of traffic infractions.

Section 87. Subsections (3) and (4) of section 320.20, Florida Statutes, are amended to read:

320.20 Disposition of license tax moneys.—The revenue derived from the registration of motor vehicles, including any delinquent fees and excluding those revenues collected and distributed under the provisions of s. 320.081, must be distributed monthly, as collected, as follows:

(3) Notwithstanding any other provision of law except subsections (1) and (2), on July 1, 1996, and annually thereafter, $15 million shall be deposited in the State Transportation Trust Fund solely for the purposes of funding the Florida Seaport Transportation and Economic Development Program as provided for in chapter 311. Such revenues shall be

distributed on a 50-50 matching basis to any port listed in s. 311.09(1) to be used for funding projects as described in s. 311.07(3)(b). Such revenues may be assigned, pledged, or set aside as a trust for the payment of principal or interest on bonds, tax anticipation certificates, or any other form of indebtedness issued by an individual port or appropriate local government having jurisdiction thereof, or collectively by interlocal agreement among any of the ports, or used to purchase credit support to permit such borrowings. However, such debt shall not constitute a general obligation of the State of Florida. The state does hereby covenant with holders of such revenue bonds or other instruments of indebtedness issued hereunder that it will not repeal or impair or amend in any manner which will materially and adversely affect the rights of such holders so long as bonds authorized by this section are outstanding. Any revenues which are not pledged to the repayment of bonds as authorized by this section may be utilized for purposes authorized under the Florida Seaport Transportation and Economic Development Program. This revenue source is in addition to any amounts provided for and appropriated in accordance with s. 311.07. The Florida Seaport Transportation and Economic Development Council shall approve distribution of funds to ports for projects which have been approved pursuant to *s. 311.09(5)-(8)* ~~s. 311.09(5)-(9)~~. The council and the Department of Transportation *may* ~~are authorized to~~ perform such acts as are required to facilitate and implement ~~the provisions of~~ this subsection. To better enable the ports to cooperate to their mutual advantage, the governing body of each port may exercise powers provided to municipalities or counties in s. 163.01(7)(d) subject to the provisions of chapter 311 and special acts, if any, pertaining to a port. The use of funds provided pursuant to this subsection are limited to eligible projects listed in this subsection. Income derived from a project completed with the use of program funds, beyond operating costs and debt service, shall be restricted to further port capital improvements consistent with maritime purposes and for no other purpose. Use of such income for nonmaritime purposes is prohibited. ~~The provisions of s. 311.07(4) do not apply to any funds received pursuant to this subsection.~~ The revenues available under this subsection shall not be pledged to the payment of any bonds other than the Florida Ports Financing Commission Series 1996 and Series 1999 Bonds currently outstanding; provided, however, such revenues may be pledged to secure payment of refunding bonds to refinance the Florida Ports Financing Commission Series 1996 and Series 1999 Bonds. No refunding bonds secured by revenues available under this subsection may be issued with a final maturity later than the final maturity of the Florida Ports Financing Commission Series 1996 and Series 1999 Bonds or which provide for higher debt service in any year than is currently payable on such bonds. Any revenue bonds or other indebtedness issued after July 1, 2000, other than refunding bonds shall be issued by the Division of Bond Finance at the request of the Department of Transportation pursuant to the State Bond Act.

(4) Notwithstanding any other provision of law except subsections (1), (2), and (3), on July 1, 1999, and annually thereafter, $10 million shall be deposited in the State Transportation Trust Fund solely for the purposes of funding the Florida Seaport Transportation and Economic Development Program as provided in chapter 311 and for funding seaport intermodal access projects of statewide significance as provided in s. 341.053. Such revenues shall be distributed to any port listed in s. 311.09(1), to be used for funding projects as follows:

(a) For any seaport intermodal access projects that are identified in the 1997-1998 Tentative Work Program of the Department of Transportation, up to the amounts needed to offset the funding requirements of this section.

(b) For seaport intermodal access projects as described in s. 341.053(5) that are identified in the 5-year Florida Seaport Mission Plan as provided in s. 311.09(3). Funding for such projects shall be on a matching basis as mutually determined by the Florida Seaport Transportation and Economic Development Council and the Department of Transportation, provided a minimum of 25 percent of total project funds shall come from any port funds, local funds, private funds, or specifically earmarked federal funds.

(c) On a 50-50 matching basis for projects as described in s. 311.07(3)(b).

(d) For seaport intermodal access projects that involve the dredging or deepening of channels, turning basins, or harbors; or the rehabilitation of wharves, docks, or similar structures. Funding for such projects shall require a 25 percent match of the funds received pursuant to this subsection. Matching funds shall come from any port funds, federal funds, local funds, or private funds.

Such revenues may be assigned, pledged, or set aside as a trust for the payment of principal or interest on bonds, tax anticipation certificates, or any other form of indebtedness issued by an individual port or appropriate local government having jurisdiction thereof, or collectively by interlocal agreement among any of the ports, or used to purchase credit support to permit such borrowings. However, such debt shall not constitute a general obligation of the state. This state does hereby covenant with holders of such revenue bonds or other instruments of indebtedness issued hereunder that it will not repeal or impair or amend this subsection in any manner which will materially and adversely affect the rights of holders so long as bonds authorized by this subsection are outstanding. Any revenues that are not pledged to the repayment of bonds as authorized by this section may be utilized for purposes authorized under the Florida Seaport Transportation and Economic Development Program. This revenue source is in addition to any amounts provided for and appropriated in accordance with s. 311.07 and subsection (3). The Florida Seaport Transportation and Economic Development Council shall approve distribution of funds to ports for projects that have been approved pursuant to *s. 311.09(5)-(8)* ~~s. 311.09(5)-(9)~~, or for seaport intermodal access projects identified in the 5-year Florida Seaport Mission Plan as provided in s. 311.09(3) and mutually agreed upon by the *Florida Seaport Transportation and Economic Development* ~~FSTED~~ Council and the Department of Transportation. All contracts for actual construction of projects authorized by this subsection must include a provision encouraging employment of participants in the welfare transition program. The goal for employment of participants in the welfare transition program is 25 percent of all new employees employed specifically for the project, unless the Department of Transportation and the Florida Seaport Transportation and Economic Development Council demonstrate that such a requirement would severely hamper the successful completion of the project. In such an instance, Workforce Florida, Inc., shall establish an appropriate percentage of employees that must be participants in the welfare transition program. The council and the Department of Transportation *may* ~~are authorized to~~ perform such acts as are required to facilitate and implement the provisions of this subsection. To better enable the ports to cooperate to their mutual advantage, the governing body of each port may exercise powers provided to municipalities or counties in s. 163.01(7)(d) subject to the provisions of chapter 311 and special acts, if any, pertaining to a port. The use of funds provided pursuant to this subsection is limited to eligible projects listed in this subsection. ~~The provisions of s. 311.07(4) do not apply to any funds received pursuant to this subsection.~~ The revenues available under this subsection shall not be pledged to the payment of any bonds other than the Florida Ports Financing Commission Series 1996 and Series 1999 Bonds currently outstanding; provided, however, such revenues may be pledged to secure payment of refunding bonds to refinance the Florida Ports Financing Commission Series 1996 and Series 1999 Bonds. No refunding bonds secured by revenues available under this subsection may be issued with a final maturity later than the final maturity of the Florida Ports Financing Commission Series 1996 and Series 1999 Bonds or which provide for higher debt service in any year than is currently payable on such bonds. Any revenue bonds or other indebtedness issued after July 1, 2000, other than refunding bonds shall be issued by the Division of Bond Finance at the request of the Department of Transportation pursuant to the State Bond Act.

Section 88. Subsection (3) of section 335.02, Florida Statutes, is amended to read:

335.02 Authority to designate transportation facilities and rights-of-way and establish lanes; procedure for redesignation and relocation; application of local regulations.—

(3) The department may establish standards for lanes on the State Highway System, including the *Strategic Intermodal System highway corridors* ~~Florida Intrastate Highway System~~ established pursuant to *s. 339.65* ~~s. 338.001~~. In determining the number of lanes for any regional corridor or section of highway on the State Highway System to be funded by the department with state or federal funds, the department shall evaluate all alternatives and seek to achieve the highest degree of efficient mobility for corridor users. In conducting the analysis, the department must give consideration to the following factors consistent with sound engineering principles:

(a) Overall economic importance of the corridor as a trade or tourism corridor.

(b) Safety of corridor users, including the importance of the corridor for evacuation purposes.

(c) Cost-effectiveness of alternative methods of increasing the mobility of corridor users.

(d) Current and projected traffic volumes on the corridor.

(e) Multimodal alternatives.

(f) Use of intelligent transportation technology in increasing the efficiency of the corridor.

(g) Compliance with state and federal policies related to clean air, environmental impacts, growth management, livable communities, and energy conservation.

(h) Addition of special use lanes, such as exclusive truck lanes, high-occupancy-vehicle toll lanes, and exclusive interregional traffic lanes.

(i) Availability and cost of rights-of-way, including associated costs, and the most effective use of existing rights-of-way.

(j) Regional economic and transportation objectives, where articulated.

(k) The future land use plan element of local government comprehensive plans, as appropriate, including designated urban infill and redevelopment areas.

(l) The traffic circulation element, if applicable, of local government comprehensive plans, including designated transportation corridors and public transportation corridors.

(m) The approved metropolitan planning organization's long-range transportation plan, as appropriate.

This subsection does not preclude a number of lanes in excess of 10 lanes, but an additional factor that must be considered before the department may determine that the number of lanes should be more than 10 is the capacity to accommodate in the future alternative forms of transportation within existing or potential rights-of-way.

Section 89. Subsection (2) of section 338.222, Florida Statutes, is amended to read:

338.222 Department of Transportation sole governmental entity to acquire, construct, or operate turnpike projects; exception.—

(2) The department may contract with any local governmental entity as defined in *s. 334.03(13)* ~~s. 334.03(14)~~ for the design, right-of-way acquisition, or construction of any turnpike project which the Legislature has approved. Local governmental entities may negotiate with the department for the design, right-of-way acquisition, and construction of any section of the turnpike project within areas of their respective jurisdictions or within counties with which they have interlocal agreements.

Section 90. Subsection (6) of section 339.285, Florida Statutes, is amended to read:

339.285 Enhanced Bridge Program for Sustainable Transportation.—

(6) Preference shall be given to bridge projects located on corridors that connect to the Strategic Intermodal System, created under s. 339.64, and that have been identified as regionally significant in accordance with *s. 339.155(4)(c), (d), and (e)* ~~s. 339.155(5)(c), (d), and (e)~~.

Section 91. Subsection (2) of section 341.053, Florida Statutes, is amended to read:

341.053 Intermodal Development Program; administration; eligible projects; limitations.—

(2) In recognition of the department's role in the economic development of this state, the department shall develop a proposed intermodal development plan to connect Florida's airports, deepwater seaports, rail systems serving both passenger and freight, and major intermodal connectors to the *Strategic Intermodal System highway corridors* ~~Florida Intrastate Highway System facilities~~ as the primary system for the movement of people and freight in this state in order to make the intermodal development plan a fully integrated and interconnected system. The intermodal development plan must:

(a) Define and assess the state's freight intermodal network, including airports, seaports, rail lines and terminals, intercity bus lines and terminals, and connecting highways.

(b) Prioritize statewide infrastructure investments, including the acceleration of current projects, which are found by the Freight Stakeholders Task Force to be priority projects for the efficient movement of people and freight.

(c) Be developed in a manner that will assure maximum use of existing facilities and optimum integration and coordination of the various modes of transportation, including both government-owned and privately owned resources, in the most cost-effective manner possible.

Section 92. Subsection (2) of section 341.8225, Florida Statutes, is amended to read:

341.8225 Department of Transportation sole governmental entity to acquire, construct, or operate high-speed rail projects; exception.—

(2) Local governmental entities, as defined in *s. 334.03(13)* ~~s. 334.03(14)~~, may negotiate with the department for the design, right-of-way acquisition, and construction of any component of the high-speed rail system within areas of their respective jurisdictions or within counties with which they have interlocal agreements.

Section 93. Subsection (2) of section 403.7211, Florida Statutes, is amended to read:

403.7211 Hazardous waste facilities managing hazardous wastes generated offsite; federal facilities managing hazardous waste.—

(2) The department *may* ~~shall~~ not issue any permit under s. 403.722 for the construction, initial operation, or substantial modification of a facility for the disposal, storage, or treatment of hazardous waste generated offsite which is proposed to be located in any of the following locations:

(a) Any area where life-threatening concentrations of hazardous substances could accumulate at any residence or residential subdivision as the result of a catastrophic event at the proposed facility, unless each such residence or residential subdivision is served by at least one arterial road or urban minor arterial road, as *determined under the procedures referenced in s. 334.03(10)* ~~defined in s. 334.03~~, which provides safe and direct egress by land to an area where such life-threatening concentrations of hazardous substances could not accumulate in a catastrophic event. Egress by any road leading from any residence or residential subdivision to any point located within 1,000 yards of the proposed facility is unsafe for the purposes of this paragraph. In determining whether egress proposed by the applicant is safe and direct, the department shall also consider, at a minimum, the following factors:

1. Natural barriers such as water bodies, and whether any road in the proposed evacuation route is impaired by a natural barrier such as a water body.~~;~~

2. Potential exposure during egress and potential increases in the duration of exposure.~~;~~

3. Whether any road in a proposed evacuation route passes in close proximity to the facility.~~; and~~

4. Whether any portion of the evacuation route is inherently directed toward the facility.

(b) Any location within 1,500 yards of any hospital, prison, school, nursing home facility, day care facility, stadium, place of assembled worship, or any other similar site where individuals are routinely confined or assembled in such a manner that reasonable access to immediate evacuation is likely to be unavailable.~~;~~

(c) Any location within 1,000 yards of any residence.~~; or~~

(d) Any location which is inconsistent with rules adopted by the department under this part.

For the purposes of this subsection, all distances shall be measured from the outer limit of the active hazardous waste management area. "Substantial modification" includes: any physical change in, change in the operations of, or addition to a facility which could increase the potential offsite impact, or risk of impact, from a release at that facility; and any change in permit conditions which is reasonably expected to lead to greater potential impacts or risks of impacts, from a release at that facility. "Substantial modification" does not include a change in operations, structures, or permit conditions which does not substantially increase either the potential impact from, or the risk of, a release. Physical or operational changes to a facility related solely to the management of nonhazardous waste at the facility *is* ~~shall~~ not ~~be~~ considered a substantial modification. The department shall, by rule, adopt criteria to determine whether a facility has been substantially modified. "Initial operation" means the initial commencement of operations at the facility.

Section 94. Subsection (27) of section 479.01, Florida Statutes, is amended to read:

479.01 Definitions.—As used in this chapter, the term:

(27) "Urban area" has the same meaning as defined in *s. 334.03(31)* ~~s. 334.03(32)~~.

Section 95. Subsection (1) of section 479.07, Florida Statutes, is amended to read:

479.07 Sign permits.—

(1) Except as provided in ss. 479.105(1)(e) and 479.16, a person may not erect, operate, use, or maintain, or cause to be erected, operated, used, or maintained, any sign on the State Highway System outside an urban area, as defined in *s. 334.03(31)* ~~s. 334.03(32)~~, or on any portion of the interstate or federal-aid primary highway system without first obtaining a permit for the sign from the department and paying the annual fee as provided in this section. As used in this section, the term "on any portion of the State Highway System, interstate, or federal-aid primary system" means a sign located within the controlled area which is visible from any portion of the main-traveled way of such system.

Section 96. Subsection (5) of section 479.261, Florida Statutes, is amended to read:

479.261 Logo sign program.—

(5) At a minimum, permit fees for businesses that participate in the program must be established in an amount sufficient to offset the total cost to the department for the program, including contract costs. The department shall provide the services in the most efficient and cost-effective manner through department staff or by contracting for some or all of the services. The department shall adopt rules that set reasonable rates based upon factors such as population, traffic volume, market demand, and costs for annual permit fees. However, annual permit fees for sign locations inside an urban area, as defined in *s. 334.03(31)* ~~s. 334.03(32)~~, may not exceed $3,500, and annual permit fees for sign locations outside an urban area, as defined in *s. 334.03(31)* ~~s. 334.03(32)~~, may not exceed $2,000. After recovering program costs, the proceeds from the annual permit fees shall be deposited into the State Transportation Trust Fund and used for transportation purposes.

Section 97. *Pembroke Park Boulevard designated; Department of Transportation to erect suitable markers.—*

(1) That portion of State Road 858/Hallandale Beach Boulevard between Interstate 95/State Road 9 and S.W. 56th Avenue in Broward County is designated as "Pembroke Park Boulevard."

(2) The Department of Transportation is directed to erect suitable markers designating Pembroke Park Boulevard as described in subsection (1).

Section 98. Paragraph (d) of subsection (1) of section 316.0083, Florida Statutes, is amended to read:

316.0083 Mark Wandall Traffic Safety Program; administration; report.—

(1)

(d)1. The owner of the motor vehicle involved in the violation is responsible and liable for paying the uniform traffic citation issued for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal, unless the owner can establish that:

a. The motor vehicle passed through the intersection in order to yield right-of-way to an emergency vehicle or as part of a funeral procession;

b. The motor vehicle passed through the intersection at the direction of a law enforcement officer;

c. The motor vehicle was, at the time of the violation, in the care, custody, or control of another person; ~~or~~

d. A uniform traffic citation was issued by a law enforcement officer to the driver of the motor vehicle for the alleged violation of s. 316.074(1) or s. 316.075(1)(c)1.*; or*

e. The motor vehicle's owner was deceased on or before the date that the uniformed traffic citation was issued as established by an affidavit submitted by the representative of the motor vehicle owner's estate or other designated person or family member.

2. In order to establish such facts, the owner of the motor vehicle shall, within 30 days after the date of issuance of the traffic citation, furnish to the appropriate governmental entity an affidavit setting forth detailed information supporting an exemption as provided in this paragraph.

a. An affidavit supporting an exemption under sub-subparagraph 1.c. must include the name, address, date of birth, and, if known, the driver's license number of the person who leased, rented, or otherwise had care, custody, or control of the motor vehicle at the time of the alleged violation. If the vehicle was stolen at the time of the alleged offense, the affidavit must include the police report indicating that the vehicle was stolen.

b. If a traffic citation for a violation of s. 316.074(1) or s. 316.075(1)(c) 1. was issued at the location of the violation by a law enforcement officer, the affidavit must include the serial number of the uniform traffic citation.

c. If the motor vehicle's owner to whom a traffic citation has been issued is deceased, the affidavit must include a certified copy of the owner's death certificate showing that the date of death occurred on or before the issuance of the uniform traffic citation and one of the following:

(I) A bill of sale or other document showing that the deceased owner's motor vehicle was sold after his or her death but on or before the date of the alleged violation.

(II) Documentary proof that the registered license plate belonging to the deceased owner's vehicle was returned to the department or any branch office or authorized agent of the department on or before the date of the alleged violation.

(III) A copy of a police report showing the deceased owner's registered license plate or motor vehicle was stolen after the owner's death but on or before the date of the alleged violation.

Upon receipt of the affidavit and documentation required under this sub-subparagraph, the governmental entity must dismiss the citation and provide proof of such dismissal to the person that submitted the affidavit.

3. Upon receipt of an affidavit, the person designated as having care, custody, and control of the motor vehicle at the time of the violation may be issued a traffic citation for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal. The affidavit is admissible in a proceeding pursuant to this section for the purpose of providing proof that the person identified in the affidavit was in actual care, custody, or control of the motor vehicle. The owner of a leased vehicle for which a traffic citation is issued for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal is not responsible for paying the traffic citation and is not required

to submit an affidavit as specified in this subsection if the motor vehicle involved in the violation is registered in the name of the lessee of such motor vehicle.

4. The submission of a false affidavit is a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 99. Section 320.089, Florida Statutes, is amended to read:

320.089 Members of National Guard and active United States Armed Forces reservists; former prisoners of war; survivors of Pearl Harbor; Purple Heart medal recipients; Operation Iraqi Freedom and Operation Enduring Freedom Veterans; *Combat Infantry Badge or Combat Action Badge recipients;* special license plates; fee.—

(1)(a) Each owner or lessee of an automobile or truck for private use or recreational vehicle as specified in s. 320.08(9)(c) or (d), which is not used for hire or commercial use, who is a resident of the state and an active or retired member of the Florida National Guard, a survivor of the attack on Pearl Harbor, a recipient of the Purple Heart medal, ~~or~~ an active or retired member of any branch of the United States Armed Forces Reserve*, or a recipient of the Combat Infantry Badge or Combat Action Badge* shall, upon application to the department, accompanied by proof of active membership or retired status in the Florida National Guard, proof of membership in the Pearl Harbor Survivors Association or proof of active military duty in Pearl Harbor on December 7, 1941, proof of being a Purple Heart medal recipient, ~~or~~ proof of active or retired membership in any branch of the Armed Forces Reserve, *or proof of membership in the Combat Infantrymen's Association, Inc., or other proof of being a recipient of the Combat Infantry Badge or Combat Action Badge,* and upon payment of the license tax for the vehicle as provided in s. 320.08, be issued a license plate as provided by s. 320.06, upon which, in lieu of the serial numbers prescribed by s. 320.06, shall be stamped the words "National Guard," "Pearl Harbor Survivor," "Combat-wounded veteran," ~~or~~ "U.S. Reserve," *"Combat Infantry Badge," or "Combat Action Badge"* as appropriate, followed by the serial number of the license plate. Additionally, the Purple Heart plate may have the words "Purple Heart" stamped on the plate and the likeness of the Purple Heart medal appearing on the plate.

(b) Notwithstanding any other provision of law to the contrary, beginning with fiscal year 2002-2003 and annually thereafter, the first $100,000 in general revenue generated from the sale of license plates issued under this section shall be deposited into the Grants and Donations Trust Fund, as described in s. 296.38(2), to be used for the purposes established by law for that trust fund. Any additional general revenue generated from the sale of such plates shall be deposited into the State Homes for Veterans Trust Fund and used solely to construct, operate, and maintain domiciliary and nursing homes for veterans, subject to the requirements of chapter 216.

(c) Notwithstanding any provisions of law to the contrary, an applicant for a Pearl Harbor Survivor license plate or a Purple Heart license plate who also qualifies for a disabled veteran's license plate under s. 320.084 shall be issued the appropriate special license plate without payment of the license tax imposed by s. 320.08.

(2) Each owner or lessee of an automobile or truck for private use, truck weighing not more than 7,999 pounds, or recreational vehicle as specified in s. 320.08(9)(c) or (d), which is not used for hire or commercial use, who is a resident of the state and who is a former prisoner of war, or their unremarried surviving spouse, shall, upon application therefor to the department, be issued a license plate as provided in s. 320.06, on which license plate are stamped the words "Ex-POW" followed by the serial number. Each application shall be accompanied by proof that the applicant meets the qualifications specified in paragraph (a) or paragraph (b).

(a) A citizen of the United States who served as a member of the Armed Forces of the United States or the armed forces of a nation allied with the United States who was held as a prisoner of war at such time as the Armed Forces of the United States were engaged in combat, or their unremarried surviving spouse, may be issued the special license plate provided for in this subsection without payment of the license tax imposed by s. 320.08.

(b) A person who was serving as a civilian with the consent of the United States Government, or a person who was a member of the Armed Forces of the United States who was not a United States citizen and was held as a prisoner of war when the Armed Forces of the United States were engaged in combat, or their unremarried surviving spouse, may be issued the special license plate provided for in this subsection upon payment of the license tax imposed by s. 320.08.

(3) Each owner or lessee of an automobile or truck for private use, truck weighing not more than 7,999 pounds, or recreational vehicle as specified in s. 320.08(9)(c) or (d), which is not used for hire or commercial use, who is a resident of this state and who is the unremarried surviving spouse of a recipient of the Purple Heart medal shall, upon application therefor to the department, with the payment of the required fees, be issued a license plate as provided in s. 320.06, on which license plate are stamped the words "Purple Heart" and the likeness of the Purple Heart medal followed by the serial number. Each application shall be accompanied by proof that the applicant is the unremarried surviving spouse of a recipient of the Purple Heart medal.

(4) The owner or lessee of an automobile or truck for private use, a truck weighing not more than 7,999 pounds, or a recreational vehicle as specified in s. 320.08(9)(c) or (d) which automobile, truck, or recreational vehicle is not used for hire or commercial use who is a resident of the state and a current or former member of the United States military who was deployed and served in Iraq during Operation Iraqi Freedom or in Afghanistan during Operation Enduring Freedom shall, upon application to the department, accompanied by proof of active membership or former active duty status during one of these operations, and upon payment of the license tax for the vehicle as provided in s. 320.08, be issued a license plate as provided by s. 320.06 upon which, in lieu of the registration license number prescribed by s. 320.06, shall be stamped the words "Operation Iraqi Freedom" or "Operation Enduring Freedom," as appropriate, followed by the registration license number of the plate.

Section 100. Subsection (10) is added to section 338.165, Florida Statutes, to read:

338.165 Continuation of tolls.—

(10) The department's Beachline-East Expressway may be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law. Any funds expended by Florida Turnpike Enterprise for the acquisition of the Beachline-East Expressway shall be deposited into the State Transportation Trust Fund, and, notwithstanding any other law to the contrary, such funds shall first be allocated by the department to fund the department's obligation to construct the Wekiva Parkway. The term "Wekiva Parkway" means a limited access highway or expressway constructed between State Road 429 and Interstate 4 specifically incorporating the corridor alignment recommended by Recommendation 2 of the Wekiva River Basin Area Task Force final report dated January 15, 2003, and the recommendations of the SR 429 Working Group which were adopted January 16, 2004, and related transportation facilities.

Section 101. Section 348.7546, Florida Statutes, is amended to read:

348.7546 Wekiva Parkway, construction authorized; financing.— ~~Notwithstanding s. 338.2275,~~

(1) The Orlando-Orange County Expressway Authority is ~~hereby~~ authorized to exercise its condemnation powers *and to*~~,~~ construct, finance, operate, own, and maintain *those portions of* the Wekiva Parkway *which are identified by agreement between the authority and the department and which are included* as part of the authority's long-range capital improvement plan. The "Wekiva Parkway" means any limited access highway or expressway constructed between State Road 429 and Interstate 4 specifically incorporating the corridor alignment recommended by Recommendation 2 of the Wekiva River Basin Area Task Force final report dated January 15, 2003, and the recommendations of the SR 429 Working Group *which* ~~that~~ were adopted January 16, 2004. This project may be financed with any funds available to the authority for such purpose or revenue bonds issued by the authority under s. 11, Art. VII of the State Constitution and s. 348.755(1)(b). *This section does not invalidate the exercise by the authority of its condemnation powers or the acquisition of any property for the Wekiva Parkway before July 1, 2012.*

(2) Notwithstanding any other provision of law to the contrary, in order to ensure that funds are available to the department for its portion

of the Wekiva Parkway, beginning July 1, 2012, the authority shall repay the expenditures by the department for costs of operation and maintenance of the Orlando-Orange County Expressway System in accordance with the terms of the memorandum of understanding between the authority and the department ratified by the authority board on February 22, 2012, which requires the authority to pay the department $10 million on July 1, 2012, and $20 million on each successive July 1 until the department has been fully reimbursed for all costs of the Orlando-Orange County Expressway System which were paid, advanced, or reimbursed to the authority by the department, with a final payment in the amount of the balance remaining. Notwithstanding any other law to the contrary, the funds paid to the department pursuant to this subsection shall be allocated by the department for construction of the Wekiva Parkway.

(3) The department's obligation to construct its portions of the Wekiva Parkway is contingent upon the timely payment by the authority of the annual payments required of the authority and receipt of all required environmental permits and approvals by the Federal Government.

Section 102. Subsections (6) is added to section 348.755, Florida Statutes, to read:

348.755 Bonds of the authority.—

(6) Notwithstanding any other provision of law to the contrary, on and after July 1, 2012, the authority may not issue any bonds except as permitted under the terms of the memorandum of understanding between the authority and the department ratified by the authority board on February 22, 2012.

Section 103. Subsections (8) and (9) are added to section 348.757, Florida Statutes, to read:

348.757 Lease-purchase agreement.—

(8) The only lease-purchase agreement authorized by this section is the lease-purchase agreement between the department and the authority dated December 23, 1985, as supplemented by a first supplement to the lease-purchase agreement dated November 25, 1986, and a second supplement to the lease-purchase agreement dated October 27, 1988.

(9) Upon the earlier of the defeasance, redemption, or payment in full of the authority bonds issued before July 1, 2012, or the earlier date to which the purchasers of the authority bonds have consented:

(a) The obligations of the department under the lease- purchase agreement with the authority, including any obligation to pay any cost of operation, maintenance, repair, or rehabilitation of the expressway system, terminate;

(b) The lease purchase agreement terminates;

(c) The expressway system remains the property of the authority and may not be transferred to the department; and

(d) The authority remains obligated to reimburse the department in accordance with the terms of the memorandum of understanding between the authority and the department ratified by the authority board on February 22, 2012.

Section 104. Subsections (2) and (5) of section 369.317, Florida Statutes, are amended to read:

369.317 Wekiva Parkway.—

(2) The Wekiva Parkway and related transportation facilities shall follow the design criteria contained in the recommendations of the Wekiva River Basin Area Task Force adopted by reference by the Wekiva River Basin Coordinating Committee in its final report of March 16, 2004, and the recommendations of the Wekiva Coordinating Committee contained in its final report of March 16, 2004, subject to reasonable environmental, economic, and engineering considerations. *For those activities associated with the Wekiva Parkway and related transportation facilities which require authorization pursuant to part IV of chapter 373, the Department of Environmental Protection is the exclusive permitting authority.*

(5) In Seminole County, ~~the Seminole County Expressway Authority,~~ the Department of Transportation~~, and the Florida Turnpike Enterprise~~ shall locate the precise corridor and interchanges for the Wekiva Parkway consistent with the legislative intent expressed in this act and other provisions of this act.

Section 105. *Vehicles equipped with autonomous technology; intent.—*

(1) As used in this section, the term "autonomous technology" means technology installed on a motor vehicle that has the capability to drive the vehicle on which the technology is installed without the active control or monitoring by a human operator. The term excludes a motor vehicle enabled with active safety systems or driver assistance systems, including, without limitation, a system to provide electronic blind spot assistance, crash avoidance, emergency braking, parking assistance, adaptive cruise control, lane keep assistance, lane departure warning, or traffic jam and queuing assistant, unless any such system alone or in combination with other systems enables the vehicle on which the technology is installed to drive without the active control or monitoring by a human operator.

(2) It is the intent of the Legislature to encourage the safe development, testing, and operation of motor vehicles with autonomous technology on the public roads of the state. The Legislature finds that the state does not prohibit or specifically regulate the testing or operation of autonomous technology in motor vehicles on public roads.

Section 106. Subsection (89) is added to section 316.003, Florida Statutes, to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(89) AUTONOMOUS VEHICLE.—Any vehicle equipped with autonomous technology. The term "autonomous technology" means technology installed on a motor vehicle that has the capability to drive the vehicle on which the technology is installed without the active control or monitoring by a human operator. The term excludes a motor vehicle enabled with active safety systems or driver assistance systems, including, without limitation, a system to provide electronic blind spot assistance, crash avoidance, emergency braking, parking assistance, adaptive cruise control, lane keep assistance, lane departure warning, or traffic jam and queuing assistant, unless any such system alone or in combination with other systems enables the vehicle on which the technology is installed to drive without the active control or monitoring by a human operator.

Section 107. Section 316.85, Florida Statutes, is created to read:

316.85 Autonomous vehicles; operation.—

(1) A person who possesses a valid driver license may operate an autonomous vehicle in autonomous mode.

(2) For purposes of this chapter, unless the context otherwise requires, a person shall be deemed to be the operator of an autonomous vehicle operating in autonomous mode when the person causes the vehicle's autonomous technology to engage, regardless of whether the person is physically present in the vehicle while the vehicle is operating in autonomous mode.

Section 108. Section 319.145, Florida Statutes, is created to read:

319.145 Autonomous vehicles.—

(1) An autonomous vehicle registered in this state must continue to meet federal standards and regulations for a motor vehicle. The vehicle shall:

(a) Have a means to engage and disengage the autonomous technology which is easily accessible to the operator.

(b) Have a means, inside the vehicle, to visually indicate when the vehicle is operating in autonomous mode.

(c) Have a means to alert the operator of the vehicle if a technology failure affecting the ability of the vehicle to safely operate autonomously is detected while the vehicle is operating autonomously in order to indicate to the operator to take control of the vehicle.

(d) Be capable of being operated in compliance with the applicable traffic and motor vehicle laws of this state.

(2) Federal regulations promulgated by the National Highway Traffic Safety Administration shall supersede this section when found to be in conflict with this section.

Section 109. *(1) Vehicles equipped with autonomous technology may be operated on roads in this state by employees, contractors, or other persons designated by manufacturers of autonomous technology for the purpose of testing the technology. For testing purposes, a human operator shall be present in the autonomous vehicle such that he or she has the ability to monitor the vehicle's performance and intervene, if necessary, unless the vehicle is being tested or demonstrated on a closed course. Prior to the start of testing in this state, the entity performing the testing must submit to the Department of Highway Safety and Motor Vehicles an instrument of insurance, surety bond, or proof of self-insurance acceptable to the department in the amount of $5 million.*

(2) The original manufacturer of a vehicle converted by a third party into an autonomous vehicle shall not be liable in, and shall have a defense to and be dismissed from, any legal action brought against the original manufacturer by any person injured due to an alleged vehicle defect caused by the conversion of the vehicle, or by equipment installed by the converter, unless the alleged defect was present in the vehicle as originally manufactured.

(3) By February 12, 2014, the Department of Highway Safety and Motor Vehicles shall submit a report to the President of the Senate and the Speaker of the House of Representatives recommending additional legislative or regulatory action that may be required for the safe testing and operation of motor vehicles equipped with autonomous technology.

Section 110. *St. Pete Crosstown designated; Department of Transportation to erect suitable markers.—*

(1) That portion of 118th Avenue North/County Road 296 between U.S.19/S.R. 55 and 28th Street North/County Road 683 in Pinellas County is designated as the "St. Pete Crosstown."

(2) The Department of Transportation is directed to erect suitable markers designating the St. Pete Crosstown as described in subsection (1).

Section 111. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2012.

And the title is amended as follows:

Delete lines 37 and 38 and insert: seaport projects to use a mitigation bank; amending s. 20.23, F.S., relating to the Department of Transportation; authorizing district secretaries and executive directors to be a professional engineer from any state; removing obsolete language relating to authority of district secretaries to appoint district directors; amending s. 206.41, F.S., relating to payment of a tax on fuel under specified provisions; providing that a restriction on the use of agricultural equipment to qualify for a refund of the tax does not apply to citrus harvesting equipment or citrus fruit loaders; revising the title of ch. 311, F.S.; amending s. 311.07, F.S.; revising provisions for the financing of port transportation or port facilities projects; increasing funding for the Florida Seaport Transportation and Economic Development Program; directing the Florida Seaport Transportation and Economic Development Council to develop guidelines for project funding; directing council staff, the Department of Transportation, and the Department of Economic Opportunity to work in cooperation to review projects and allocate funds as specified; revising certain authorized uses of program funds; revising the list of projects eligible for funding under the program; removing a cap on distribution of program funds; removing a requirement for a specified audit; authorizing the Department of Transportation to subject projects funded under the program to a specified audit; amending s. 311.09, F.S.; revising provisions for rules of the council for evaluating certain projects; removing provisions for review by the Department of Community Affairs of the list of projects approved by the council; revising provisions for review and evaluation of such projects by the Department of Transportation and the Department of Economic Opportunity; increasing the amount of funding the Department of Transportation is required to include in its annual legislative budget request for the Florida Seaport Transportation and Economic Development Program; revising provisions relating to funding to be included in the budget; creating s. 311.10, F.S.; establishing the Strategic Port Investment Initiative within the Department of Transportation; providing for a minimum annual amount from the State Transportation Trust Fund to fund the initiative; directing the department to work with deepwater ports to develop and maintain a priority list of strategic investment projects; providing project selection criteria; requiring the department to schedule a publicly noticed workshop with the Department of Economic Opportunity and the deepwater ports to review the proposed projects; directing the department to finalize a prioritized list of potential projects after considering comments received in the workshop; directing the department to include the proposed seaport projects in the tentative work program; creating s. 311.101, F.S.; creating the Intermodal Logistics Center Infrastructure Support Program within the Department of Transportation; providing purpose of the program; defining the term "intermodal logistics center"; providing criteria for consideration by the department when evaluating projects for program assistance; directing the department to coordinate and consult with the Department of Economic Opportunity in the selection of projects to be funded; authorizing the department to administer contracts on behalf of the entity selected to receive funding; providing for the department's share of project costs; providing for a certain amount of funds in the State Transportation Trust Fund to be made available for eligible projects; directing the department to include the proposed projects in the tentative work program; authorizing the department to adopt rules; creating s. 311.106, F.S., relating to seaport stormwater permitting and mitigation; authorizing a seaport to provide for onsite and offsite stormwater treatment to mitigate the impact of port activities; requiring offsite treatment to be within the same drainage basin and constructed and maintained by the seaport or in conjunction with a local government; authorizing the port to provide a regional treatment facility constructed and maintained by the seaport or in conjunction with a local government; amending s. 311.14, F.S., relating to seaport planning; directing the department to develop, in coordination with certain partners, a Statewide Seaport and Waterways System Plan consistent with the goals of the Florida Transportation Plan; providing requirements for the plan; removing provisions for the Florida Seaport Transportation and Economic Development Council to develop freight-mobility and trade-corridor plans; removing provisions that require the Office of the State Public Transportation Administrator to integrate the Florida Transportation Plan with certain other plans and programs; removing provisions relating to the construction of seaport freight-mobility projects; amending s. 316.003, F.S.; revising the definition of the term "motor vehicle" for purposes of the payment and collection of tolls on toll facilities under specified provisions; amending s. 316.091, F.S.; permitting the use of shoulders for vehicular traffic under certain circumstances; requiring notice of where vehicular traffic is allowed; providing what may not be deemed as authorization; requiring the department to establish a pilot program to open certain limited access highways and bridges to bicycles and other human-powered vehicles; providing requirements for the pilot program; providing a timeframe for implementation of the program; authorizing the department to continue or expand the program; requiring the department to report findings and recommendations to the Governor and Legislature by a certain date; amending s. 316.1001, F.S.; revising requirements for mailing of citations for failure to pay a toll; authorizing mailing by certified mail in addition to first class mail; providing that mailing of the citation to the address of the registered motor vehicle owner constitutes notification; removing a requirement for a return receipt; amending s. 316.2068, F.S.; authorizing a county or municipality to regulate the operation of electric personal assistive mobility devices on any road, street, sidewalk, or bicycle path under its jurisdiction if the governing body of the county or municipality determines that such regulation is necessary in the interest of safety; amending s. 316.515, F.S.; revising provisions for the maximum allowed length of straight truck-trailer combinations; revising provisions for operation of implements of husbandry and farm equipment on state roads; authorizing the operation of citrus harvesting equipment and citrus fruit loaders for certain purposes; conforming a cross-reference; amending s. 320.01, F.S.; revising the definition of the term "low-speed vehicle" to include vehicles that are not electric powered; amending s. 332.08, F.S.; authorizing a municipality participating in a federal airport privatization pilot program to sell an airport or other air navigation facility or certain real property, improvements, and equipment; requiring department approval of the agreement under certain circumstances; providing criteria for department approval; amending s. 334.03, F.S.; removing the definition of the term "Florida Intrastate Highway System" and revising the definitions of the terms "functional classification" and "State Highway System" for purposes of the Florida Transportation Code; amending s. 334.044, F.S.; revising the powers and duties of the department relating to jurisdictional respon-

sibility, designating facilities, and highway landscaping; adding the duty to develop a Freight Mobility and Trade Plan; requiring the plan to include certain proposed policies and investments; requiring the plan to be submitted to the Governor and Legislature; requiring freight issues to be emphasized in transportation plans; amending s. 334.047, F.S.; removing a provision that prohibits the department from establishing a maximum number of miles of urban principal arterial roads; amending s. 335.074, F.S., relating to bridge safety inspection reports; requiring the governmental entity having maintenance responsibility for a bridge to reduce the maximum weight, size, or speed limit for the bridge or to close the bridge upon receipt of a report recommending the reduction or closure; requiring the entity to post the reduced limits and notify the department; requiring the department to post the reduced limits or to close the bridge under certain circumstances; requiring costs associated with the department posting the revised limits or closure of the bridge to be assessed against and collected from the governmental entity; amending s. 335.17, F.S.; revising provisions relating to highway construction noise abatement; amending s. 336.021, F.S.; revising the date when imposition of the ninth-cent fuel tax will be levied; amending s. 336.025, F.S.; revising the date when impositions and rate changes of the local option fuel tax shall be levied; revising the definition of the term "transportation expenditures" for purposes of specified provisions that restrict the use of local option fuel tax funds by counties and municipalities; amending s. 337.111, F.S.; providing additional forms of security for the cost of removal of monuments or memorials or modifications to an installation site at highway rest areas; removing a provision requiring renewal of a bond; amending s. 337.125, F.S.; revising provisions relating to a prime contractor's submission of a disadvantaged business enterprise utilization form; repealing s. 337.137, F.S., relating to subcontracting by socially and economically disadvantaged business enterprises; amending s. 337.139, F.S.; providing an updated reference to federal law as it relates to socially and economically disadvantaged business enterprises; amending s. 337.14, F.S.; revising provisions for applications for qualification to bid on department contracts; amending s. 337.29, F.S.; authorizing transfers of right-of-way between local governments by deed; amending ss. 337.403 and 337.404, F.S.; clarifying provisions relating to responsibility for the work and costs for alleviating interference on a public road or publicly owned rail corridor caused by a utility facility; requiring the utility owner to initiate and complete the work necessary within a certain time period; requiring the local governmental authority to bear the costs of work on a utility facility that was initially installed to serve the governmental entity or its tenants; providing that the governmental entity is not responsible for the costs of utility work related to subsequent additions to the facility; requiring that the local governmental authority bear the costs of removing or relocating a utility facility under certain circumstances; providing for notice to the utility; revising provisions for payment of costs; revising provisions for completion of work when the utility owner does not perform the work; amending s. 337.408, F.S.; revising provisions for certain facilities installed within the right-of-way limits of roads on the State Highway System; requiring counties and municipalities that have authorized a bench or transit shelter to be responsible for determining if the facility is compliant with applicable laws and rules or remove the bench or transit shelter; limiting liability of the department; requiring a municipality or county that authorizes a bench or transit shelter to be installed to require the supplier or installer to indemnify the department and annually certify that the requirement has been met; requiring the removal of such facilities under certain circumstances; authorizing the department to direct a county or municipality to remove or relocate a bus stop, bench, transit shelter, waste disposal receptacle, public pay telephone, or modular news rack that is not in compliance with applicable laws or rules; removing a provision for the replacement of an unusable transit bus bench that was in service before a certain date; prohibiting installation of a bus stop that conflicts with certain laws and regulations resulting in a loss of federal funds; authorizing the appropriate local government entity to regulate or deny competition to provide a bus stop; revising the title of ch. 338, F.S.; repealing s. 338.001, F.S., relating to provisions for the Florida Intrastate Highway System Plan; amending s. 338.01, F.S.; clarifying provisions governing the designation and function of limited access facilities; authorizing the department or other governmental entities collecting tolls to pursue collection of unpaid tolls by contracting with a private attorney or collection agency; authorizing a collection fee; providing an exception to statutory requirements related to private attorney services; creating s. 338.151, F.S.; authorizing the department to establish tolls on certain transportation facilities to pay for the cost of such project; prohibiting the department from establishing tolls on certain lanes of limited access facilities; providing an exception; providing for application; amending s. 338.155, F.S.; authorizing the department adopt rules to allow public transit vehicles and certain military-service-related funeral processions to use certain toll facilities without payment of tolls; amending s. 338.161, F.S.; authorizing the department to enter into agreements for the use of its electronic toll collection and video billing system; authorizing modification of its rules regarding toll collection and an administrative charge; providing for construction; amending s. 338.166, F.S.; revising a provision for issuance of bonds secured by toll revenues collected on high-occupancy toll lanes or express lanes; revising authorized uses of such toll revenues; providing restrictions on such use; amending s. 338.221, F.S.; revising the definition of the term "economically feasible" for purposes of proposed turnpike projects; amending s. 338.223, F.S.; revising provisions for department requests for legislative approval of proposed turnpike projects; conforming a cross-reference; amending s. 338.227, F.S.; conforming provisions to changes made by the act; directing the department and the Department of Management Services to create and implement a program designed to enhance participation of minority businesses in certain contracts related to the Strategic Intermodal System Plan; amending ss. 338.2275 and 338.228, F.S., relating to turnpike projects; revising cross-references; amending s. 338.231, F.S.; providing that inactive prepaid toll accounts are unclaimed property; providing for disposition by the Department of Financial Services and closing of the account; amending s. 338.234, F.S.; revising provisions that exempt certain lessees from payment of commercial rental tax; replacing a reference to the Florida Intrastate Highway System with a reference to the Strategic Intermodal System; amending s. 339.0805, F.S.; revising requirements for expenditure of certain funds with small business concerns owned and controlled by socially and economically disadvantaged individuals; revising a definition of the term "small business concern"; removing provisions for a periodic disparity study; deleting obsolete language; revising provisions for certification as a socially and economically disadvantaged business enterprise; revising requirements that a disadvantaged business enterprise notify the department of certain changes in ownership; revising criteria for such a business enterprise to participate in a construction management development program; revising references to federal law; amending s. 339.135, F.S.; revising provisions for developing the department's tentative work program; revising provisions for a list of project priorities submitted by a metropolitan planning organization; revising criteria for proposed amendment to the department's adopted work program which deletes, advances, or defers a project or project phase; revising threshold amounts; directing the department to index the budget amendment threshold amounts to the rate of inflation; prohibiting such adjustments more frequently than once a year; subjecting such adjustments to specified notice and review procedures; amending s. 339.155, F.S.; revising provisions for the Florida Transportation Plan; requiring the planning process to conform to specified federal provisions; removing provisions for a long-range component, short-range component, and a report; amending s. 339.175, F.S.; providing that to the extent possible only one metropolitan planning organization be designated in a urbanized area; providing that representatives of the department shall serve as nonvoting advisers to a metropolitan planning organization; authorizing the appointment of additional nonvoting advisers; requiring M.P.O.'s to coordinate in the development of regionally significant project priorities; amending s. 339.2819, F.S.; revising the state matching funds requirement for the Transportation Regional Incentive Program; conforming cross-references; requiring funded projects to be in the department's work program; requiring a project to meet the program's requirements prior to being funded; amending s. 339.62, F.S.; removing the Florida Intrastate Highway System from and adding highway corridors to the list of components of the Strategic Intermodal System; providing for other corridors to be included in the system; amending s. 339.63, F.S.; adding military access facilities to the types of facilities included in the Strategic Intermodal System and the Emerging Strategic Intermodal System which form components of an interconnected transportation system; providing that an intermodal logistics center meeting certain criteria shall be designated as part of the Strategic Intermodal System; providing for a waiver of transportation concurrency for such facility if it is located within a described area; amending s. 339.64, F.S.; deleting provisions creating the Statewide Intermodal Transportation Advisory Council; creating s. 339.65, F.S.; requiring the department to plan and develop for Strategic Intermodal System highway corridors to aid traffic movement around the state; providing for components of the corridors; requiring the department to follow specified policy guidelines when developing the corridors; directing the department to establish standards and criteria for functional design; providing for appropriations; requiring

such highway corridor projects to be a part of the department's adopted work program; amending 341.840, F.S.; relating to the Florida Rail Enterprise Act; revising obsolete references to the Florida High-Speed Rail Authority; providing that certain transactions made by or on behalf of the enterprise are exempt from specified taxes; providing for certain contractors to act as agents on behalf of the enterprise for purposes of the tax exemption; authorizing the department to adopt rules; amending s. 343.52, F.S.; revising the definition of the term "area served" for purposes of provisions for the South Florida Regional Transportation Authority; revising a provision for expansion of the area; amending s. 343.53, F.S.; revising membership of and criteria for appointment to the board of the South Florida Regional Transportation Authority; amending s. 343.54, F.S.; requiring a two-thirds vote of such board to privatize certain functions; revising a provision authorizing such authority to expand its service area; amending s. 343.56, F.S., relating to bonds of the authority; removing a provision for the use of certain funds for payment of principal and interest on bonds; amending s. 343.57, F.S., relating to a state pledge to bondholders; providing for construction; providing that a bondholder shall have no right to require the Legislature to make any appropriation of state funds; amending s. 343.58, F.S.; providing conditions for funds provided to such authority by the department; providing for certain funding to cease upon commencement of an alternate dedicated local funding source; creating s. 347.215, F.S.; providing for the operation of ferries by joint agreement between public and private entities; amending s. 348.0003, F.S.; revising financial disclosure requirements for certain transportation authorities; creating s. 348.7645, F.S.; requiring the Orlando-Orange County Expressway Authority to erect a sign under certain circumstances; providing for payment for the cost of the sign; amending s. 349.03, F.S.; providing for financial disclosure requirements for the Jacksonville Transportation Authority; amending s. 349.04, F.S.; providing that the Jacksonville Transportation Authority may conduct meetings and workshops using communications media technology; providing that certain actions may not be taken unless a quorum is present in person; providing that members must be physically present to vote on any item; amending s. 373.118, F.S.; requiring that the Department of Environmental Protection initiate rulemaking to adopt a general permit for stormwater management systems serving airside activities at airports; providing for statewide application of the general permit; providing for any water management district or delegated local government to administer the general permit; providing that the rules are not subject to any special rulemaking requirements relating to small business; amending s. 373.413, F.S.; providing legislative intent regarding flexibility in the permitting of stormwater management systems; requiring the cost of stormwater treatment for a transportation project to be balanced with benefits to the public; requiring that alternatives to onsite treatment be allowed; specifying responsibilities of the department relating to abatement of pollutants and permits for adjacent lands impacted by right-of-way acquisition; authorizing water management districts and the Department of Environmental Protection to adopt rules; repealing s. 479.28, F.S., relating to the rest area information panel or device program; authorizing the department to seek Federal Highway Administration approval of a tourist-oriented commerce sign pilot program; directing the department to submit the approved pilot program for legislative approval; establishing a pilot program for the Palm Beach County school district to recognize its business partners; providing for expiration of the program; providing for the transfer of administrative rules of the former Pilotage Rate Review Board to the Pilotage Rate Review Committee of the Board of Pilot Commissioners; providing for retroactive application of such rules; requiring the Florida Transportation Commission to study the potential costs savings of the department being the operating agent for certain expressway authorities; providing for certain related expenses to be paid by the department; requiring a report to the Governor and Legislature; providing that a challenge to a consolidated environmental resource permit or associated variance or any sovereign submerged lands authorization proposed or issued by the Department of Environmental Protection in connection with specified deepwater ports is subject to specified summary hearing provisions; requiring such proceedings to be conducted within a certain timeframe; providing that the administrative law judge's decision is a recommended order and does not constitute final agency action of the Department of Environmental Protection; requiring the Department of Environmental Protection to issue the final order within a certain timeframe; providing applicability of specified provisions; providing for a review by the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority to consider and identify opportunities and greater efficiency and service improvements for increasing connectivity between each authority; requiring a report to the Legislature; requiring the Tampa Bay Area Regional Transportation Authority to provide assistance; authorizing governmental units that regulate the operation of vehicles for public hire or other for-hire transportation to request and receive criminal history record information for the purpose of screening applicants; amending ss. 215.616, 288.063, 311.22, 316.2122, 318.12, 320.20, 335.02, 338.222, 339.285, 341.053, 341.8225, 403.7211, 479.01, 479.07, and 479.261, F.S., relating to bonds for federal aid highway construction, contracts for transportation projects, dredging projects, operation of low-speed vehicles or mini-trucks, traffic infractions, license tax distribution, standards for lanes, turnpike projects, the Enhanced Bridge Program for Sustainable Transportation, the Intermodal Development Program, high-speed rail projects, hazardous waste facilities, outdoor advertising, and the logo sign program, respectively; deleting obsolete language; revising references to conform to the incorporation of the Florida Intrastate Highway System into the Strategic Intermodal System and to changes made by the act; providing honorary designation of certain transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; amending s. 316.0083, F.S., providing an additional defense for certain red-light traffic infractions; providing for the dismissal of a uniform traffic citation for a red-light violation when the motor vehicle owner is deceased and an affidavit with specified supporting documents is filed with the issuing agency; amending s. 320.089, F.S.; providing for the issuance of a Combat Infantry Badge license plate and a Combat Action Badge license plate; providing qualifications and requirements for the plate; providing for the use of proceeds from the sale of the plate; amending s. 338.165, F.S.; authorizing the department to transfer certain transportation facilities to the turnpike system; providing for use of funds received from Florida Turnpike Enterprise for acquisition of such facilities; defining the term "Wekiva Parkway"; amending s. 348.7546, F.S.; revising provisions for the Orlando-Orange County Expressway Authority to construct and maintain the Wekiva Parkway; providing for construction of specified provisions; directing the authority to make certain payments to the department; providing for use of funds received by the department; providing that the department's obligation to construct its portions of the Wekiva Parkway is contingent upon certain events; amending s. 348.755, F.S.; prohibiting the Orlando-Orange County Expressway Authority from issuing bonds except under specified circumstances; amending s. 348.757, F.S.; revising provisions for the Orlando-Orange County Expressway Authority to enter into lease-purchase agreements with the department; amending s. 369.317, F.S.; revising provisions for the Wekiva Parkway; providing that the Department of Environmental Protection is the exclusive permitting authority for certain activities; revising provisions for location of the parkway; defining the term "autonomous technology"; providing legislative intent and findings; amending s. 316.003, F.S.; defining the terms "autonomous vehicle" and "autonomous technology" when used in provisions for traffic control; creating s. 316.85, F.S.; authorizing a person who possesses a valid driver license to operate an autonomous vehicle; specifying that the person who causes the vehicle's autonomous technology to engage is the operator; creating s. 319.145, F.S.; requiring an autonomous vehicle registered in this state to meet federal standards and regulations for a motor vehicle; specifying certain requirements for such vehicle; providing for the application of certain federal regulations; authorizing the operation of vehicles equipped with autonomous technology by certain persons for testing purposes under certain conditions; requiring an instrument of insurance, surety bond, or self-insurance prior to the testing of a vehicle; limiting liability of the original manufacturer of a vehicle converted to an autonomous vehicle; directing the department to prepare a report on the safe testing and operation of vehicles equipped with autonomous technology and submit the report to the Legislature by a certain date; providing an honorary designation of a transportation facility in a specified county; directing the department to erect suitable markers; providing effective dates.

RECONSIDERATION OF AMENDMENTS

On motion by Senator Bennett, the Senate reconsidered the vote by which **Amendment 1** as amended was adopted this day.

On motion by Senator Bennett, the Senate reconsidered the vote by which **Amendment 1A** was adopted this day. **Amendment 1A** was withdrawn.

The question recurred on **Amendment 1**. **Amendment 1** was withdrawn.

On motion by Senator Dean, by two-thirds vote **CS for CS for CS for HB 599** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5001, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5001

The Honorable Mike Haridopolos March 8, 2012
President of the Senate

The Honorable Dean Cannon
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5001, same being:

An act relating to appropriations.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman
s/ Michael S. "Mike" Bennett
s/ Oscar Braynon II
s/ Charles S. "Charlie" Dean, Sr.
s/ Miguel Diaz de la Portilla
s/ Greg Evers
s/ Anitere Flores
s/ Rene Garcia
s/ Audrey Gibson
s/ Dennis L. Jones, D.C.
Jack Latvala
s/ Gwen Margolis
s/ Jim Norman
Nan H. Rich
s/ Jeremy Ring
s/ David Simmons
s/ Joe Negron
Vice Chair
s/ Lizbeth Benacquisto
s/ Ellyn Setnor Bogdanoff
s/ Larcenia J. Bullard
s/ Nancy C. Detert
Paula Dockery
Mike Fasano
s/ Don Gaetz
Andy Gardiner
s/ Alan Hays
s/ Arthenia L. Joyner
Evelyn J. Lynn
s/ Bill Montford
s/ Steve Oelrich
s/ Garrett Richter
Maria Lorts Sachs
s/ Gary Siplin
s/ Christopher L. "Chris" Smith
s/ Ronda Storms
s/ Stephen R. Wise
Eleanor Sobel
John Thrasher

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Ben Albritton
s/ Gary Aubuchon, At Large
Leonard L. Bembry
Mack Bernard
Jim Boyd
s/ Jason T. Brodeur
Dwight M. Bullard
s/ Rachel V. Burgin
Charles S. "Chuck" Chestnut IV
At Large
Richard Corcoran
s/ Steve Crisafulli
s/ Daniel Davis
Chris Dorworth, At Large
s/ Eric Eisnaugle
s/ James C. "Jim" Frishe, At Large
Joseph A. "Joe" Gibbons
Eduardo "Eddy" Gonzalez
s/ James W. "J.W." Grant
s/ Gayle B. Harrell
s/ Doug Holder, At Large
s/ Mike Horner
Dorothy L. Hukill, At Large
s/ John Patrick Julien
s/ John Legg, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Charles McBurney
s/ Larry Metz
s/ Bryan Nelson
s/ Jose R. Oliva
Mark S. Pafford
s/ Jimmy Patronis
Ray Pilon
s/ Stephen L. Precourt
Scott Randolph
Betty Reed
s/ Patrick Rooney, Jr.
Franklin Sands, At Large
s/ Robert C. "Rob" Schenck
At Large
s/ William D. Snyder, At Large
s/ Kelli Stargel
Dwayne L. Taylor
Perry E. Thurston, Jr.
James W. "Jim" Waldman
s/ Will W. Weatherford, At Large
Alan B. Williams
s/ John Wood
s/ Dana D. Young
s/ Janet H. Adkins
s/ Larry Ahern
s/ Frank Artiles
s/ Dennis K. Baxley
Lori Berman
s/ Michael Bileca
s/ Jeffrey "Jeff" Brandes
s/ Douglas Vaughn "Doug" Broxson
s/ Matthew H. "Matt" Caldwell
Gwyndolen "Gwyn" Clarke-Reed
s/ Marti Coley
s/ Fredrick W. "Fred" Costello
Janet Cruz
s/ Jose Felix Diaz
s/ Brad Drake
s/ Erik Fresen
s/ Matt Gaetz
s/ Richard "Rich" Glorioso
s/ Tom Goodson
s/ Bill Hager
s/ Shawn Harrison
s/ Ed Hooper
s/ Matt Hudson
Mia L. Jones, At Large
Martin David "Marty" Kiar
s/ Ana Rivas Logan
s/ Debbie Mayfield
s/ Seth McKeel, At Large
s/ Peter Nehr
s/ Jeanette M. Nunez
s/ H. Marlene O'Toole
s/ Kathleen C. Passidomo
s/ W. Keith Perry
s/ Elizabeth W. Porter
s/ William L. "Bill" Proctor
s/ Lake Ray
Hazelle P. "Hazel" Rogers
Darryl Ervin Rouson
Ron Saunders, At Large
Elaine J. Schwartz
s/ Jimmie T. Smith
Darren Soto
s/ W. Gregory "Greg" Steube
Geraldine F. "Geri" Thompson
s/ Carlos Trujillo
Barbara Watson
s/ Michael B. "Mike" Weinstein
s/ Trudi K. Williams
s/ Ritch Workman

Managers on the part of the House

Conference Committee Amendment (657521)(with title amendment)—Remove everything after the enacting clause and insert: The moneys contained herein are appropriated from the named funds for Fiscal Year 2012-2013 to the State agency indicated, as the amounts to be used to pay the salaries, other operational expenditures, and fixed capital outlay of the named agencies, and are in lieu of all moneys appropriated for these purposes in other sections of the Florida Statutes.

A bill to be entitled

An act making appropriations; providing moneys for the annual period beginning July 1, 2012, and ending June 30, 2013, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

SECTION 1 - EDUCATION ENHANCEMENT
SPECIFIC
APPROPRIATION

Be It Enacted by the Legislature of the State of Florida:

The moneys contained herein are appropriated from the named funds for Fiscal Year 2012-2013 to the state agency indicated, as the amounts to be used to pay the salaries, other operational expenditures, and fixed capital outlay of the named agencies, and are in lieu of all moneys appropriated for these purposes in other sections of the Florida Statutes.

SECTION 1 - EDUCATION ENHANCEMENT "LOTTERY" TRUST FUND

The moneys contained herein are appropriated from the Education Enhancement "Lottery" Trust Fund to the state agencies indicated.

EDUCATION, DEPARTMENT OF

Funds provided in sections 1 and 2 of this act as Grants and Aids-Special Categories or as Grants and Aids-Aid to Local Governments may be advanced quarterly throughout the fiscal year based on projects, grants, contracts, and allocation conference documents. Of the funds provided in Specific Appropriations 3, 4, 5, 55, 56, 57 through 65, and 136, 60 percent shall be released at the beginning of the first quarter and the balance at the beginning of the third quarter.

PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY

1 FIXED CAPITAL OUTLAY
CLASSROOMS FIRST AND 1997 SCHOOL CAPITAL
OUTLAY BOND PROGRAMS - OPERATING FUNDS AND
DEBT SERVICE
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 156,801,400

Funds in Specific Appropriation 1 are for the cash and debt service requirements of the Classrooms First and 1997 School Capital Outlay Bond programs established in chapter 97-384, Laws of Florida.

Funds in Specific Appropriation 1 shall be transferred using nonoperating budget authority into the Lottery Capital Outlay and Debt Service Trust Fund, pursuant to section 1013.71, Florida Statutes, for the payment of debt service and projects. There is appropriated from the Lottery Capital Outlay and Debt Service Trust Fund, an amount sufficient to enable the payment of debt service and projects resulting from these transfers.

2 FIXED CAPITAL OUTLAY
DEBT SERVICE - CLASS SIZE REDUCTION
LOTTERY CAPITAL OUTLAY PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 154,482,900

Funds in Specific Appropriation 2 shall be transferred using nonoperating budget authority into the Lottery Capital Outlay and Debt Service Trust Fund, pursuant to section 1013.71, Florida Statutes, for the payment of debt service. There is appropriated from the Lottery Capital Outlay and Debt Service Trust Fund, an amount sufficient to enable the payment of debt service resulting from these transfers.

Funds in Specific Appropriation 2 are for Fiscal Year 2012-2013 debt service on all bonds authorized pursuant to section 1013.737, Florida Statutes, including any other continuing payments necessary or incidental to the repayment of the bonds. These funds may be used to refinance any or all bond series if it is in the best interest of the state as determined by the Division of Bond Finance.

2A FIXED CAPITAL OUTLAY
EDUCATIONAL FACILITIES
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 9,500,000

Funds in Specific Appropriation 2A for educational facilities are provided for debt service requirements associated with bond proceeds from the Lottery Capital Outlay and Debt Service Trust Fund included in Specific Appropriations 17 and 17A and are authorized pursuant to section 1013.737, Florida Statutes. Funds in Specific Appropriation 2A shall be transferred, using nonoperating budget authority, to the Lottery Capital Outlay and Debt Service Trust Fund.

TOTAL: PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY
FROM TRUST FUNDS 320,784,300

TOTAL ALL FUNDS 320,784,300

OFFICE OF STUDENT FINANCIAL ASSISTANCE

PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE

3 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA'S BRIGHT FUTURES
SCHOLARSHIP PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 329,408,935

From the funds in Specific Appropriation 3, the Bright Futures award per credit hour or credit hour equivalent for the 2012-2013 academic year shall be as follows:

Academic Scholars
4-Year Institutions.....$100
2-Year Institutions.....$ 61
Upper-Division Programs at Florida Colleges....$ 69
Career/Technical Centers.....$ 50

Medallion Scholars
4-Year Institutions.....$ 75
2-Year Institutions.....$ 61
Upper-Division Programs at Florida Colleges....$ 51
Career/Technical Centers.....$ 38

Gold Seal Vocational Scholars
Career Certificate Program.....$ 38
Applied Technology Diploma Program.....$ 38
Technical Degree Education Program.....$ 47

The additional stipend for Top Scholars shall be $43 per credit hour.

4 SPECIAL CATEGORIES
FIRST GENERATION IN COLLEGE MATCHING GRANT
PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 5,308,663

From the funds provided in Specific Appropriation 4, $1,327,166 shall be allocated to First Generation in College Matching Grant Programs at Florida colleges for need based financial assistance as provided in section 1009.701, Florida Statutes. If required matching funds are not raised by participating Florida colleges or state universities by December 1, 2012, the remaining funds shall be reallocated to First Generation in College Matching Grant Programs at Florida colleges or state universities that have remaining unmatched private contributions.

5 FINANCIAL ASSISTANCE PAYMENTS
STUDENT FINANCIAL AID
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 45,100,892

Funds in Specific Appropriation 5 are allocated in Specific Appropriation 61. These funds are provided for Florida Student Assistance Grant (FSAG) public full-time and part-time programs.

TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE
FROM TRUST FUNDS 379,818,490

TOTAL ALL FUNDS 379,818,490

PUBLIC SCHOOLS, DIVISION OF

SECTION 1 - EDUCATION ENHANCEMENT
SPECIFIC
APPROPRIATION
PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

6 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA EDUCATIONAL FINANCE PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST FUND 122,740,767

Funds provided in Specific Appropriation 6 are allocated in Specific Appropriation 84.

7 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - CLASS SIZE REDUCTION
FROM EDUCATIONAL ENHANCEMENT TRUST FUND 103,776,356

Funds in Specific Appropriations 7 and 85 are provided to implement the requirements of sections 1003.03 and 1011.685, Florida Statutes. The class size reduction allocation factor for grades prekindergarten to grade 3 shall be $1,321.29, for grades 4 to 8 shall be $901.25, and for grades 9 to 12 shall be $903.43. The class size reduction allocation shall be recalculated based on enrollment through the October 2012 FTE survey except as provided in section 1003.03(4), Florida Statutes. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 7 and 85, funds shall be prorated to the level of the appropriation based on each district's calculated amount. The Commissioner of Education may withhold disbursement of these funds until a district is in compliance with reporting information required for class size reduction implementation.

8 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - DISTRICT LOTTERY AND SCHOOL RECOGNITION PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST FUND 134,582,877

Funds in Specific Appropriation 8 are provided for the Florida School Recognition Program to be allocated as awards of up to $100 per student to qualified schools pursuant to section 1008.36, Florida Statutes.

If there are funds remaining after payment to qualified schools, the balance shall be allocated to all school districts based on each district's K-12 base funding. From these funds, school districts shall allocate up to $5 per unweighted student to be used at the discretion of the school advisory council pursuant to section 24.121(5), Florida Statutes. If funds are insufficient to provide $5 per student, the available funds shall be prorated.

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP
FROM TRUST FUNDS 361,100,000

TOTAL ALL FUNDS 361,100,000

PROGRAM: WORKFORCE EDUCATION

9 AID TO LOCAL GOVERNMENTS
WORKFORCE DEVELOPMENT
FROM EDUCATIONAL ENHANCEMENT TRUST FUND 48,722,232

Funds in Specific Appropriation 9 are allocated in Specific Appropriation 106. These funds are provided for school district workforce education programs as defined in section 1004.02(26), Florida Statutes.

FLORIDA COLLEGES, DIVISION OF

PROGRAM: FLORIDA COLLEGES

10 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY COLLEGE LOTTERY FUNDS
FROM EDUCATIONAL ENHANCEMENT TRUST

SECTION 1 - EDUCATION ENHANCEMENT
SPECIFIC
APPROPRIATION
FUND 180,808,060

Funds provided in Specific Appropriation 10 shall be allocated as follows:

Brevard Community College	7,470,427
Broward College	12,206,453
College of Central Florida	3,391,060
Chipola College	1,881,940
Daytona State College	10,034,908
Edison State College	4,322,457
Florida State College at Jacksonville	12,673,289
Florida Keys Community College	993,702
Gulf Coast State College	3,648,003
Hillsborough Community College	8,296,094
Indian River State College	7,594,394
Florida Gateway College	2,115,297
Lake Sumter Community College	1,879,273
State College of Florida, Manatee-Sarasota	3,682,328
Miami Dade College	28,582,390
North Florida Community College	1,058,320
Northwest Florida State College	3,131,474
Palm Beach State College	8,766,622
Pasco-Hernando Community College	3,356,106
Pensacola State College	5,714,032
Polk State College	4,736,235
Saint Johns River State College	2,847,061
Saint Petersburg College	10,870,305
Santa Fe College	5,871,305
Seminole State College of Florida	6,384,608
South Florida State College	2,604,754
Tallahassee Community College	4,834,137
Valencia College	11,861,086

UNIVERSITIES, DIVISION OF

PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

Funds in Specific Appropriations 11 through 15 shall be expended in accordance with operating budgets which must be approved by each university's board of trustees.

11 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EDUCATION AND GENERAL ACTIVITIES
FROM EDUCATIONAL ENHANCEMENT TRUST FUND 171,566,138

Funds in Specific Appropriation 11 shall be allocated as follows:

University of Florida	31,516,528
Florida State University	26,415,961
Florida A&M University	9,917,968
University of South Florida	23,340,863
University of South Florida, St. Petersburg	1,092,430
University of South Florida, Sarasota/Manatee	902,661
Florida Atlantic University	13,896,935
University of West Florida	5,441,608
University of Central Florida	24,076,978
Florida International University	20,502,257
University of North Florida	8,546,931
Florida Gulf Coast University	4,809,227
New College of Florida	738,282
Florida Polytechnic University	367,509

12 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - IFAS (INSTITUTE OF FOOD AND AGRICULTURAL SCIENCE)
FROM EDUCATIONAL ENHANCEMENT TRUST FUND 12,533,877

13 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF SOUTH FLORIDA MEDICAL CENTER

SECTION 1 - EDUCATION ENHANCEMENT
SPECIFIC
APPROPRIATION
FROM EDUCATIONAL ENHANCEMENT TRUST FUND 9,349,672

14 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF FLORIDA HEALTH CENTER
FROM EDUCATIONAL ENHANCEMENT TRUST FUND 5,796,416

15 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA STATE UNIVERSITY MEDICAL SCHOOL
FROM EDUCATIONAL ENHANCEMENT TRUST FUND 605,115

TOTAL: PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES
FROM TRUST FUNDS 199,851,218

TOTAL ALL FUNDS 199,851,218

TOTAL OF SECTION 1

FROM TRUST FUNDS 1,491,084,300

TOTAL ALL FUNDS 1,491,084,300

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

The moneys contained herein are appropriated from the named funds to the Department of Education as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay.

EDUCATION, DEPARTMENT OF

Funds in Specific Appropriations 55B, 56A, 56B, 131, 132, 133, 134, 135, and 135A for medical schools may be used as certified public expenditures for matching Medical Care Trust Fund sources through the Agency for Health Care Administration for contracting with the Florida Medical Schools Quality Network.

PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY

The Legislature hereby finds and determines that the items and sums designated in Specific Appropriations 16, 16A, 18, and 19A from the Public Education Capital Outlay and Debt Service Trust Fund constitute authorized capital outlay projects within the meaning and as required by section 9(a)(2), Article XII of the State Constitution, as amended, and any other law. In accordance therewith, the moneys in the following items are authorized to be expended for the enumerated authorized capital outlay projects.

The sum designated for each project is the maximum sum to be expended for each specified phase of the project from funds accruing under section 9(a)(2), Article XII of the State Constitution. The scope of each project shall be planned so that the amounts specified shall not be exceeded, or any excess in costs shall be funded by sources other than this appropriation. Such excess costs may be funded from the Public Education Capital Outlay and Debt Service Trust Fund only as a result of fund transfers pursuant to section 216.292 (4)(c), Florida Statutes. Each project shall be constructed on the site specified. If existing facilities and acquisition of new sites are a part of these projects, each such building and site must be certified to be free of contamination, asbestos, and other hazardous materials before the facility or site may be acquired. The provisions of section 216.301 (2), Florida Statutes, shall apply to all capital outlay funds appropriated to the Public Education Capital Outlay and Debt Service Trust Fund for the Fiscal Year 2012-2013 appropriation, and shall also apply to the funds appropriated in Specific Appropriations 16, 16A, 18, and 19A.

The Governor's Office of Policy and Budget shall establish Fixed Capital Outlay budget authority within appropriate accounts to enable expenditure of funds appropriated for the state universities, the Florida School for the Deaf and the Blind, public school districts, Florida colleges, public broadcasting, and the Division of Blind Services.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

16 FIXED CAPITAL OUTLAY
MAINTENANCE, REPAIR, RENOVATION, AND REMODELING
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 67,586,594

Funds in Specific Appropriation 16 shall be allocated in accordance with section 1013.64(1), Florida Statutes, as follows:

Florida College System..... 5,377,488
State University System..... 7,000,000
Charter Schools..... 55,209,106

Funds in Specific Appropriation 16 for charter schools shall be distributed pursuant to section 1013.62(1)(b), Florida Statutes.

16A FIXED CAPITAL OUTLAY
SURVEY RECOMMENDED NEEDS - PUBLIC SCHOOLS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 4,261,693

From the funds in Specific Appropriation 16A, up to $4,261,693 shall be distributed to university developmental research schools and allocated in accordance with section 1002.32(9)(e), Florida Statutes. The remaining funds shall be transferred from Specific Appropriation 16A to Specific Appropriation 16 by the Executive Office of the Governor and the funds shall be allocated to charter schools in accordance with section 1013.62(1)(b), Florida Statutes.

17 FIXED CAPITAL OUTLAY
COMMUNITY COLLEGE PROJECTS
FROM LOTTERY CAPITAL OUTLAY AND DEBT SERVICES TRUST FUND 69,098,805

Funds in Specific Appropriation 17 shall be allocated as follows:

BREVARD COMMUNITY COLLEGE
Gen ren/rem, infrastruct, site improvement & acquisition... 5,699,665
Public Safety Institute (spce)..... 14,000,000
DAYTONA STATE COLLEGE
Gen ren/rem, infrastruct, site improvement & acquisition... 1,821,938
Rem/Add Bldg 220 - Stu Svc/Clsrm/Office - Daytona..... 2,400,000
Rem/Add Bldg 314 - Thermal Storage..... 3,012,000
EDISON STATE COLLEGE
Gen ren/rem, infrastruct, site improvement & acquisition... 1,102,260
Rem/Ren Collier - Bldgs 1,5,10 - Collier..... 956,481
FLORIDA STATE COLLEGE AT JACKSONVILLE
Gen ren/rem, infrastruct, site improvement & acquisition... 985,514
FLORIDA KEYS COMMUNITY COLLEGE
Gen ren/rem, infrastruct, site improvement & acquisition... 800,000
Marine Propulsion Bldg-Main (ce) comp..... 773,770
GULF COAST STATE COLLEGE
Gen ren/rem, infrastruct, site improvement & acquisition... 540,796
INDIAN RIVER STATE COLLEGE
Gen ren/rem, infrastruct, site improvement & acquisition... 1,179,733
PALM BEACH STATE COLLEGE
Gen ren/rem, infrastruct, site improvement & acquisition... 2,136,975
POLK STATE COLLEGE
Gen ren/rem, infrastruct, site improvement & acquisition... 831,315
Institute for Public Safety - Winter Haven (pce)..... 9,200,000
ST. PETERSBURG COLLEGE
Bay Pines Marine Science Labs/Classrooms..... 2,500,000
SEMINOLE STATE COLLEGE OF FLORIDA
Site/Facilities Acquisition-Alt Springs (sp)..... 7,500,000
SOUTH FLORIDA STATE COLLEGE
Gen ren/rem, infrastruct, site improvement & acquisition... 514,838
Rem/Ren Fire Fighting - Main..... 2,644,004
TALLAHASSEE COMMUNITY COLLEGE
New Wakulla Environmental Institute..... 4,500,000
VALENCIA COLLEGE
Gen ren/rem, infrastruct, site improvement & acquisition... 1,807,926

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION
Library & High Tech Bldg 4 - Osceola (ce) comp..... 4,191,590

17A FIXED CAPITAL OUTLAY
STATE UNIVERSITY SYSTEM PROJECTS
FROM LOTTERY CAPITAL OUTLAY AND
DEBT SERVICES TRUST FUND 30,901,195

Funds in Specific Appropriation 17A shall be allocated as follows:

UNIVERSITY OF FLORIDA
Research & Academic Center at Lake Nona..... 6,000,000
FLORIDA STATE UNIVERSITY
Earth Ocean Atmospheric Sciences Building..... 3,850,000
UNIVERSITY OF SOUTH FLORIDA
Heart Health Institute..... 6,893,118
UNIVERSITY OF CENTRAL FLORIDA
Math & Physics Bldg Renovation & Remodeling..... 3,877,895
Engineering Bldg 1 Renovation..... 3,620,723
FLORIDA GULF COAST UNIVERSITY
Innovation Hub Research..... 4,866,193
NEW COLLEGE
Utilities/Infrastructure/Capital Renewal/Roofs..... 1,793,266

18 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM CAPITAL IMPROVEMENTS FEE
TRUST FUND 27,299,800
FROM PUBLIC EDUCATION CAPITAL
OUTLAY AND DEBT SERVICE TRUST FUND 975,442,250
FROM SCHOOL DISTRICT AND COMMUNITY
COLLEGE DISTRICT CAPITAL OUTLAY
AND DEBT SERVICE TRUST FUND 105,205,350

Funds in Specific Appropriation 18 from the School District and Community College District Capital Outlay and Debt Service Trust Fund are for Fiscal Year 2012-2013 debt service on bonds authorized pursuant to the School Capital Outlay Amendment, subsection (d), section 9, Article XII of the State Constitution, and any other continuing payments necessary or incidental to the repayment of the bonds. These funds may be used to refinance any or all series if it is in the best interest of the state as determined by the Division of Bond Finance. If the debt service appropriated for this program in Specific Appropriation 18 is insufficient due to interest rate changes, issuance timing, or other circumstances, the amount of the insufficiency is appropriated from the School District and Community College District Capital Outlay and Debt Service Trust Fund.

19 FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SCHOOL DISTRICT AND
COMMUNITY COLLEGE
FROM SCHOOL DISTRICT AND COMMUNITY
COLLEGE DISTRICT CAPITAL OUTLAY
AND DEBT SERVICE TRUST FUND 28,000,000

19A FIXED CAPITAL OUTLAY
FLORIDA SCHOOL FOR THE DEAF AND BLIND -
CAPITAL PROJECTS
FROM PUBLIC EDUCATION CAPITAL
OUTLAY AND DEBT SERVICE TRUST FUND 1,651,713

Funds in Specific Appropriation 19A shall be allocated as follows:

Building Maintenance..... 1,651,713

19B FIXED CAPITAL OUTLAY
LIBERTY COUNTY PUBLIC SCHOOL
FROM GENERAL REVENUE FUND 150,000

19C FIXED CAPITAL OUTLAY
CALHOUN COUNTY SCHOOL DISTRICT - CARR
ELEMENTARY AND MIDDLE SCHOOL
FROM GENERAL REVENUE FUND 300,000

20 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - NON-PUBLIC HIGHER
EDUCATION PROJECT
FROM GENERAL REVENUE FUND 8,970,000

Funds in Specific Appropriation 20 are provided for the Embry-Riddle Aerospace Research and Technology Park.

TOTAL: PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 9,420,000
FROM TRUST FUNDS 1,309,447,400

TOTAL ALL FUNDS 1,318,867,400

VOCATIONAL REHABILITATION

No funds appropriated in Specific Appropriations 21 through 34 shall be used to pay for leased office space specifically utilized for the Bureau of Rehabilitation and Reemployment Services. The Division of Vocational Rehabilitation shall not renew, and shall cancel leases associated with this bureau and may not backfill this space for other programs in the Division.

For funds in Specific Appropriations 21 through 34 for the Vocational Rehabilitation Program, the Department of Education is the designated state agency for purposes of compliance with the Federal Rehabilitation Act of 1973, as amended.

If the department identifies additional resources that may be used to maximize federal matching funds for the Vocational Rehabilitation Program, the department shall submit a budget amendment prior to the expenditure of the funds, in accordance with the provisions of chapter 216, Florida Statutes.

APPROVED SALARY RATE 35,045,701

21 SALARIES AND BENEFITS POSITIONS 931.00
FROM GENERAL REVENUE FUND 9,240,117
FROM ADMINISTRATIVE TRUST FUND . . . 192,575
FROM FEDERAL REHABILITATION TRUST
FUND 35,236,865
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 137,000

22 OTHER PERSONAL SERVICES
FROM FEDERAL REHABILITATION TRUST
FUND 819,103

23 EXPENSES
FROM GENERAL REVENUE FUND 6,686
FROM FEDERAL REHABILITATION TRUST
FUND 9,871,710
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 85,800

24 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ADULTS WITH DISABILITIES
FUNDS
FROM GENERAL REVENUE FUND 10,832,484

Funds provided in Specific Appropriation 24 shall be distributed as follows to Florida colleges and school districts for programs serving adults with disabilities. Programs that were funded in Fiscal Year 2011-2012 will be eligible for continuation funding if the program has made satisfactory progress and the application reflects effective use of resources as defined by the Department of Education. The department has the authority to redistribute any funds due to unsatisfactory progress, ineffective use of resources, or discontinued programs.

From the funds in Specific Appropriation 24, provided that satisfactory progress was made during the 2011-2012 fiscal year, $9,117,278 is provided for school district programs and shall be allocated as follows:

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
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Alachua	42,500
Baker	137,099
Bay	122,532
Bradford	44,485
Brevard	302,802
Broward	921,413
Charlotte	44,182
Citrus	95,393
Collier	42,500
Columbia	42,500
De Soto	170,000
Escambia	170,000
Flagler	535,892
Gadsden	272,048
Gulf	42,500
Hardee	42,500
Hernando	63,866
Hillsborough	286,884
Jackson	1,019,247
Jefferson	48,536
Lake	42,500
Leon	575,512
Martin	206,377
Miami-Dade	1,125,208
Monroe	65,858
Orange	279,548
Osceola	42,500
Palm Beach	760,481
Pasco	42,500
Pinellas	374,337
Polk	170,000
St. Johns	86,000
Santa Rosa	42,500
Sarasota	437,887
Sumter	42,500
Suwannee	60,211
Taylor	59,528
Union	65,571
Wakulla	42,500
Washington	148,881

From the funds provided in Specific Appropriation 24, provided that satisfactory progress was made during the 2011-2012 fiscal year, $876,206 is provided for Florida college programs and shall be allocated as follows:

College of Central Florida	42,500
Daytona State College	170,000
Florida State College at Jacksonville	170,000
Indian River State College	96,936
Pensacola State College	42,500
Saint Johns River State College	42,500
Santa Fe College	52,765
Seminole State College of Florida	46,505
South Florida State College	170,000
Tallahassee Community College	42,500

From the funds in Specific Appropriation 24, $839,000 in nonrecurring General Revenue is provided for the Inclusive Transition and Employment Management Program (ITEM). The funds shall be used to provide young adults with disabilities who are between the ages of 18 and 25 with transitional skills, education, and on-the-job experience to allow them to acquire and retain permanent employment.

25 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA ENDOWMENT
FOUNDATION FOR VOCATIONAL REHABILITATION
FROM GENERAL REVENUE FUND 315,160

26 OPERATING CAPITAL OUTLAY
FROM FEDERAL REHABILITATION TRUST
FUND 480,986

27 SPECIAL CATEGORIES

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 444,415
FROM FEDERAL REHABILITATION TRUST
FUND 10,558,966

28 SPECIAL CATEGORIES
INDEPENDENT LIVING SERVICES
FROM GENERAL REVENUE FUND 1,232,004
FROM FEDERAL REHABILITATION TRUST
FUND 4,582,359

Funds provided in Specific Appropriation 28 shall be allocated to the Centers for Independent Living and shall be distributed according to the formula in the 2005-2007 State Plan for Independent Living. From the Federal Rehabilitation Trust Fund allocation, $3,472,193 shall be funded from Social Security reimbursements (program income) provided that the Social Security reimbursements are available.

29 SPECIAL CATEGORIES
PURCHASED CLIENT SERVICES
FROM GENERAL REVENUE FUND 20,861,275
FROM FEDERAL REHABILITATION TRUST
FUND 95,254,725

30 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FEDERAL REHABILITATION TRUST
FUND 382,696

30A SPECIAL CATEGORIES
TENANT BROKER COMMISSIONS
FROM FEDERAL REHABILITATION TRUST
FUND 97,655

31 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 62,668
FROM FEDERAL REHABILITATION TRUST
FUND 226,352

32 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 154,316
FROM FEDERAL REHABILITATION TRUST
FUND 515,762

33 DATA PROCESSING SERVICES
EDUCATION TECHNOLOGY AND INFORMATION
SERVICES
FROM FEDERAL REHABILITATION TRUST
FUND 317,686

34 DATA PROCESSING SERVICES
NORTHWEST REGIONAL DATA CENTER (NWRDC)
FROM FEDERAL REHABILITATION TRUST
FUND 214,418

The funds provided in Specific Appropriation 34 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: VOCATIONAL REHABILITATION
FROM GENERAL REVENUE FUND 43,149,125
FROM TRUST FUNDS 158,974,658

TOTAL POSITIONS 931.00
TOTAL ALL FUNDS 202,123,783

BLIND SERVICES, DIVISION OF

APPROVED SALARY RATE 9,987,280

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
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APPROPRIATION

36 SALARIES AND BENEFITS POSITIONS 299.75
FROM GENERAL REVENUE FUND 3,917,672
FROM ADMINISTRATIVE TRUST FUND . . . 349,250
FROM FEDERAL REHABILITATION TRUST FUND 8,889,571

37 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 145,801
FROM FEDERAL REHABILITATION TRUST FUND 290,354
FROM GRANTS AND DONATIONS TRUST FUND 10,047

38 EXPENSES
FROM GENERAL REVENUE FUND 415,191
FROM ADMINISTRATIVE TRUST FUND . . . 25,774
FROM FEDERAL REHABILITATION TRUST FUND 2,488,307
FROM GRANTS AND DONATIONS TRUST FUND 44,395

39 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY REHABILITATION FACILITIES
FROM GENERAL REVENUE FUND 847,347
FROM FEDERAL REHABILITATION TRUST FUND 4,522,207

40 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 54,294
FROM FEDERAL REHABILITATION TRUST FUND 235,198

41 FOOD PRODUCTS
FROM FEDERAL REHABILITATION TRUST FUND 200,000

42 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL REHABILITATION TRUST FUND 100,000

43 SPECIAL CATEGORIES
GRANTS AND AIDS - CLIENT SERVICES
FROM GENERAL REVENUE FUND 9,062,902
FROM FEDERAL REHABILITATION TRUST FUND 16,506,496
FROM GRANTS AND DONATIONS TRUST FUND 252,746

44 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 56,140
FROM FEDERAL REHABILITATION TRUST FUND 425,000

46 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 8,326
FROM FEDERAL REHABILITATION TRUST FUND 232,232

47 SPECIAL CATEGORIES
LIBRARY SERVICES
FROM GENERAL REVENUE FUND 89,735
FROM GRANTS AND DONATIONS TRUST FUND 100,000

48 SPECIAL CATEGORIES
VENDING STANDS - EQUIPMENT AND SUPPLIES
FROM FEDERAL REHABILITATION TRUST FUND 1,500,000
FROM GRANTS AND DONATIONS TRUST FUND 595,000

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
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48A SPECIAL CATEGORIES
TENANT BROKER COMMISSIONS
FROM FEDERAL REHABILITATION TRUST FUND 18,158

49 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 3,628
FROM ADMINISTRATIVE TRUST FUND . . . 2,707
FROM FEDERAL REHABILITATION TRUST FUND 88,519

50 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM FEDERAL REHABILITATION TRUST FUND 686,842

51 DATA PROCESSING SERVICES
EDUCATION TECHNOLOGY AND INFORMATION SERVICES
FROM FEDERAL REHABILITATION TRUST FUND 234,949

52 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM FEDERAL REHABILITATION TRUST FUND 580

53 DATA PROCESSING SERVICES
NORTHWEST REGIONAL DATA CENTER (NWRDC)
FROM FEDERAL REHABILITATION TRUST FUND 187,910

The funds provided in Specific Appropriation 53 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: BLIND SERVICES, DIVISION OF
FROM GENERAL REVENUE FUND 14,601,036
FROM TRUST FUNDS 37,986,242

TOTAL POSITIONS 299.75
TOTAL ALL FUNDS 52,587,278

PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES

Institutions must submit an annual report to the Department of Education detailing the following metrics for Florida resident students: entrance requirements for the year; percentage of students receiving Pell Grants, Bright Futures, and other academic aid; graduation rates; job placement rates up to 120 days past graduation; and, where applicable, average grant recipients' GPA and freshmen grant recipients' test scores. The reports must be submitted by September 1, 2012 reflecting prior academic year statistics.

Prior to the disbursement of funds in Specific Appropriations 54A, 55A through 55D, 56A and 56B, each institution shall submit a proposed expenditure plan to the Department of Education pursuant to the requirements of section 1011.521, Florida Statutes.

54A SPECIAL CATEGORIES
GRANTS AND AIDS - MEDICAL TRAINING AND SIMULATION LABORATORY
FROM GENERAL REVENUE FUND 3,077,493

55 SPECIAL CATEGORIES
ABLE GRANTS (ACCESS TO BETTER LEARNING AND EDUCATION)
FROM GENERAL REVENUE FUND 2,310,231

Funds in Specific Appropriation 55 are provided to support 2,877 students at $803 per student and shall be administered pursuant to

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
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section 1009.891, Florida Statutes. The Office of Student Financial Assistance may prorate the award and provide a lesser amount in the second term if the funds appropriated are insufficient to provide a full award to all eligible students. The Office of Student Financial Assistance may also reallocate funds between institutions if an eligible institution fails to reach its 2012-2013 enrollment.

55A SPECIAL CATEGORIES
GRANTS AND AIDS - HISTORICALLY BLACK PRIVATE COLLEGES
FROM GENERAL REVENUE FUND 9,361,543

Funds in Specific Appropriation 55A shall be allocated as follows:

Bethune-Cookman University..... 3,460,111
Edward Waters College..... 2,749,526
Florida Memorial University..... 3,032,048
Library Resources..... 119,858

Funds provided in Specific Appropriation 55A shall only be expended for student access and retention or direct instruction purposes.

Funds in Specific Appropriation 55A for Library Resources shall be used for the purchase of books, electronic library resources, and other related library materials pursuant to section 1006.59, Florida Statutes. Funds shall be allocated equally to Bethune-Cookman University, Edward Waters College, and Florida Memorial University.

55B SPECIAL CATEGORIES
GRANTS AND AIDS - FIRST ACCREDITED MEDICAL SCHOOL UNIVERSITY OF MIAMI
FROM GENERAL REVENUE FUND 3,697,315

Funds in Specific Appropriation 55B shall be allocated as follows:

PhD Program in Biomedical Science..... 560,199
College of Medicine..... 3,137,116

Funds provided in Specific Appropriation 55B for the University of Miami College of Medicine are to support a minimum of 500 Florida residents enrolled in the College of Medicine. The university shall submit enrollment information to the Department of Education prior to January 1, 2013.

55C SPECIAL CATEGORIES
GRANTS AND AIDS - ACADEMIC PROGRAM CONTRACTS
FROM GENERAL REVENUE FUND 2,040,312

Funds in Specific Appropriation 55C shall be allocated as follows:

University of Miami - Rosenstiel Marine Science..... 89,574
University of Miami - BS and MFA in Motion Pictures..... 159,245
University of Miami - Institute for Cuban and Cuban American Studies..... 100,000
Florida Institute of Technology - BS Engineering and Science Education..... 128,759
Florida Institute of Technology - Enhanced Programs..... 1,000,000
Barry University - BS Nursing and MSW Social Work..... 73,520
Barry University - School of Podiatry..... 200,000
Barry University - Juvenile Justice Program..... 250,000
Nova/Southeastern University - MS Speech Pathology..... 39,214

Each institution shall submit enrollment information, by program, to the Department of Education prior to January 1, 2013.

55D SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL DIABETES CENTER - UNIVERSITY OF MIAMI
FROM GENERAL REVENUE FUND 244,011

56 SPECIAL CATEGORIES
FLORIDA RESIDENT ACCESS GRANT
FROM GENERAL REVENUE FUND 78,958,406

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
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From the funds provided in Specific Appropriation 56, $73,119,350 shall be used for tuition assistance for qualified Florida residents at 2010-2011 eligible institutions. These funds are provided to support 34,009 students at $2,150 per student.

From the funds provided in Specific Appropriation 56, $5,839,056 shall be used for tuition assistance for qualified Florida residents at institutions who earned eligibility after 2010-2011. These funds are provided to support 3,956 students at $1,476 per student.

The Office of Student Financial Assistance may prorate the award in the second term and provide a lesser amount if the funds appropriated are insufficient to provide a full award to all eligible students. The Office of Student Financial Assistance may also reallocate funds between institutions if an eligible institution fails to reach its 2012-2013 enrollment.

56A SPECIAL CATEGORIES
GRANTS AND AIDS - NOVA SOUTHEASTERN UNIVERSITY - HEALTH PROGRAMS
FROM GENERAL REVENUE FUND 4,234,749

From the funds provided in Specific Appropriation 56A, $4,150,054 is provided to support Florida residents enrolled in the Osteopathic Medicine, Optometry, Pharmacy, or Nursing programs. The university shall submit student enrollment information, by program, to the Department of Education prior to January 1, 2013. The amount of $84,695 is to support rural and unmet needs in these programs.

56B SPECIAL CATEGORIES
GRANTS AND AIDS - LECOM / FLORIDA - HEALTH PROGRAMS
FROM GENERAL REVENUE FUND 1,018,050

Funds in Specific Appropriation 56B shall be used to support Florida residents who are enrolled in the Osteopathic Medicine or Pharmacy Program at the Lake Erie College of Osteopathic Medicine/Bradenton. The college shall submit enrollment information for Florida residents to the Department of Education prior to January 1, 2013.

TOTAL: PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES
FROM GENERAL REVENUE FUND 104,942,110

TOTAL ALL FUNDS 104,942,110

OFFICE OF STUDENT FINANCIAL ASSISTANCE

PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE

57 SPECIAL CATEGORIES
PREPAID TUITION SCHOLARSHIPS
FROM GENERAL REVENUE FUND 7,000,000

58 SPECIAL CATEGORIES
GRANTS AND AIDS - MINORITY TEACHER SCHOLARSHIP PROGRAM
FROM GENERAL REVENUE FUND 885,468

60 FINANCIAL ASSISTANCE PAYMENTS
MARY MCLEOD BETHUNE SCHOLARSHIP
FROM GENERAL REVENUE FUND 160,837
FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND 160,837

61 FINANCIAL ASSISTANCE PAYMENTS
STUDENT FINANCIAL AID
FROM GENERAL REVENUE FUND 86,206,955
FROM STUDENT LOAN OPERATING TRUST FUND 3,250,000

From the funds in Specific Appropriations 5 and 61 $134,557,847 is provided pursuant to the following guidelines:

Florida Student Assistance Grant - Public Full & Part Time.. 104,703,724

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
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APPROPRIATION

Florida Student Assistance Grant - Private	12,941,343
Florida Student Assistance Grant - Postsecondary	9,281,150
Florida Student Assistance Grant - Career Education	3,105,801
Children/Spouses of Deceased/Disabled Veterans	2,895,907
Florida Work Experience	1,569,922
Rosewood Family Scholarships	60,000

From the funds provided in Specific Appropriations 5 and 61, the maximum grant to any student from the Florida Public, Private, Career Education, and Postsecondary Assistance Grant Programs shall be $2,534.

Institutions that received state funds in Fiscal Year 2011-2012 for student scholarships or grants administered by the Office of Student Financial Assistance shall report federal loan information to the Department of Education (DOE) prior to September 1, 2012, in a format prescribed by DOE. This information shall include, by institution, the total federal loan amounts disbursed and total number of students who received federal loans.

62 FINANCIAL ASSISTANCE PAYMENTS		
JOSE MARTI SCHOLARSHIP CHALLENGE GRANT		
FROM GENERAL REVENUE FUND	49,500	
FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND		49,500
63 FINANCIAL ASSISTANCE PAYMENTS		
TRANSFER TO THE FLORIDA EDUCATION FUND		
FROM GENERAL REVENUE FUND	2,000,000	
TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE		
FROM GENERAL REVENUE FUND	96,302,760	
FROM TRUST FUNDS		3,460,337
TOTAL ALL FUNDS		99,763,097
PROGRAM: STUDENT FINANCIAL AID PROGRAM - FEDERAL		
64 SPECIAL CATEGORIES		
GRANT AND AIDS - COLLEGE ACCESS CHALLENGE GRANT PROGRAM		
FROM FEDERAL GRANTS TRUST FUND . . .		7,011,133
65 FINANCIAL ASSISTANCE PAYMENTS		
STUDENT FINANCIAL AID		
FROM FEDERAL GRANTS TRUST FUND . . .		500,000
66 FINANCIAL ASSISTANCE PAYMENTS		
TRANSFER DEFAULT FEES TO THE STUDENT LOAN GUARANTY RESERVE TRUST FUND		
FROM STUDENT LOAN OPERATING TRUST FUND		50,000
TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - FEDERAL		
FROM TRUST FUNDS		7,561,133
TOTAL ALL FUNDS		7,561,133
EARLY LEARNING		
PREKINDERGARTEN EDUCATION		
68 SPECIAL CATEGORIES		
GRANTS AND AIDS- EARLY LEARNING STANDARDS AND ACCOUNTABILITY		
FROM GENERAL REVENUE FUND	4,458,892	

From the funds in Specific Appropriation 68, $4,266,892 is provided to implement the Florida Voluntary Prekindergarten Assessment developed by the Department of Education in collaboration with the Florida Center for Reading Research to be used to conduct pre- and post-assessments as required in section 1002.67, Florida Statutes.

PROGRAM: EARLY LEARNING SERVICES

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From the funds in Specific Appropriations 69 through 83A, any expenditure from the Temporary Assistance for Needy Families (TANF) Block Grant must be expended in accordance with the requirements and limitations of Part A of Title IV of the Social Security Act, as amended, or any other applicable federal requirement or limitation. Before any funds are released by the Department of Children and Family Services, each provider shall identify the number of clients to be served and certify their eligibility under Part A of Title IV of the Social Security Act. Funds may not be released for services to any clients except those so identified and certified.

The agency head or a designee shall certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that reporting requirements of federal law are met. It shall be the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds.

APPROVED SALARY RATE 5,405,535

69 SALARIES AND BENEFITS POSITIONS 97.00		
FROM GENERAL REVENUE FUND	3,504,973	
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND		3,469,572
70 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	2,000	
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND		87,000
71 EXPENSES		
FROM GENERAL REVENUE FUND	719,290	
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND		894,637
FROM WELFARE TRANSITION TRUST FUND .		265,163
72 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - PROJECTS, CONTRACTS AND GRANTS		
FROM FEDERAL GRANTS TRUST FUND . . .		500,000
73 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	5,785	
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND		15,000
74 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	248,399	
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND		300,000
75 SPECIAL CATEGORIES		
GRANTS AND AIDS - SCHOOL READINESS SERVICES		
FROM GENERAL REVENUE FUND	141,272,530	
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND		341,699,672
FROM FEDERAL GRANTS TRUST FUND . . .		500,000
FROM WELFARE TRANSITION TRUST FUND .		98,012,427

Funds in Specific Appropriation 75 require a match from local sources for working poor eligible participants of six percent on child care slots. In-kind match is allowable provided there is not a reduction in the number of slots or level of services from the provision of in-kind match. The Office of Early Learning may adopt a policy to grant a waiver of the six percent match requirement to a rural county that demonstrates a significant hardship in meeting the match requirement. Progress towards meeting this requirement shall be monitored by the Office of Early Learning, and shall be considered satisfactorily attained if the six percent requirement is met on a statewide basis.

From the Child Care and Development Block Grant Trust Fund in Specific Appropriation 75, $3,000,000 shall be used to enhance the quality of

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child care through the Teacher Education and Compensation Helps Program (T.E.A.C.H.).

From the funds in Specific Appropriation 75 in the Welfare Transition Trust Fund, $1,400,000 is provided for the Home Instruction Program for Pre-School Youngsters (HIPPY).

From the funds in Specific Appropriation 75, $15,000,000 shall be used for the Child Care Executive Partnership Program, as defined in section 411.0102, Florida Statutes, as match to expand the provision of services to low income families at or below 200 percent of the federal poverty level. Funds for this program shall be used to match funds for statewide contracts.

Funds in Specific Appropriation 75 shall be allocated to the early learning coalitions as provided in House Bill 5103 based on funding formula recommendations made by the Office of Early Learning to the School Readiness Allocation Conference for review and approval. If the conference principals are unable to agree on the recommended formula and allocations for the 2012-2013 fiscal year, the 2012-2013 allocations shall be calculated in the same manner as the 2011-2012 allocations.

In the event that two or more coalitions merge, the Office of Early Learning shall reallocate funds to the new coalition based on an estimated student reassignment and the adopted funding methodology so that total funds remain the same. Any reallocation shall be reviewed and verified by the principals of the School Readiness Allocation Conference.

From the funds in Specific Appropriation 75, the Office of Early Learning shall have the ability to reallocate funds for school readiness services as funds are available or in the instance that a coalition does not have eligible children on its waiting list and has met its expenditure cap pursuant to section 411.01, Florida Statutes.

76 SPECIAL CATEGORIES
GRANTS AND AIDS - DATA SYSTEMS FOR SCHOOL READINESS
FROM GENERAL REVENUE FUND 240,595
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 868,403

77 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 6,433
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 7,123

78 SPECIAL CATEGORIES
GRANTS AND AIDS - VOLUNTARY PREKINDERGARTEN PROGRAM
FROM GENERAL REVENUE FUND 413,312,552

Funds in Specific Appropriation 78 are provided for the Voluntary Prekindergarten Education Program as provided in sections 1002.51 through 1002.79, Florida Statutes, and shall be initially allocated to Early Learning Coalitions as indicated below. Pursuant to the provisions of section 1002.71(3)(a), Florida Statutes, for Fiscal Year 2012-2013, the base student allocation per full-time equivalent student for the school year program shall be $2,383 and the base student allocation for the summer program shall be $2,026. The allocation includes 4.0 percent in addition to the base student allocation to fund administrative and other program costs of the Early Learning Coalitions related to the Voluntary Prekindergarten Education Program.

The funds in Specific Appropriation 78 shall be allocated as follows:

Alachua	4,542,938
Bay, Calhoun, Gulf, Franklin, Washington, Holmes, Jackson	5,076,698
Brevard	12,092,597
Broward	41,165,776
Charlotte, DeSoto, Highlands, Hardee	5,615,006
Clay, Nassau, Baker, Bradford	7,103,082
Columbia, Hamilton, Lafayette, Union, Suwannee	2,796,655
Dade, Monroe	60,517,033
Dixie, Gilchrist, Levy, Citrus, Sumter	4,700,439
Duval	25,449,784
Escambia	5,818,032
Hendry, Glades, Collier, Lee	21,246,370
Hillsborough	29,388,750
Lake	5,803,367
Leon, Gadsden, Jefferson, Liberty, Madison, Wakulla, Taylor	7,617,778
Manatee	7,770,586
Marion	5,661,704
Martin, Okeechobee, Indian River	5,654,510
Okaloosa, Walton	5,408,827
Orange	30,595,262
Osceola	7,420,351
Palm Beach	29,477,984
Pasco, Hernando	12,815,618
Pinellas	16,181,370
Polk	11,987,811
Putnam, St. Johns	5,996,336
St. Lucie	6,733,994
Santa Rosa	2,447,364
Sarasota	5,520,871
Seminole	10,027,385
Volusia, Flagler	10,678,274

In the event that two or more coalitions merge, the Office of Early Learning shall reallocate funds to the new coalition based on an estimated student reassignment and using the FTE, the base student allocation for the appropriate program, and the administrative factor of the funding formula in such a manner that total funds remain the same. Any reallocation shall be reviewed and verified by the principals of the Early Learning Programs Estimating Conference.

79 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 15,853
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 7,879

80 SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 51,075

81 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 1,181,868

82 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 179,462

82A QUALIFIED EXPENDITURE CATEGORY
EARLY LEARNING INFO SYSTEM DEVELOPMENT (ELIS)
FROM GENERAL REVENUE FUND 971,918
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 4,910,865

83 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 10,085

83A DATA PROCESSING SERVICES

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NORTHWEST REGIONAL DATA CENTER (NWRDC)
FROM GENERAL REVENUE FUND 50,116

The funds provided in Specific Appropriation 83A shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: PROGRAM: EARLY LEARNING SERVICES
FROM GENERAL REVENUE FUND 560,350,444
FROM TRUST FUNDS 452,960,231

TOTAL POSITIONS 97.00
TOTAL ALL FUNDS 1,013,310,675

PUBLIC SCHOOLS, DIVISION OF

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

The calculations of the Florida Education Finance Program (FEFP) for the 2012-2013 fiscal year are incorporated by reference in House Bill 5003. The calculations are the basis for the appropriations made in the General Appropriations Act.

84 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA EDUCATIONAL
FINANCE PROGRAM
FROM GENERAL REVENUE FUND 6,178,222,800
FROM STATE SCHOOL TRUST FUND 133,938,902

Funds provided in Specific Appropriations 6 and 84 shall be allocated using a base student allocation of $3,582.98 for the FEFP.

Funds provided in Specific Appropriations 6 and 84 for the supplemental allocation for juvenile justice education programs shall be allocated pursuant to the formula provided in section 1011.62(10), Florida Statutes. The allocation factor shall be $902.96.

From the funds provided in Specific Appropriations 6 and 84, juvenile justice education programs shall receive funds as provided in section 1003.52(12), Florida Statutes.

The district cost differential (DCD) for each district shall be calculated pursuant to the provisions of section 1011.62(2), Florida Statutes.

From the funds provided in Specific Appropriations 6 and 84, $35,754,378 is provided for the Sparsity Supplement as defined in section 1011.62(7), Florida Statutes, for school districts of 20,000 and fewer FTE in the 2012-2013 fiscal year.

Total Required Local Effort for Fiscal Year 2012-2013 shall be $6,722,802,030. The total amount shall include adjustments made for the calculation required in section 1011.62(4)(a) through (c), Florida Statutes.

The maximum nonvoted discretionary millage which may be levied pursuant to the provisions of section 1011.71(1) and (3),Florida Statutes, by district school boards in Fiscal Year 2012-2013 shall be:

1. 0.748 mills

If any school district levies the full 0.748 mill levy and it generates an amount of funds per unweighted FTE that is less than the state average amount per unweighted FTE, the school district shall receive from the funds provided in Specific Appropriations 6 and 84, a discretionary millage compression supplement that, when added to the funds generated by the district's 0.748 mill levy, shall be equal to the state average as provided in section 1011.62(5), Florida Statutes.

If any school district chooses to levy an amount not less than 0.498 mill and less than 0.748 mill, a compression supplement shall be calculated on a levy of 0.498. If a 0.498 mill levy generates an amount of funds per unweighted FTE that is less than the state average amount per unweighted FTE for 0.498 mill, the school district shall receive

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from the funds provided in Specific Appropriations 6 and 84, a discretionary millage compression supplement that, when added to the funds generated by a 0.498 mill levy, would be equal to the state average as provided in section 1011.62(5), Florida Statutes.

2. In addition, if any school district levies by super majority vote for the 2012-2013 fiscal year, an additional voted 0.25 mill to meet critical operating needs pursuant to section 1011.71(3)(b), Florida Statutes, and the 0.25 mill generates an amount of funds per unweighted FTE that is less than the state average amount per unweighted FTE, the school district shall receive from the funds provided in Specific Appropriations 6 and 84, a discretionary millage compression supplement that, when added to the funds generated by the district's 0.25 mill levy, shall be equal to the state average as provided in section 1011.62(5), Florida Statutes.

Funds provided in Specific Appropriations 6 and 84 are based upon program cost factors for Fiscal Year 2012-2013 as follows:

1. Basic Programs
A. K-3 Basic.....1.117
B. 4-8 Basic.....1.000
C. 9-12 Basic.....1.020

2. Programs for Exceptional Students
A. Support Level 4.....3.524
B. Support Level 5.....5.044

3. English for Speakers of Other Languages 1.167

4. Programs for Grades 9-12 Career Education.....0.999

From the funds in Specific Appropriations 6 and 84, $947,950,732 is provided to school districts as an Exceptional Student Education (ESE) Guaranteed Allocation as authorized by law to provide educational programs and services for exceptional students. Funds provided for gifted educational programs and services must primarily be focused on advanced mathematics and science curriculum and enrichment. The ESE Guaranteed Allocation funds are provided in addition to the funds for each exceptional student in the per FTE student calculation. Each district's ESE Guaranteed Allocation for the 2012-2013 appropriation shall not be recalculated during the school year. School districts that provided educational services in 2011-2012 for exceptional students who are residents of other districts shall not discontinue providing such services without the prior approval of the Department of Education. Expenditure requirements for the ESE Guaranteed Allocation shall be as prescribed in section 1010.20(3), Florida Statutes, for programs for exceptional students.

From the funds provided in Specific Appropriations 6 and 84, the value of 43.35 weighted FTE students is provided to supplement the funding for severely handicapped students served in ESE programs 254 and 255 when a school district has less than 10,000 FTE student enrollment and less than 3 FTE eligible students per program. The Commissioner of Education shall allocate the value of the supplemental FTE based on documented evidence of the difference in the cost of the service and the amount of funds received in the district's FEFP allocations for the students being served. The supplemental value shall not exceed 3 FTE.

A student in cooperative education or other types of programs incorporating on-the-job training shall not be counted for more than twenty-five (25) hours per week of membership in all programs when calculating full-time student membership, as provided in section 1011.61, Florida Statutes, for funding pursuant to section 1011.62, Florida Statutes.

The Declining Enrollment Supplement shall be calculated based on 25 percent of the decline between the prior year and current year unweighted FTE students.

From the funds in Specific Appropriations 6 and 84, $64,456,019 is provided for Safe Schools activities and shall be allocated as follows: $62,660 shall be distributed to each district, and the remaining balance shall be allocated as follows: two-thirds based on the latest official

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Florida Crime Index provided by the Department of Law Enforcement and one-third based on each district's share of the state's total unweighted student enrollment. Safe Schools activities include: (1) after school programs for middle school students; (2) middle and high school programs for correction of specific discipline problems; (3) other improvements to enhance the learning environment, including implementation of conflict resolution strategies; (4) behavior driven intervention programs that include anger and aggression management strategies; (5) alternative school programs for adjudicated youth that may include a web-based virtual system that results in mastery and certification, competency or credentials in the following inter-related counseling disciplines necessary for success in education and the work environment, including adjustment, educational, employment and optimal mental health areas that will include, but are not limited to, anger and impulse control, depression and anxiety, self-esteem, respect for authority, personal behavior, goal setting, time and stress management, social and workplace adjustment, substance use and abuse, workplace soft skills, communication skills, work ethic, the importance of timeliness, attendance and the self-marketing skills for future educational and/or employment opportunities; (6) suicide prevention programs; (7) bullying prevention and intervention; and (8) school resource officers. Each district shall determine, based on a review of its existing programs and priorities, how much of its total allocation to use for each authorized Safe Schools activity. The Department of Education shall monitor compliance with reporting procedures contained in section 1006.147, Florida Statutes. If a district does not comply with these procedures, the district's funds from the Safe Schools allocation shall be withheld and reallocated to the other school districts. Each school district shall report to the Department of Education the amount of funds expended for each of the eight activities.

From the funds in Specific Appropriations 6 and 84, $636,958,373 is for Supplemental Academic Instruction to be provided throughout the school year pursuant to section 1011.62 (1)(f), Florida Statutes. From these funds, at least $15,000,000, together with funds provided in the district's research-based reading instruction allocation and other available funds, shall be used by districts with one or more of the 100 lowest performing elementary schools based on the state reading assessment to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for intensive reading instruction for the students in each of these schools. This additional hour of instruction must be provided by teachers or reading specialists who are effective in teaching reading. Students enrolled in these schools who have level 5 reading assessment scores may choose to participate in the additional hour of instruction on an optional basis. ESE centers shall not be included in the 100 schools.

The Department of Education shall provide guidance to school districts for documentation of the expenditures for the additional hour of instruction to ensure that all local, state, and federal funds are maximized for the total instructional program and that the funds used for the additional hour of instruction in these 100 schools do not supplant federal funds. School districts shall submit a report to the Department of Education in a format prepared by the department that includes summary information, including funding sources, expenditures and student outcomes for each of the participating schools that shall be submitted to the Speaker of the House, President of the Senate, and Governor by September 30, 2013. Pursuant to section 1008.32, Florida Statutes, the State Board of Education shall withhold funds from a school district that fails to comply with this requirement.

From the funds in Specific Appropriations 6 and 84, $130,000,000 is provided for a K-12 comprehensive, district-wide system of research-based reading instruction. The amount of $115,000 shall be allocated to each district and the remaining balance shall be allocated based on each district's proportion of the total K-12 base funding. From these funds, at least $15,000,000 shall be used to provide an additional hour of intensive reading instruction beyond the normal school day for each day of the entire school year for the students in the 100 lowest performing elementary schools based on the state reading assessment pursuant to sections 1008.22(3) and 1011.62(9), Florida Statutes. This additional hour of instruction must be provided by teachers or reading specialists who are effective in teaching reading. Students enrolled in these schools who have level 5 reading assessment

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scores may choose to participate in the additional hour of instruction on an optional basis. ESE centers shall not be included in the 100 schools. Pursuant to section 1008.32, Florida Statutes, the State Board of Education shall withhold funds from a school district that fails to comply with this requirement.

From the funds provided in Specific Appropriations 6 and 84, $211,665,913 is provided for Instructional Materials including $11,667,795 for Library Media Materials and $3,189,197 for the purchase of science lab materials and supplies. The growth allocation per FTE shall be $290.81 for the 2012-2013 fiscal year. School districts shall pay for instructional materials used for the instruction of public high school students who are earning credit toward high school graduation under the dual enrollment program as provided in section 1011.62(1)(i), Florida Statutes.

From funds provided in Specific Appropriations 6 and 84, $420,264,335 is provided for Student Transportation as provided in section 1011.68, Florida Statutes.

From funds provided in Specific Appropriations 6 and 84, $31,895,373 is provided for the Teachers Lead Program and shall be given to teachers pursuant to section 1012.71, Florida Statutes. The allocation shall not be recalculated during the school year.

Funds provided in Specific Appropriations 6 and 84 for the virtual education contribution shall be allocated pursuant to the formula provided in section 1011.62(11), Florida Statutes. The contribution shall be based on $5,200 per FTE.

Districts may charge a fee for grades K-12 voluntary, non-credit summer school enrollment in basic program courses. The amount of any student's fee shall be based on the student's ability to pay and the student's financial need as determined by district school board policy.

From the funds in Specific Appropriations 6 and 84, school districts may execute an appropriate contract for full-time virtual instruction through K-8 virtual schools that received funds from Specific Appropriation 93 of chapter 2008-152, Laws of Florida. School districts may expend funds in the amount of $5,200 per student for each student who was enrolled and served during the 2011-2012 fiscal year and who is re-enrolled and eligible to be served during the 2012-2013 fiscal year. Each of the K-8 virtual schools shall provide to the Department of Education the name and address of each student who was enrolled and served during the 2011-2012 fiscal year and who is re-enrolled and is eligible to be served during the 2012-2013 fiscal year. The department shall verify the eligibility of the students, assist with placement of each student in a school district virtual instruction program regardless of the student's district of residence, and assist the school district with executing an appropriate contract with an approved K-8 virtual school for payment for virtual instruction for each student. The maximum number of students to be funded pursuant to this provision is the number being served in 2011-2012.

85 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - CLASS SIZE REDUCTION
FROM GENERAL REVENUE FUND 2,793,851,023
FROM STATE SCHOOL TRUST FUND 86,161,098

Funds in Specific Appropriations 7 and 85 are provided to implement the requirements of sections 1003.03 and 1011.685, Florida Statutes. The class size reduction allocation factor for grades prekindergarten to grade 3 shall be $1,321.29, for grades 4 to 8 shall be $901.25, and for grades 9 to 12 shall be $903.43. The class size reduction allocation shall be recalculated based on enrollment through the October 2012 FTE survey except as provided in section 1003.03(4), Florida Statutes. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 7 and 85, funds shall be prorated to the level of the appropriation based on each district's calculated amount. The Commissioner of Education may withhold disbursement of these funds until a district is in compliance with reporting information required for class size reduction implementation.

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

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FROM GENERAL REVENUE FUND	8,972,073,823	
FROM TRUST FUNDS		220,100,000
TOTAL ALL FUNDS		9,192,173,823

PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP

Of the funds provided for regional education consortium programs and school district matching grants in Specific Appropriations 87, 89, 91A, and 102, 60 percent shall be released to the Department of Education at the beginning of the first quarter and the balance at the beginning of the third quarter. The Department of Education shall disburse the funds to eligible entities within 30 days of release.

Funds provided in Specific Appropriations 87 through 94, excluding 89A and 90, shall only be used to serve Florida students.

87 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INSTRUCTIONAL MATERIALS
FROM GENERAL REVENUE FUND 1,060,000

Funds provided in Specific Appropriation 87 shall be allocated as follows:

Learning Through Listening	760,000
Panhandle Area Educational Consortium (PAEC) Distance Learning Teacher Training	300,000

87A SPECIAL CATEGORIES
GRANTS AND AIDS - GRANTS TO PUBLIC SCHOOLS FOR READING PROGRAMS
FROM GENERAL REVENUE FUND 1,000,000

From the funds in Specific Appropriation 87A, $750,000 is provided to the Panhandle Area Educational Consortium (PAEC) for non-phonemic reading instruction for students scoring Level 1 or Level 2 in Reading on the Florida Comprehensive Assessment Test (FCAT) and $250,000 is provided for Tune in to Reading.

87B SPECIAL CATEGORIES
GRANTS AND AIDS - ASSISTANCE TO LOW PERFORMING SCHOOLS
FROM GENERAL REVENUE FUND 3,500,000

Funds in Specific Appropriation 87B may be used to contract for the operation of the Florida Partnership for Minority and Underrepresented Student Achievement and to achieve the partnership's mission as provided in section 1007.35, Florida Statutes.

87C SPECIAL CATEGORIES
GRANTS AND AIDS - MENTORING/STUDENT ASSISTANCE INITIATIVES
FROM GENERAL REVENUE FUND 14,353,873

Funds provided in Specific Appropriation 87C shall be allocated as follows:

Best Buddies	650,000
Take Stock in Children	4,800,000
Big Brothers Big Sisters	2,530,248
The Florida Alliance of Boys and Girls Clubs	1,638,450
YMCA State Alliance	764,972
Teen Trendsetters	200,000
Southwest Florida Destination Graduation Program	3,250,000
AVID Highlands County	520,203

87D SPECIAL CATEGORIES
GRANTS AND AIDS - COLLEGE REACH OUT PROGRAM
FROM GENERAL REVENUE FUND 1,000,000

88 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA DIAGNOSTIC AND LEARNING RESOURCES CENTERS

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FROM GENERAL REVENUE FUND 1,982,626

Funds provided in Specific Appropriation 88 shall be allocated to the Multidisciplinary Educational Services Centers as follows:

University of Florida	396,525
University of Miami	396,525
Florida State University	396,525
University of South Florida	396,525
University of Florida Health Science Center at Jacksonville	396,526

Each center shall provide a report to the Department of Education by September 1, 2012, for the 2011-2012 fiscal year that shall include the following: 1) the number of children served, 2) the number of parents served, 3) the number of persons participating in in-service education activities, 4) the number of districts served, and 5) specific services provided.

88A SPECIAL CATEGORIES
GRANTS AND AIDS - NEW WORLD SCHOOL OF THE ARTS
FROM GENERAL REVENUE FUND 400,000

89 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL DISTRICT MATCHING GRANTS PROGRAM
FROM GENERAL REVENUE FUND 2,307,146

Funds in Specific Appropriation 89 are provided as challenge grants to public school district education foundations for programs that serve low-performing students, technical career education, literacy initiatives, Science, Technology, Engineering, Math (STEM) Education initiatives, increased teacher quality and/or increased graduation rates. The amount of each grant shall be equal to the private contribution made to a qualifying public school district education foundation. In-kind contributions shall not be considered for matching purposes. Administrative costs for the program shall not exceed five percent.

Before any funds provided in Specific Appropriation 89 may be disbursed to any public school district education foundation, the public school district foundation must certify to the Commissioner of Education that the private cash has actually been received by the public school education foundation seeking matching funds. The Consortium of Florida Education Foundations shall be the fiscal agent for this program.

89A SPECIAL CATEGORIES
TEACHER AND SCHOOL ADMINISTRATOR DEATH BENEFITS
FROM GENERAL REVENUE FUND 18,000

90 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND	578,868	
FROM FEDERAL GRANTS TRUST FUND . . .		38,099
FROM GRANTS AND DONATIONS TRUST FUND		9,521

91 SPECIAL CATEGORIES
GRANTS AND AIDS - AUTISM PROGRAM
FROM GENERAL REVENUE FUND 5,472,967

Funds provided in Specific Appropriation 91 shall be allocated as follows:

University of South Florida/Florida Mental Health Institute	959,893
University of Florida (College of Medicine)	665,642
University of Central Florida	822,012
University of Miami (Department of Pediatrics) including $216,392 for activities in Broward County through Nova Southeastern University	1,040,409
Florida Atlantic University	520,579
University of Florida (Jacksonville)	693,670
Florida State University (College of Medicine)	770,762

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SPECIFIC
APPROPRIATION

Autism Centers shall provide appropriate nutritional information to parents of children served through funds provided in Specific Appropriation 91. Summaries of outcomes for the prior fiscal year shall be submitted to the Department of Education by September 1, 2012.

91A SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL EDUCATION
CONSORTIUM SERVICES
FROM GENERAL REVENUE FUND 1,445,390

92 SPECIAL CATEGORIES
TEACHER PROFESSIONAL DEVELOPMENT
FROM GENERAL REVENUE FUND 572,051
FROM FEDERAL GRANTS TRUST FUND . . . 134,580,906

Funds provided from General Revenue in Specific Appropriation 92 shall be allocated as follows:

Florida Association of District School Superintendents Training	217,713
Principal of the Year	29,426
Teacher of the Year	18,730
School Related Personnel of the Year	6,182
National Center for Sports Safety	300,000

92A SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL AND INSTRUCTIONAL ENHANCEMENTS
FROM GENERAL REVENUE FUND 7,349,748

Funds in Specific Appropriation 92A shall be allocated as follows:

State Science Fair	72,032
Academic Tourney	65,476
Arts for a Complete Education	110,952
Project to Advance School Success	608,983
Learning for Life	1,419,813
Girl Scouts of Florida	367,635
Black Male Explorers	314,701
African American Task Force	100,000
Florida Holocaust Task Force	100,000
Girls Incorporated of Sarasota County	100,000
Governor's School for Space Science and Technology	100,000
Florida Holocaust Museum	100,000
Learn to Earn	302,800
Center for Digital Learning and Education	2,000,000
Valparaiso STEM Middle School	389,825
Integrated Technology Pilot Project	850,000
Our Children's Academy	100,000
Workforce and Career Enhancement - Lake County	52,314
Workforce and Career Enhancement - St. Johns County	195,217

Funds provided in Specific Appropriation 92A for the Learning for Life program are eligible to be used in any public school.

Funds provided in Specific Appropriation 92A for the Governor's School for Space Science and Technology are provided for a contract between the Department of Education and the Florida Institute of Technology to establish the school in or near the Kennedy Space Center for Florida students in grades 9 - 12. The mission of the school is to: (a) provide advanced educational opportunities in the areas of science, biology, mathematics, engineering, and technology in a residential setting; and (b) provide teachers with summer professional development opportunities in these subject areas.

Funds provided in Specific Appropriation 92A, for the STEM Middle School in Valparaiso are for the establishment of a magnet middle school for grades 5 - 8 focused on intensive and gifted studies in science, technology, engineering and math courses and skills. Students will earn national industry certifications in career areas certified by Workforce Florida Inc. The school will collaborate with Eglin Air Force Base Test Wing scientific and research personnel. The school shall be open to students from Walton and Santa Rosa counties through interlocal agreement.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

Funds provided in Specific Appropriation 92A, for the Integrated Technology Pilot Project shall be used to implement the program in up to eight schools, including small rural schools, middle schools, high schools, and higher education institutions. The project is designed to establish a baseline ratio that reflects the efficiencies of technology designed to improved academic achievement. As it is modified over time, this baseline will assist in future decisions to achieve Florida's educational goals. The concepts, applications, or deliveries that may be integrated in the project are: blended virtual school, free instructional materials, technology threads, hardware/software integration, and IT threads. Project funding shall be matched one-to-one by Florida businesses or other non-public entities. In-kind contributions may be considered match. The pilot schools shall be selected by the Commissioner of Education by July 18, 2012.

93 SPECIAL CATEGORIES
GRANTS AND AIDS - EXCEPTIONAL EDUCATION
FROM GENERAL REVENUE FUND 1,013,726
FROM FEDERAL GRANTS TRUST FUND . . . 2,333,354

Funds in Specific Appropriation 93, shall include, but not be limited to, allocations for the FDLRS Associate Centers and the Florida Instructional Materials Center for the Visually Impaired.

94 SPECIAL CATEGORIES
FLORIDA SCHOOL FOR THE DEAF AND THE BLIND
FROM GENERAL REVENUE FUND 39,755,955
FROM FEDERAL GRANTS TRUST FUND . . . 2,604,709
FROM GRANTS AND DONATIONS TRUST FUND 1,734,145

From the funds in Specific Appropriation 94, the school shall contract for health, medical, pharmaceutical and dental screening services for students. The school shall develop a collaborative service agreement for medical services and shall maximize the recovery of all legally available funds from Medicaid and private insurance coverage. The school shall report to the Legislature by June 30, 2013, information describing the agreement, services provided, budget and expenditures, including the amounts and sources of all funding used for the collaborative medical program and any other student health services during the 2012-2013 fiscal year.

95 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 214,472
FROM FEDERAL GRANTS TRUST FUND . . . 22,764
FROM GRANTS AND DONATIONS TRUST FUND 15,690

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP
FROM GENERAL REVENUE FUND 82,024,822
FROM TRUST FUNDS 141,339,188

TOTAL ALL FUNDS 223,364,010

PROGRAM: FEDERAL GRANTS K/12 PROGRAM

96 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - PROJECTS, CONTRACTS AND GRANTS
FROM GRANTS AND DONATIONS TRUST FUND 3,999,420

97 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FEDERAL GRANTS AND AIDS
FROM ADMINISTRATIVE TRUST FUND . . . 353,962
FROM FEDERAL GRANTS TRUST FUND . . . 1,512,358,793

98 SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM FEDERAL GRANTS TRUST FUND . . . 5,409,971

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

99 SPECIAL CATEGORIES
GRANTS AND AIDS - STRATEGIC EDUCATION INITIATIVES
FROM FEDERAL GRANTS TRUST FUND . . . 212,741,302

100 SPECIAL CATEGORIES
GRANTS AND AIDS - PARTNERSHIP FOR ASSESSMENT OF READINESS FOR COLLEGES AND CAREERS
FROM FEDERAL GRANTS TRUST FUND . . . 64,410,773

TOTAL: PROGRAM: FEDERAL GRANTS K/12 PROGRAM
FROM TRUST FUNDS 1,799,274,221

TOTAL ALL FUNDS 1,799,274,221

PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES

101 SPECIAL CATEGORIES
CAPITOL TECHNICAL CENTER
FROM GENERAL REVENUE FUND 1,149,624

102 SPECIAL CATEGORIES
GRANTS AND AIDS - INSTRUCTIONAL TECHNOLOGY
FROM GENERAL REVENUE FUND 386,477

From funds in Specific Appropriation 102, $336,477 is provided to the Panhandle Area Educational Consortium (PAEC) for Response to Intervention (K-12) behavioral interventions, tracking, management and web-based counseling for students in Tier 1 and Tier 2 and students who have had five or more disciplinary/behavioral referrals (universal screening) and $50,000 is provided to the Broward Education Communication Network for educational programming.

103 SPECIAL CATEGORIES
GRANTS AND AIDS - PUBLIC BROADCASTING
FROM GENERAL REVENUE FUND 6,641,871

The funds provided in Specific Appropriation 103 shall be allocated as follows:

Statewide Governmental and Cultural Affairs Programming.....	497,522
Florida Channel Closed Captioning.....	340,862
Florida Channel Year Round Coverage.....	1,806,676
Public Television Stations.....	3,996,811

From the funds provided in Specific Appropriation 103, "Governmental Affairs for Public Television" shall be produced by the same contractor selected by the Legislature to produce "The Florida Channel."

Funds provided in Specific Appropriation 103 for Public Television Stations shall be allocated in the amount of $307,447 for each public television station as recommended by the Commissioner of Education.

Prior to July 31, 2012, the Department of Education shall establish research and reporting criteria to measure the learning gains, as defined in section 1008.34 (3) (b), Florida Statutes, of students with school-day contact with public broadcasting educational material. Each public broadcasting station and district school superintendent shall cooperate with the Florida Department of Education in providing a report by June 30, 2013, to the Chair of the House of Representatives PreK-12 Appropriations Subcommittee, the chair of the Senate Budget Subcommittee on Education PreK-12 Appropriations, and the Executive Office of the Governor comparing student learning gains for those receiving instruction using such educational materials to similarly situated students who do not receive such instruction. The data shall be aggregated by subgroup appropriately so as to maintain privacy of individuals and shall include usage rates by district, school, grade level by month, and subject area.

TOTAL: PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES
FROM GENERAL REVENUE FUND 8,177,972

TOTAL ALL FUNDS 8,177,972

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION
PROGRAM: WORKFORCE EDUCATION

104 AID TO LOCAL GOVERNMENTS
PERFORMANCE BASED INCENTIVES
FROM GENERAL REVENUE FUND 4,986,825

The funds provided in Specific Appropriation 104 shall be allocated as follows:

Alachua.....	7,295
Baker.....	3,474
Bay.....	43,064
Bradford.....	15,762
Brevard.....	56,131
Broward.....	733,551
Calhoun.....	1,076
Charlotte.....	43,330
Citrus.....	55,197
Clay.....	17,433
Collier.....	115,834
Columbia.....	8,032
Miami-Dade.....	931,355
DeSoto.....	11,253
Dixie.....	821
Escambia.....	75,721
Flagler.....	32,678
Franklin.....	374
Gadsden.....	4,625
Glades.....	98
Gulf.....	1,975
Hamilton.....	1,022
Hardee.....	2,877
Hendry.....	5,047
Hernando.....	12,237
Hillsborough.....	455,597
Indian River.....	26,017
Jackson.....	2,661
Jefferson.....	200
Lafayette.....	397
Lake.....	87,777
Lee.....	180,694
Leon.....	86,966
Liberty.....	2,186
Madison.....	2,613
Manatee.....	145,157
Marion.....	98,927
Martin.....	14,669
Monroe.....	8,903
Nassau.....	8,600
Okaloosa.....	27,598
Orange.....	436,855
Osceola.....	98,923
Palm Beach.....	162,569
Pasco.....	51,237
Pinellas.....	418,827
Polk.....	166,817
Putnam.....	4,103
Saint Johns.....	75,533
Santa Rosa.....	22,479
Sarasota.....	108,121
Sumter.....	2,505
Suwannee.....	22,448
Taylor.....	15,905
Union.....	2,410
Wakulla.....	4,678
Walton.....	6,854
Washington.....	57,337

Funds provided in Specific Appropriation 104 for the Putnam County School District shall be transferred by the Department of Education to St. Johns River State College, contingent upon agreement between the district school board and the college to transfer adult general education programs from the district to the college by July 1, 2012.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

105 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ADULT BASIC EDUCATION
FEDERAL FLOW-THROUGH FUNDS
FROM FEDERAL GRANTS TRUST FUND . . . 41,552,472

106 AID TO LOCAL GOVERNMENTS
WORKFORCE DEVELOPMENT
FROM GENERAL REVENUE FUND 320,766,142

From the funds in Specific Appropriation 9 from the Educational Enhancement Trust Fund and Specific Appropriation 106 from the General Revenue Fund, $369,488,374 is provided for school district workforce education programs as defined in section 1004.02(26), Florida Statutes, and is allocated as follows:

Alachua	1,026,578
Baker	171,512
Bay	2,984,064
Bradford	1,005,156
Brevard	3,255,150
Broward	70,837,058
Calhoun	133,328
Charlotte	2,572,245
Citrus	2,711,980
Clay	868,772
Collier	7,660,617
Columbia	265,278
Miami-Dade	81,016,722
DeSoto	767,412
Dixie	64,476
Escambia	4,778,222
Flagler	2,164,945
Franklin	56,631
Gadsden	817,089
Glades	49,860
Gulf	141,731
Hamilton	70,732
Hardee	263,040
Hendry	375,351
Hernando	366,658
Hillsborough	29,978,057
Indian River	1,207,303
Jackson	416,198
Jefferson	145,551
Lafayette	54,496
Lake	4,160,625
Lee	9,883,681
Leon	5,790,765
Liberty	118,917
Madison	60,936
Manatee	8,621,911
Marion	3,558,263
Martin	1,914,019
Monroe	711,711
Nassau	366,523
Okaloosa	2,027,531
Orange	31,275,872
Osceola	5,914,419
Palm Beach	18,633,199
Pasco	2,351,739
Pinellas	25,095,633
Polk	9,862,470
Putnam	443,886
Saint Johns	5,296,219
Santa Rosa	1,506,958
Sarasota	9,307,279
Sumter	219,285
Suwannee	882,821
Taylor	1,410,340
Union	131,154
Wakulla	220,734
Walton	297,304
Washington	3,154,294
Washington Special	43,674

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

Funds provided in Specific Appropriation 106 for the Putnam County School District shall be transferred by the Department of Education to St. Johns River State College, contingent upon agreement between the district school board and the college to transfer adult general education programs from the district to the college by July 1, 2012.

Tuition and fee rates are established for the 2012-2013 fiscal year as follows:

For programs leading to a career certificate or an applied technology diploma, the standard tuition shall be $2.33 per contact hour for residents. For nonresidents, the out-of-state fee shall be $6.99 per contact hour in addition to the standard tuition of $2.33 per contact hour.

For adult general education programs, a block tuition shall be assessed in the amount of $45 per half year or $30 per term for residents. For nonresidents, the out-of-state fee shall be $135 per half year or $90 per term, in addition to the standard tuition.

Funds collected from standard tuition and out-of-state fees shall be used to support school district workforce education programs as defined in section 1004.02(26), Florida Statutes, shall not be used to support K-12 programs or district K-12 administrative indirect costs.

The funds provided in Specific Appropriations 9, 104, and 106 shall not be used to support K-12 programs or district K-12 administrative indirect costs. A school district shall not assess district level indirect costs against a workforce program in excess of the required level authorized in section 1010.21, Florida Statutes. The Auditor General shall verify compliance with this requirement during scheduled audits of these institutions.

Consistent with section 1009.22(3)(d), Florida Statutes, if the tuition and out-of-state fee increases provided herein become law, the statutory increase for inflation shall not be made.

Pursuant to the provisions of section 1009.26(1), Florida Statutes, school districts may grant fee waivers for programs funded through Workforce Development Education appropriations for up to 8 percent of the fee revenues that would otherwise be collected.

From the funds provided in Specific Appropriations 9 and 106, each school district shall report enrollment for adult general education programs identified in section 1004.02, Florida Statutes, in accordance with the Department of Education instructional hours reporting procedures. The Auditor General shall verify compliance with this requirement during scheduled operational audits of the school districts.

District superintendents shall certify that workforce education enrollment and performance data used for funding allocations to districts is accurate and complete in accordance with reporting timelines established by the Department of Education. Upon certification, the district data shall be considered final for purposes of use in state funding formulas. After the final certification, the Department of Education may request a supplemental file in the event that a district has reported a higher level of enrollment or performance than was actually achieved by the district.

107 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - VOCATIONAL FORMULA FUNDS
FROM FEDERAL GRANTS TRUST FUND . . . 72,144,852

TOTAL: PROGRAM: WORKFORCE EDUCATION
FROM GENERAL REVENUE FUND 325,752,967
FROM TRUST FUNDS 113,697,324

TOTAL ALL FUNDS 439,450,291

FLORIDA COLLEGES, DIVISION OF

PROGRAM: FLORIDA COLLEGES

108 AID TO LOCAL GOVERNMENTS

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION
GRANTS AND AIDS - COMMUNITY COLLEGES
PROGRAM FUND
FROM GENERAL REVENUE FUND 870,982,214

Funds provided in Specific Appropriation 108 are provided for operating funds, including performance incentives and approved baccalaureate programs, and shall be allocated as follows:

Brevard Community College	35,986,277
Broward College	58,800,493
College of Central Florida	16,335,292
Chipola College	9,065,614
Daytona State College	48,339,804
Edison State College	20,821,986
Florida State College at Jacksonville	61,049,319
Florida Keys Community College	4,786,825
Gulf Coast State College	17,573,032
Hillsborough Community College	39,963,651
Indian River State College	36,583,446
Florida Gateway College	10,189,732
Lake Sumter Community College	9,052,770
State College of Florida, Manatee-Sarasota	17,738,379
Miami Dade College	137,686,097
North Florida Community College	5,098,101
Northwest Florida State College	15,084,829
Palm Beach State College	42,230,263
Pasco-Hernando Community College	16,166,918
Pensacola State College	27,525,432
Polk State College	22,815,227
Saint Johns River State College	13,714,759
Saint Petersburg College	52,364,048
Santa Fe College	28,283,042
Seminole State College of Florida	30,755,707
South Florida State College	12,547,531
Tallahassee Community College	23,286,834
Valencia College	57,136,806

Beginning with the Fall 2012 semester, tuition and fee rates are established for the 2012-2013 fiscal year as follows:

For advanced and professional, postsecondary vocational, college preparatory, and educator preparation institute programs, standard tuition shall be $71.98 per credit hour for residents. For non-residents, the out-of-state fee shall be $215.94 per credit hour in addition to the standard tuition of $71.98 per credit hour.

For baccalaureate degree programs, the standard tuition shall be $91.79 per credit hour for residents.

Prior to the disbursement of funds in Specific Appropriations 10 and 108, colleges shall submit an operating budget for the expenditure of these funds as provided in section 1011.30, Florida Statutes. The operating budget shall clearly identify planned expenditures for baccalaureate programs and shall include the sources of funds.

For programs leading to a career certificate or an applied technology diploma, the standard tuition shall be $2.33 per contact hour for residents. For nonresidents, the out-of-state fee shall be $6.99 per contact hour in addition to the standard tuition of $2.33 per contact hour.

For adult general education programs, a block tuition shall be assessed in the amount of $45 per half year or $30 per term for residents. For nonresidents, the out-of-state fee shall be $135 per half year or $90 per term, in addition to the standard tuition.

Consistent with sections 1009.22(3)(d) and 1009.23(3)(c), Florida Statutes, if the tuition and out-of-state fee increases provided herein become law, the statutory increase for inflation shall not be made.

Pursuant to the provisions of section 1009.26(1), Florida Statutes, Florida colleges may grant fee waivers for programs funded through Workforce Development Education appropriations for up to 8 percent of the fee revenues that would otherwise be collected.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION
From the funds in Specific Appropriations 10 and 108, each Florida college shall report enrollment for adult general education programs identified in section 1004.02, Florida Statutes, in accordance with the Department of Education instructional hours reporting procedures. The Auditor General shall verify compliance with this requirement during scheduled operational audits of the Florida colleges.

Each Florida college board of trustees is given flexibility to make necessary adjustments to its operating budget. If any board reduces individual programs or projects within the Florida college by more than 10 percent during the 2012-2013 fiscal year, written notification shall be made to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Department of Education.

109 SPECIAL CATEGORIES
COMMISSION ON COMMUNITY SERVICE
FROM GENERAL REVENUE FUND 433,182

110A SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA VIRTUAL CAMPUS
FROM GENERAL REVENUE FUND 10,963,647

Funds provided in Specific Appropriation 110A shall be distributed to the Florida Virtual Campus in the same manner as funds are distributed to the Florida College System institutions as provided in section 1011.81(1), Florida Statutes.

From the funds provided in Specific Appropriation 110A for the Florida Virtual Campus, administrative costs shall not exceed five percent.

From the funds provided in Specific Appropriation 110A, $1,357,746 shall be released at the beginning of the first quarter and $2,311,839 at the beginning of the second quarter in addition to the normal quarterly releases. The additional release is provided to maximize cost savings through centralized purchases of subscription-based electronic resources.

110B SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA'S TWO PLUS TWO
PUBLIC AND PRIVATE PARTNERSHIPS
FROM GENERAL REVENUE FUND 3,000,000

From the funds in Specific Appropriation 110B, $2,250,000 shall be awarded to eligible public colleges and public universities with partnership articulation agreements to provide 2+2 baccalaureate degree programs at a college during the 2012-2013 academic year. Funding shall be based on the eligible full-time equivalent enrollment in each 2+2 baccalaureate partnership program offered at a college during the 2012-2013 academic year. The participating college and the participating partner university shall receive equal proportions of the per student incentive award. Colleges shall submit applications to the Department of Education requesting funds for eligible programs by April 15, 2013. The Department shall distribute the funds to the eligible colleges and partner universities by June 1, 2013.

From the funds in Specific Appropriation 110B, $750,000 shall be awarded as incentive grants to eligible public colleges and public universities to establish new partnership articulation agreements to create 2+2 baccalaureate degree programs at a college during the 2012-2013 and 2013-2014 academic years. The Department of Education shall establish application procedures, guidelines, accountability measures, and timelines for implementation of the new programs and advise all approved applicants accordingly. Funds must be used to support new students and new programs and not to supplant current funding or students.

TOTAL: PROGRAM: FLORIDA COLLEGES
FROM GENERAL REVENUE FUND 885,379,043

TOTAL ALL FUNDS 885,379,043

STATE BOARD OF EDUCATION

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

Funds provided in Specific Appropriations 111 through 126 for the Working Capital Trust Fund shall be cost-recovered from funds used to pay data processing services provided in accordance with section 216.272, Florida Statutes.

From the funds provided in Specific Appropriations 111 through 126, the Commissioner of Education shall prepare and provide to the chair of the Senate Budget Committee, the chair of the House Appropriations Committee, and the Executive Office of the Governor on or before October 1, 2012, a report containing the following: the federal indirect cost rate(s) approved to be used for the 12 month period of the 2012-2013 fiscal year and the data on which the rate(s) was established; the estimated amount of funds the approved rate(s) will generate; the proposed expenditure plan for the amount generated; and the June 30, 2012, balance of all unexpended federal indirect cost funds.

From the funds provided in Specific Appropriations 124, 125, and 126, the Department of Education shall pay for data center services based on the actual direct and indirect costs to the Department of Education. These funds shall not be used to subsidize another entity's costs.

From the funds provided in Specific Appropriations 111 through 126, the Department of Education shall revise the "Financial and Program Cost Accounting and Reporting for Public Schools" manual prepared as required by section 1010.20 (1), Florida Statutes, to require district cost reporting in a manner that will allow the Commissioner of Education to compute future program cost factors based solely on expenditures from revenue generated based on weighted enrollment, the base student allocation, and the district cost differential.

From the funds provided in Specific Appropriations 111 through 126, the Department of Education shall prepare and provide a report on the costs associated with the matrix of services for students reported and served with funds from the ESE Guaranteed Allocation. A copy of the report shall be provided to the chair of the Senate Budget Subcommittee on Education PreK-12 Appropriations, the chair of the House PreK-12 Appropriations Subcommittee, and the Executive Office of the Governor on or before December 31, 2012.

Funds provided in Specific Appropriations 111 through 126 shall be used by the Department of Education to support the K-12 Public School Facility Task Force as authorized in House Bill 5101.

Funds provided in Specific Appropriations 111 through 126 shall be used by the Department of Education to support the Digital Instructional Materials Work Group as authorized in House Bill 5101.

From the funds provided in Specific Appropriations 96 through 100 and 111 through 126, the Department of Education shall allocate $485,000 for the maintenance of the FCAT Explorer program with the current provider until the new standards tutorial is implemented.

APPROVED SALARY RATE 50,031,372

111	SALARIES AND BENEFITS POSITIONS 1,028.50		
	FROM GENERAL REVENUE FUND	18,676,506	
	FROM ADMINISTRATIVE TRUST FUND . . .		6,625,153
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		4,302,379
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		2,818,889
	FROM FEDERAL GRANTS TRUST FUND . . .		14,045,785
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND		2,142,140
	FROM STUDENT LOAN OPERATING TRUST FUND		7,561,059
	FROM OPERATING TRUST FUND		454,839
	FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		281,000
	FROM WORKING CAPITAL TRUST FUND . .		6,637,253
112	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	227,539	

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

	FROM ADMINISTRATIVE TRUST FUND . . .		135,012
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		149,999
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		40,000
	FROM FEDERAL GRANTS TRUST FUND . . .		1,134,714
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND		49,600
	FROM STUDENT LOAN OPERATING TRUST FUND		250,000
	FROM OPERATING TRUST FUND		120,101
	FROM WORKING CAPITAL TRUST FUND . .		55,480
113	EXPENSES		
	FROM GENERAL REVENUE FUND	2,434,998	
	FROM ADMINISTRATIVE TRUST FUND . . .		1,502,031
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		577,908
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		868,681
	FROM FEDERAL GRANTS TRUST FUND . . .		3,646,509
	FROM GRANTS AND DONATIONS TRUST FUND		50,000
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND		932,401
	FROM STUDENT LOAN OPERATING TRUST FUND		2,521,981
	FROM OPERATING TRUST FUND		928,183
	FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		57,000
	FROM WORKING CAPITAL TRUST FUND . .		737,894
114	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	45,970	
	FROM ADMINISTRATIVE TRUST FUND . . .		145,428
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		45,440
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		15,000
	FROM FEDERAL GRANTS TRUST FUND . . .		778,834
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND		16,375
	FROM STUDENT LOAN OPERATING TRUST FUND		518,200
	FROM WORKING CAPITAL TRUST FUND . .		47,921
115	SPECIAL CATEGORIES ASSESSMENT AND EVALUATION		
	FROM GENERAL REVENUE FUND	42,551,419	
	FROM ADMINISTRATIVE TRUST FUND . . .		3,500,000
	FROM FEDERAL GRANTS TRUST FUND . . .		26,120,008
	FROM STUDENT LOAN OPERATING TRUST FUND		750,000
	FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		12,544,268
116	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND	232,822	
117	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	518,898	
	FROM ADMINISTRATIVE TRUST FUND . . .		374,750
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		1,583,535
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		238,200
	FROM FEDERAL GRANTS TRUST FUND . . .		1,699,970

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

FROM GRANTS AND DONATIONS TRUST FUND		50,000
FROM INSTITUTIONAL ASSESSMENT TRUST FUND		204,134
FROM STUDENT LOAN OPERATING TRUST FUND		10,955,478
FROM OPERATING TRUST FUND		264,193
FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		2,000
FROM WORKING CAPITAL TRUST FUND		149,249
118 SPECIAL CATEGORIES		
GRANTS AND AIDS - CHOICES PRODUCT SALES		
FROM EDUCATIONAL MEDIA AND TECHNOLOGY TRUST FUND		153,426
120 SPECIAL CATEGORIES		
EDUCATIONAL FACILITIES RESEARCH AND DEVELOPMENT PROJECTS		
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		200,000
121 SPECIAL CATEGORIES		
STUDENT FINANCIAL ASSISTANCE MANAGEMENT INFORMATION SYSTEM		
FROM STUDENT LOAN OPERATING TRUST FUND		259,845
122 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	153,038	
FROM ADMINISTRATIVE TRUST FUND		68,536
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		45,169
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		18,694
FROM FEDERAL GRANTS TRUST FUND		125,676
FROM INSTITUTIONAL ASSESSMENT TRUST FUND		9,195
FROM STUDENT LOAN OPERATING TRUST FUND		110,026
FROM OPERATING TRUST FUND		4,750
FROM WORKING CAPITAL TRUST FUND		40,804
123 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	148,993	
FROM ADMINISTRATIVE TRUST FUND		26,209
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		21,768
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		14,337
FROM FEDERAL GRANTS TRUST FUND		90,206
FROM INSTITUTIONAL ASSESSMENT TRUST FUND		6,308
FROM STUDENT LOAN OPERATING TRUST FUND		54,067
FROM OPERATING TRUST FUND		3,536
FROM WORKING CAPITAL TRUST FUND		32,492
124 DATA PROCESSING SERVICES		
EDUCATION TECHNOLOGY AND INFORMATION SERVICES		
FROM GENERAL REVENUE FUND	1,945,828	
FROM ADMINISTRATIVE TRUST FUND		1,359,971
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		741,882
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		415,540
FROM FEDERAL GRANTS TRUST FUND		1,683,640
FROM INSTITUTIONAL ASSESSMENT TRUST FUND		140,952
FROM STUDENT LOAN OPERATING TRUST FUND		2,665,071
FROM OPERATING TRUST FUND		75,515
FROM WORKING CAPITAL TRUST FUND		747,495
125 DATA PROCESSING SERVICES		
SOUTHWOOD SHARED RESOURCE CENTER		
FROM GENERAL REVENUE FUND	137,869	
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		10,546
FROM FEDERAL GRANTS TRUST FUND		19,271
FROM STUDENT LOAN OPERATING TRUST FUND		128,360
FROM WORKING CAPITAL TRUST FUND		91,359
126 DATA PROCESSING SERVICES		
NORTHWEST REGIONAL DATA CENTER (NWRDC)		
FROM GENERAL REVENUE FUND	1,292,515	
FROM ADMINISTRATIVE TRUST FUND		91,757
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		962
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		2,136
FROM FEDERAL GRANTS TRUST FUND		49,641
FROM STUDENT LOAN OPERATING TRUST FUND		806,283
FROM WORKING CAPITAL TRUST FUND		1,675,487

The funds provided in Specific Appropriation 126 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: STATE BOARD OF EDUCATION		
FROM GENERAL REVENUE FUND	68,366,395	
FROM TRUST FUNDS		130,619,886
TOTAL POSITIONS	1,028.50	
TOTAL ALL FUNDS		198,986,281

UNIVERSITIES, DIVISION OF

PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

Funds in Specific Appropriations 11 through 15 and 129 through 135A are provided as grants and aids to support the operation of state universities. Funds provided to each university are contingent upon that university following the provisions of chapters 1000 through 1013, Florida Statutes, which relate to state universities. Any withholding of funds pursuant to this provision shall be subject to the approval of the Legislative Budget Commission.

128 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - MOFFITT CANCER CENTER AND RESEARCH INSTITUTE		
FROM GENERAL REVENUE FUND	10,576,930	

Funds in Specific Appropriation 128 may be transferred to the Agency for Healthcare Administration and used as state matching funds for Moffitt's participation in the Low Income Pool or to buy back the Medicaid inpatient and outpatient trend adjustments applied to the H. Lee Moffitt Cancer Center and Research Institute and other Medicaid reductions to its rates up to the actual Medicaid inpatient and outpatient costs. In the event that enhanced Medicaid funding is not implemented by the Agency for Health Care Administration, these funds shall remain appropriated to the H. Lee Moffitt Cancer Center and Research Institute to continue the original purpose of providing research and education related to cancer.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

129	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - EDUCATION AND GENERAL ACTIVITIES		
	FROM GENERAL REVENUE FUND	1,099,269,918	
	FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND		1,599,792,233
	FROM PHOSPHATE RESEARCH TRUST FUND .		5,016,106

The funds provided in Specific Appropriations 129 through 135A from the Education and General Student and Other Fees Trust Fund are the only budget authority provided in this act for the 2012-2013 fiscal year to the named universities to expend tuition and fees that are collected during the 2012-2013 fiscal year and carried forward from the prior fiscal year and that are appropriated into local accounts pursuant to section 1011.4106, Florida Statutes. The expenditure of tuition and fee revenues from local accounts by each university shall not exceed the authority provided by these specific appropriations, unless approved pursuant to the provisions of chapter 216, Florida Statutes. If a court of competent jurisdiction finds that the restriction above is invalid, the appropriation made by section 1011.4106, Florida Statutes, is hereby repealed for the 2012-2013 fiscal year and the moneys described in that section shall be deposited in the state treasury for expenditure only pursuant to appropriations made by law.

General Revenue funds provided in Specific Appropriations 129 through 135A to each of the named universities are contingent upon each university complying with the tuition and fee policies established in the proviso language attached to Specific Appropriation 129, and with the tuition and fee policies for state universities included in Part II of chapter 1009, Florida Statutes. However, the funds appropriated to a specific university shall not be affected by the failure of another university to comply with this provision.

Funds in Specific Appropriations 11 through 15 and 129 through 135A shall be expended in accordance with operating budgets that must be approved by each university's board of trustees.

Funds in Specific Appropriation 129 from the General Revenue Fund shall be allocated as follows:

University of Florida	205,554,383
Florida State University	156,883,468
Florida A&M University	65,584,450
University of South Florida	118,182,125
University of South Florida, St. Petersburg	15,770,901
University of South Florida, Sarasota/Manatee	9,212,662
Florida Atlantic University	89,195,933
University of West Florida	35,201,278
University of Central Florida	141,435,128
Florida International University	119,310,346
University of North Florida	56,540,295
Florida Gulf Coast University	36,529,814
New College of Florida	12,825,140
Florida Polytechnic University	22,043,995
Performance Funding for State Universities	15,000,000

Funds in Specific Appropriation 129 from the Education and General Student and Other Fees Trust Fund shall be allocated as follows:

University of Florida	322,800,160
Florida State University	214,937,655
Florida A&M University	72,006,551
University of South Florida	163,538,600
University of South Florida, St. Petersburg	17,223,111
University of South Florida, Sarasota/Manatee	8,098,325
Florida Atlantic University	116,345,659
University of West Florida	52,036,423
University of Central Florida	264,439,817
Florida International University	227,059,388
University of North Florida	68,326,629
Florida Gulf Coast University	60,749,753
New College of Florida	6,202,089
Florida Polytechnic University	6,028,073

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

Beginning with the Fall 2012 semester, undergraduate tuition is established at $103.32 per credit hour for the 2012-2013 fiscal year.

Tuition for graduate and professional programs and out-of-state fees for all programs shall be established pursuant to section 1009.24, Florida Statutes. No state university may receive General Revenue funding associated with the enrollment of out-of-state students.

Each university board of trustees is given flexibility to make necessary adjustments to its operating budget. If any board reduces individual programs or projects within the university by more than 10 percent during the 2012-2013 fiscal year, written notification shall be made to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Board of Governors.

Pursuant to section 1011.90, Florida Statutes, the development of these appropriations was based on the planned enrollment for each university as submitted by the Board of Governors on February 10, 2012.

From the General Revenue Fund allocation for the Florida Polytechnic University, if the documented costs associated with allowing students enrolled in the University of South Florida Polytechnic to complete their degrees at the University of South Florida exceeds the funding provided in Senate Bill 1994 for such purpose, the Florida Polytechnic University shall enter into a memorandum of agreement to provide additional funds for these educational services.

Funds in Specific Appropriation 129 from the Phosphate Research Trust Fund are provided for the Florida Polytechnic University.

130	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - IFAS (INSTITUTE OF FOOD AND AGRICULTURAL SCIENCE)		
	FROM GENERAL REVENUE FUND	123,458,686	
131	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - UNIVERSITY OF SOUTH FLORIDA MEDICAL CENTER		
	FROM GENERAL REVENUE FUND	49,914,781	
	FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND		52,707,893
132	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - UNIVERSITY OF FLORIDA HEALTH CENTER		
	FROM GENERAL REVENUE FUND	87,227,218	
	FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND		38,463,434
133	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FLORIDA STATE UNIVERSITY MEDICAL SCHOOL		
	FROM GENERAL REVENUE FUND	32,572,857	
	FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND		11,572,716
134	AID TO LOCAL GOVERNMENTS UNIVERSITY OF CENTRAL FLORIDA MEDICAL SCHOOL		
	FROM GENERAL REVENUE FUND	22,963,376	
	FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND		8,180,191
135	AID TO LOCAL GOVERNMENTS FLORIDA INTERNATIONAL UNIVERSITY MEDICAL SCHOOL		
	FROM GENERAL REVENUE FUND	26,882,090	
	FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND		9,497,901
135A	AID TO LOCAL GOVERNMENTS FLORIDA ATLANTIC UNIVERSITY MEDICAL SCHOOL		
	FROM GENERAL REVENUE FUND	12,778,503	
	FROM EDUCATION AND GENERAL STUDENT		

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION
AND OTHER FEES TRUST FUND 4,196,880

136 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - STUDENT FINANCIAL
ASSISTANCE
FROM GENERAL REVENUE FUND 7,140,378

A minimum of 75 percent of the funds provided in Specific Appropriation 136 shall be allocated for need-based financial aid.

Funds in Specific Appropriation 136 shall be allocated as follows:

University of Florida	1,737,381
Florida State University	1,467,667
Florida A&M University	624,417
University of South Florida	801,368
Florida Atlantic University	399,658
University of West Florida	157,766
University of Central Florida	858,405
Florida International University	540,666
University of North Florida	200,570
Florida Gulf Coast University	98,073
New College of Florida	204,407
Florida Polytechnic University	50,000

137 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INSTITUTE FOR HUMAN AND
MACHINE COGNITION
FROM GENERAL REVENUE FUND 2,739,184

138 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 20,173,496
FROM PHOSPHATE RESEARCH TRUST FUND . 20,929

139A SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA VIRTUAL CAMPUS
FROM GENERAL REVENUE FUND 13,463,647

From the funds provided in Specific Appropriation 139A, $2,500,000 shall be provided to the University of West Florida for purposes of administering the Degree Completion Pilot Project with the University of South Florida, Florida State College at Jacksonville, and St. Petersburg College.

From the funds provided in Specific Appropriation 139A for the Florida Virtual Campus, administrative costs shall not exceed five percent.

From the funds provided in Specific Appropriation 139A, $402,357 shall be released at the beginning of the first quarter and $3,024,151 at the beginning of the second quarter in addition to the normal quarterly releases. The additional release is provided to maximize cost savings through centralized purchases of subscription-based electronic resources.

TOTAL: PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES
FROM GENERAL REVENUE FUND 1,509,161,064
FROM TRUST FUNDS 1,729,448,283

TOTAL ALL FUNDS 3,238,609,347

BOARD OF GOVERNORS

APPROVED SALARY RATE 3,910,391

140 SALARIES AND BENEFITS POSITIONS 52.00
FROM GENERAL REVENUE FUND 4,282,130
FROM DIVISION OF UNIVERSITIES
FACILITY CONSTRUCTION
ADMINISTRATIVE TRUST FUND 656,358

From the funds provided in Specific Appropriation 140, the state funded portion of salaries for each employee of the Board of Governors shall not exceed $200,000.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

141 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 49,373
FROM DIVISION OF UNIVERSITIES
FACILITY CONSTRUCTION
ADMINISTRATIVE TRUST FUND 15,000
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 5,000

142 EXPENSES
FROM GENERAL REVENUE FUND 548,977
FROM DIVISION OF UNIVERSITIES
FACILITY CONSTRUCTION
ADMINISTRATIVE TRUST FUND 259,799
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 12,000

143 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 11,782
FROM DIVISION OF UNIVERSITIES
FACILITY CONSTRUCTION
ADMINISTRATIVE TRUST FUND 5,950

144 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 405,567
FROM DIVISION OF UNIVERSITIES
FACILITY CONSTRUCTION
ADMINISTRATIVE TRUST FUND 20,000
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 3,000

145 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 18,432
FROM DIVISION OF UNIVERSITIES
FACILITY CONSTRUCTION
ADMINISTRATIVE TRUST FUND 2,405

146 DATA PROCESSING SERVICES
NORTHWEST REGIONAL DATA CENTER (NWRDC)
FROM GENERAL REVENUE FUND 25,177

The funds provided in Specific Appropriation 146 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: BOARD OF GOVERNORS
FROM GENERAL REVENUE FUND 5,341,438
FROM TRUST FUNDS 979,512

TOTAL POSITIONS 52.00
TOTAL ALL FUNDS 6,320,950

TOTAL OF SECTION 2

FROM GENERAL REVENUE FUND 12,689,501,891

FROM TRUST FUNDS 6,105,848,415

TOTAL POSITIONS 2,408.25

TOTAL ALL FUNDS 18,795,350,306

TOTAL: EDUCATION, DEPARTMENT OF (SECTIONS 1 AND 2)
EDUCATION/EARLY LEARNING
FROM GENERAL REVENUE FUND 564,809,336
FROM TRUST FUNDS 452,960,231
EDUCATION/PUBLIC SCHOOLS
FROM GENERAL REVENUE FUND 9,388,029,584
FROM TRUST FUNDS 2,684,232,965
EDUCATION/COMM COLLEGES
FROM GENERAL REVENUE FUND 885,379,043

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

FROM TRUST FUNDS		180,808,060
EDUCATION/UNIVERSITIES		
FROM GENERAL REVENUE FUND	1,509,161,064	
FROM TRUST FUNDS		1,929,299,501
EDUCATION/OTHER		
FROM GENERAL REVENUE FUND	342,122,864	
FROM TRUST FUNDS		2,349,631,958
EDUCATION RECAP		
FROM GENERAL REVENUE FUND	12,689,501,891	
FROM TRUST FUNDS		7,596,932,715
TOTAL POSITIONS	2,408.25	
TOTAL ALL FUNDS		20,286,434,606
TOTAL APPROVED SALARY RATE	104,380,279	

SECTION 3 - HUMAN SERVICES

The moneys contained herein are appropriated from the named funds to the Agency for Health Care Administration, Agency for Persons with Disabilities, Department of Children and Family Services, Department of Elder Affairs, Department of Health, and the Department of Veterans' Affairs as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

AGENCY FOR HEALTH CARE ADMINISTRATION

PROGRAM: ADMINISTRATION AND SUPPORT

APPROVED SALARY RATE 11,962,640

147	SALARIES AND BENEFITS POSITIONS 249.00		
	FROM GENERAL REVENUE FUND	2,740,069	
	FROM ADMINISTRATIVE TRUST FUND . . .		12,545,695
148	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	79,599	
	FROM ADMINISTRATIVE TRUST FUND . . .		459,842
149	EXPENSES		
	FROM GENERAL REVENUE FUND	150,680	
	FROM ADMINISTRATIVE TRUST FUND . . .		2,803,857
150	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	180,923	
	FROM ADMINISTRATIVE TRUST FUND . . .		514,701
151	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	230,010	
	FROM ADMINISTRATIVE TRUST FUND . . .		2,669,860
152	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	50,418	
	FROM ADMINISTRATIVE TRUST FUND . . .		391,983
153	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	18,346	
	FROM ADMINISTRATIVE TRUST FUND . . .		193,114
154	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	23,257	
	FROM ADMINISTRATIVE TRUST FUND . . .		73,162
157	DATA PROCESSING SERVICES		
	TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .		647,765

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

158	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM ADMINISTRATIVE TRUST FUND . . .		13,297
159	DATA PROCESSING SERVICES		
	NORTHWOOD SHARED RESOURCE CENTER		
	FROM ADMINISTRATIVE TRUST FUND . . .		842,091
159A	DATA PROCESSING SERVICES		
	NORTHWEST REGIONAL DATA CENTER (NWRDC)		
	FROM ADMINISTRATIVE TRUST FUND . . .		50,116

The funds provided in Specific Appropriation 159A shall not be utilized for any costs related to the potential expansion of the floor space operated and managed by the Northwest Regional Data Center.

TOTAL: PROGRAM: ADMINISTRATION AND SUPPORT		
FROM GENERAL REVENUE FUND	3,473,302	
FROM TRUST FUNDS		21,205,483
TOTAL POSITIONS	249.00	
TOTAL ALL FUNDS		24,678,785

PROGRAM: HEALTH CARE SERVICES

CHILDREN'S SPECIAL HEALTH CARE

Funds in Specific Appropriations 161 through 166 are provided to operate the Florida KidCare Program. The Executive Office of the Governor may authorize transfer of these resources between programs or agencies pursuant to chapter 216, Florida Statutes, based on projections from the Social Services Estimating Conference.

The agency is authorized to seek any necessary state plan amendment to implement additional Title XXI administrative claiming for school health services.

161	SPECIAL CATEGORIES		
	GRANTS AND AIDS - FLORIDA HEALTHY KIDS CORPORATION		
	FROM GENERAL REVENUE FUND	17,274,237	
	FROM TOBACCO SETTLEMENT TRUST FUND .		65,154,585
	FROM MEDICAL CARE TRUST FUND		195,559,313

Funds in Specific Appropriations 161 and 164 are provided to contract with the Florida Healthy Kids Corporation to provide comprehensive health insurance coverage, including dental services, to Title XXI children eligible under the Florida KidCare Program and pursuant to section 624.91, Florida Statutes. The corporation shall use local funds to serve non-Title XXI children that are eligible for the program pursuant to section 624.91(3)(b), Florida Statutes. The corporation shall return unspent local funds collected in Fiscal Year 2011-2012 to provide premium assistance for non-Title XXI eligible children based on a formula developed by the corporation.

From the funds in Specific Appropriation 161, $2,500,000 in recurring general revenue funds, $2,500,000 in nonrecurring general revenue funds, $6,020,790 in recurring medical care trust funds and $6,020,791 in nonrecurring medical care trust funds are provided to increase Florida Healthy Kids Corporation's rates to maintain medical loss ratios at 85 percent for Fiscal Year 2012-2013.

162	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,029,792	
	FROM TOBACCO SETTLEMENT TRUST FUND .		704,548
	FROM GRANTS AND DONATIONS TRUST FUND		644,901
	FROM MEDICAL CARE TRUST FUND		4,105,681
163	SPECIAL CATEGORIES		

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

GRANTS AND AIDS - CONTRACTED SERVICES - FLORIDA HEALTHY KIDS ADMINISTRATION		
FROM GENERAL REVENUE FUND	2,222,530	
FROM TOBACCO SETTLEMENT TRUST FUND .		3,946,147
FROM MEDICAL CARE TRUST FUND		14,607,415
164 SPECIAL CATEGORIES		
GRANTS AND AIDS - FLORIDA HEALTHY KIDS CORPORATION DENTAL SERVICES		
FROM GENERAL REVENUE FUND	9,390,637	
FROM MEDICAL CARE TRUST FUND		22,237,007

Funds in Specific Appropriation 164 are provided for Florida Healthy Kids dental services to be paid a monthly premium of no more than $12.59 per member per month.

165 SPECIAL CATEGORIES		
MEDIKIDS		
FROM GENERAL REVENUE FUND	3,421,713	
FROM TOBACCO SETTLEMENT TRUST FUND .		9,571,957
FROM GRANTS AND DONATIONS TRUST FUND		16,634,097
FROM MEDICAL CARE TRUST FUND		30,771,078
166 SPECIAL CATEGORIES		
CHILDREN'S MEDICAL SERVICES NETWORK		
FROM GENERAL REVENUE FUND	25,783,682	
FROM TOBACCO SETTLEMENT TRUST FUND .		15,619,174
FROM GRANTS AND DONATIONS TRUST FUND		2,456,907
FROM MEDICAL CARE TRUST FUND		98,025,155
TOTAL: CHILDREN'S SPECIAL HEALTH CARE		
FROM GENERAL REVENUE FUND	59,122,591	
FROM TRUST FUNDS		480,037,965
TOTAL ALL FUNDS		539,160,556

EXECUTIVE DIRECTION AND SUPPORT SERVICES

From the funds in Specific Appropriations 167 through 179, any requests pursuant to chapter 216, Florida Statutes, by the Agency for Health Care Administration to increase budget authority to expand existing programs using increased federal reimbursement through Low Income Pool (LIP) provisions and exemptions to hospital Medicaid rate ceilings shall be contingent upon the availability of state match from existing state funds or local sources that do not increase the current requirement for state general revenue or tobacco settlement funds. The agency is authorized to seek federal Medicaid waivers as necessary to implement this provision.

From the funds in Specific Appropriations 167 through 179, the agency is authorized to contract on a contingency fee basis for post-audit claims analyses to identify and recover overpayments for the Medicaid program. The state may pay the contractor a rate based on recoveries.

APPROVED SALARY RATE 31,536,877

167 SALARIES AND BENEFITS POSITIONS 747.00		
FROM GENERAL REVENUE FUND	2,617,254	
FROM MEDICAL CARE TRUST FUND		38,935,269
168 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	1,774,139	
FROM MEDICAL CARE TRUST FUND		23,694,586
169 EXPENSES		
FROM GENERAL REVENUE FUND	906,891	
FROM MEDICAL CARE TRUST FUND		6,740,806
170 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	45,391	
FROM MEDICAL CARE TRUST FUND		221,266

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

170A LUMP SUM		
INTERNATIONAL CLASSIFICATION OF DISEASE-10TH REVISION PROJECT		
FROM MEDICAL CARE TRUST FUND		8,523,257
171 SPECIAL CATEGORIES		
PHARMACEUTICAL EXPENSE ASSISTANCE		
FROM GENERAL REVENUE FUND	50,000	
172 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	50,616	
FROM MEDICAL CARE TRUST FUND		50,616
173 SPECIAL CATEGORIES		
CONTRACT NURSING HOME AUDIT PROGRAM		
FROM GENERAL REVENUE FUND	827,653	
FROM MEDICAL CARE TRUST FUND		1,129,095
174 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	19,244,519	
FROM GRANTS AND DONATIONS TRUST FUND		1,070,535
FROM MEDICAL CARE TRUST FUND		48,190,842

From the funds in Specific Appropriation 174, $350,000 in nonrecurring general revenue funds and $350,000 in nonrecurring medical care trust funds shall be used by the Agency for Health Care Administration to contract with an independent, third party consulting firm with experience in planning public sector enterprise projects that do not perform system implementations, project management, or provide technology integration services to complete a feasibility study for developing an Internet-based system for eligibility determination for Medicaid and the Children's Health Insurance Program (CHIP) established in HB 5301 or similar legislation, and that complies with all applicable state and federal laws including the standards and conditions of the U.S. Department of Health and Human Services/Centers for Medicare and Medicaid Services (CMS) final rule published in the April 19, 2011, Vol. 76, No. 75 of the Federal Register.

The feasibility study shall include an analysis of two options for implementation of the Medicaid and CHIP eligibility determination system: (1) remediation and enhancement of the state's legacy eligibility determination system known as the Automated Community Connection to Economic Self-Sufficiency Florida or ACCESS Florida, and (2) development of a new system that would support the Medicaid and CHIP eligibility determination and enrollment services. The analysis of both options must include, but not be limited to, a cost benefit analysis and a project risk assessment.

The completed feasibility study, along with the Agency for Health Care Administration's recommendation for remediating the current system or developing a new system based on the results of the feasibility study, must be submitted for consideration and approval by the Legislative Budget Commission no later than December 1, 2012.

From the funds in Specific Appropriation 174, $1,248,805 in recurring general revenue funds, $862,397 in nonrecurring general revenue funds, $1,248,805 in recurring medical care trust funds, and $862,397 in nonrecurring medical care trust funds are provided to expand the home health agency monitoring pilot project in Miami-Dade County on a statewide basis and to expand the comprehensive care management pilot project for home health services statewide and to include private duty nursing and personal care services.

From the funds in Specific Appropriations 174 and 175, $775,000 in nonrecurring general revenue funds and $1,325,000 in nonrecurring medical care trust funds are for the development of Florida Diagnostic Related Groups (DRG) for hospital inpatient services under Medicaid.

From the funds in Specific Appropriation 174, the Agency for Health Care Administration, pursuant to Paragraph 69 of the Special Terms and

SECTION 3 - HUMAN SERVICES
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Conditions for the Florida Medicaid Reform Section 1115 Demonstration waiver, as approved by the federal Centers for Medicare and Medicaid Services on December 15, 2011, shall develop a cost reimbursement methodology to utilize certified public expenditures as a funding mechanism for the Medicaid program, including a detailed explanation of the process by which the state would identify those costs eligible under the Medicaid program for purposes of certifying the public expenditures. The methodology must adhere to all requirements of state law and federal regulations or waiver authority. The agency, through a competitive procurement under chapter 287, Florida Statutes, may engage a consultant to develop the methodology. The agency shall submit a report containing the methodology and the policy implications of implementing the methodology no later than January 31, 2013, to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

From the funds in Specific Appropriation 174, $750,000 in nonrecurring general revenue funds and $750,000 in nonrecurring medical care trust funds are provided to the Agency for Health Care Administration to competitively procure a private consultant to assess Florida's Medicaid Management Information System (MMIS) as a result of the transition to Statewide Medicaid Managed Care. The consultant shall provide a comprehensive environmental scan of the MMIS program operations on a national basis to include program costs for design, development and implementation (DDI) and operations and assess the adequacy of existing decision support/data analytics. Not later than 8 months after contract award, the consultant shall submit to the agency, a Design Solution Strategy Report with recommendations for a -best in class- model for Florida's MMIS. The report shall include but not be limited to options for innovative redesign or modification of the MMIS, recommendations for enhanced data analytics, projected cost savings and expenditures over a five year period and assessment of federal and state regulatory and operational requirements.

174A SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,000,000
FROM MEDICAL CARE TRUST FUND 3,000,000

From the funds in Specific Appropriation 174A, $3,000,000 from the Medical Care Trust Fund shall be used by the agency to contract with the Florida Medical Schools Quality Network created under section 409.975(2), Florida Statutes for services, which may include but not be limited to, identification and evaluation of quality indicators, clinical outcome measures and network adequacy.

From the funds in Specific Appropriation 174A, $1,000,000 in nonrecurring general revenue funds is provided for a pilot project that serves nursing home eligible Medicaid elders in a structured family caregiving model which will include full-time live-in credentialed caregivers. This may include family members, a professional support team, including registered nurses, a care manager, and a web-based care management system. The pilot shall enroll a minimum of sixty consumers. The agency shall report the quality outcomes and cost savings to the President of the Senate and the Speaker of the House of Representatives by January 1, 2013.

175 SPECIAL CATEGORIES
MEDICAID FISCAL CONTRACT
FROM GENERAL REVENUE FUND 20,233,293
FROM MEDICAL CARE TRUST FUND 52,606,560
FROM REFUGEE ASSISTANCE TRUST FUND . 118,705

176 SPECIAL CATEGORIES
MEDICAID PEER REVIEW
FROM GENERAL REVENUE FUND 1,093,903
FROM MEDICAL CARE TRUST FUND 4,403,348

177 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 400,133
FROM MEDICAL CARE TRUST FUND 667,694

178 SPECIAL CATEGORIES

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LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 26,165
FROM MEDICAL CARE TRUST FUND 180,781

179 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 92,698
FROM MEDICAL CARE TRUST FUND 176,843

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 48,362,655
FROM TRUST FUNDS 189,710,203

TOTAL POSITIONS 747.00
TOTAL ALL FUNDS 238,072,858

MEDICAID SERVICES TO INDIVIDUALS

From the funds in Specific Appropriations 180 through 218, the Agency for Health Care Administration shall contract with a single Provider Service Network to function as a managing entity for the MediPass program in counties with fewer than two managed care plans as provided in section 409.9122(19), Florida Statutes. The contractor shall be paid a monthly administrative fee and the agency shall adjust the final payment to the Provider Service Network as determined by the reconciliation process provided in section 409.912(4)(d)1, Florida Statutes, to ensure that the fee paid is less than any savings.

180 SPECIAL CATEGORIES
ADULT VISION AND HEARING SERVICES
FROM GENERAL REVENUE FUND 7,617,533
FROM MEDICAL CARE TRUST FUND 10,403,603
FROM REFUGEE ASSISTANCE TRUST FUND . 316,543

181 SPECIAL CATEGORIES
CASE MANAGEMENT
FROM GENERAL REVENUE FUND 43,759,419
FROM MEDICAL CARE TRUST FUND 60,828,751
FROM REFUGEE ASSISTANCE TRUST FUND . 28,629

From the funds in Specific Appropriation 181, $1,064,585 from the Medical Care Trust Fund is provided for Medicaid reimbursable services that support children enrolled in contracted medical foster care programs under the Department of Health. This funding is contingent upon the availability of state matching funds in the Department of Health in Specific Appropriation 554.

182 SPECIAL CATEGORIES
THERAPEUTIC SERVICES FOR CHILDREN
FROM GENERAL REVENUE FUND 31,130,034
FROM MEDICAL CARE TRUST FUND 42,515,657
FROM REFUGEE ASSISTANCE TRUST FUND . 896

183 SPECIAL CATEGORIES
COMMUNITY MENTAL HEALTH SERVICES
FROM GENERAL REVENUE FUND 25,924,806
FROM MEDICAL CARE TRUST FUND 43,046,453

From the funds in Specific Appropriation 183, the agency is authorized to amend the Medicaid State Plan to include the following specialized substance abuse services: community based substance abuse intervention services and comprehensive community support services for substance abuse.

From the funds in Specific Appropriation 183, the agency is authorized to work with the Department of Children and Family Services and Florida county governments to develop a local match program to fund these Medicaid specialized substance abuse services using local county funds. The public funds required to match the Medicaid funds for these specialized substance abuse services are limited to those funds that are local public tax revenues and are made available to the state for this purpose. As required by Medicaid policy, participating counties shall

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make these services available to any qualified Florida Medicaid beneficiary regardless of county of residence. Payment for these services is contingent upon the local matching funds being provided by participating counties.

From the funds in Specific Appropriation 183, $4,731,488 from the Medical Care Trust Fund is provided for Medicaid specialized mental health services. The agency is authorized to seek any necessary state plan amendment or federal waiver required to include mental health services for juveniles in the evidence based redirection program at the Department of Juvenile Justice. The agency is authorized to work with the department to develop a match program to fund Medicaid specialized mental health services using existing funding within the Department of Juvenile Justice. Payment for these services is contingent upon the availability of state matching funds in the Department of Juvenile Justice in Specific Appropriation 1209.

184 SPECIAL CATEGORIES
ADULT DENTAL SERVICES
FROM GENERAL REVENUE FUND 13,913,359
FROM MEDICAL CARE TRUST FUND 19,002,088
FROM REFUGEE ASSISTANCE TRUST FUND . 285,283

185 SPECIAL CATEGORIES
DEVELOPMENTAL EVALUATION AND INTERVENTION/
PART C
FROM MEDICAL CARE TRUST FUND 8,782,789

Funds in Specific Appropriation 185 are contingent on the availability of state match being provided in Specific Appropriation 559.

186 SPECIAL CATEGORIES
EARLY AND PERIODIC SCREENING OF CHILDREN
FROM GENERAL REVENUE FUND 115,504,341
FROM MEDICAL CARE TRUST FUND 157,790,533
FROM REFUGEE ASSISTANCE TRUST FUND . 241,517

From the funds in Specific Appropriation 186, the agency is authorized to provide Medicaid children enrolled in the Medicaid Prepaid Dental Health Program in Miami-Dade County with a choice of at least three licensed managed care dental providers, who shall have experience in providing dental care to Medicaid or Title XXI enrollees, and who meet all standards and requirements of the agency.

187 SPECIAL CATEGORIES
GRANTS AND AIDS - RURAL HOSPITAL FINANCIAL
ASSISTANCE PROGRAM
FROM GENERAL REVENUE FUND 1,220,185
FROM GRANTS AND DONATIONS TRUST
FUND 5,387,555
FROM MEDICAL CARE TRUST FUND 7,423,026

Funds in Specific Appropriation 187 are provided for a federally matched Rural Hospital Disproportionate Share program and a state funded Rural Hospital Financial Assistance program as provided in section 409.9116, Florida Statutes.

From the funds in Specific Appropriation 187, the calculations of the Medicaid Supplemental Hospital Funding Programs for Medicaid Low Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs for the 2012-2013 fiscal year are incorporated by reference in House Bill 5003. The calculations are the basis for the appropriations made in the General Appropriations Act.

188 SPECIAL CATEGORIES
FAMILY PLANNING
FROM GENERAL REVENUE FUND 2,333,512
FROM MEDICAL CARE TRUST FUND 21,001,609
FROM REFUGEE ASSISTANCE TRUST FUND . 41,435

From the funds in Specific Appropriation 188, the Agency for Health Care Administration is authorized to increase reimbursement up to $1,850 for a hysteroscopic physician office-based procedure based upon a review

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of patient cost information that supports the increase.

189 SPECIAL CATEGORIES
GRANTS AND AIDS - SHANDS TEACHING HOSPITAL
FROM GENERAL REVENUE FUND 9,673,569

The funds in Specific Appropriation 189, shall be primarily designated for transfer to the Agency for Health Care Administration's Grants and Donations Trust Fund for use in the Medicaid or Low Income Pool programs. Of these funds, up to $3,820,670 may be used in the Low Income Pool program or as funding to buy back the Medicaid inpatient and outpatient trend adjustments applied to Shands Healthcare Systems' individual hospital rates and other Medicaid reductions to their rates up to the actual Medicaid inpatient and outpatient costs. The transfer of the funds from the Low Income Pool program is contingent upon another local government or healthcare taxing district providing an equivalent amount of funds to be used in the Low Income Pool program. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds, remaining funds may be used secondarily for payments to Shands Teaching Hospital to continue the original purpose of providing health care services to indigent patients through Shands Healthcare System.

190 SPECIAL CATEGORIES
HEALTHY START SERVICES
FROM MEDICAL CARE TRUST FUND 23,641,947

191 SPECIAL CATEGORIES
HOME HEALTH SERVICES
FROM GENERAL REVENUE FUND 79,140,167
FROM MEDICAL CARE TRUST FUND 108,105,988
FROM REFUGEE ASSISTANCE TRUST FUND . 131,917

From the funds in Specific Appropriation 191, the agency may implement accreditation requirements for durable medical equipment and consumable medical supply providers.

Funds in Specific Appropriations 191, 205, and 211 reflect a reduction of $6,054,414 from the General Revenue Fund, $8,268,852 from the Medical Care Trust Fund, and $459 from the Refugee Assistance Trust Fund as a result of expanding the scope of the home health agency monitoring pilot project and the comprehensive care management pilot project to include additional services and statewide coverage, effective October 1, 2012.

Funds in Specific Appropriations 191 and 208 reflect a reduction of $472,443 from the General Revenue Fund, $645,354 from the Medical Care Trust Fund, and $1,063 from the Refugee Assistance Trust Fund as a result of limiting home health visits for non-pregnant adults to three visits per day, effective August 1, 2012.

From the funds in Specific Appropriation 191, the Agency for Health Care Administration shall not procure a statewide-single source provider for a disposable incontinence medical supply program. To provide choice for beneficiaries, maximize program efficiencies, and cost savings within the Medicaid program, medical supplies shall continue to be provided by state enrolled medical equipment companies. In addition, pursuant to sections 409.961 through 409.985, Florida Statutes, no language may be introduced to limit the ability of Medicaid managed care plans to provide incontinence medical supplies during the term of the contracts for these services including any extensions. The agency shall seek any federal Medicaid waiver necessary to implement this provision.

192 SPECIAL CATEGORIES
HOSPICE SERVICES
FROM GENERAL REVENUE FUND 77,769,399
FROM HEALTH CARE TRUST FUND 42,000,000
FROM GRANTS AND DONATIONS TRUST
FUND 16,179,701
FROM MEDICAL CARE TRUST FUND 185,671,671

Funds in Specific Appropriation 192 reflect a reduction of $1,217,162 from the General Revenue Fund and $1,662,332 from the Medical Care Trust Fund as a result of adjusting nursing home rates.

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From the funds in Specific Appropriation 192, $16,179,701 from the Grants and Donations Trust Fund and $22,097,330 from the Medical Care Trust Fund are provided to buy back hospice rate reductions, effective on or after January 1, 2008, and are contingent on the nonfederal share being provided through nursing home quality assessments. Authority is granted to buy back rate reductions up to, but no higher than, the amounts available under the budgeted authority in this line. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

193	SPECIAL CATEGORIES		
	HOSPITAL INPATIENT SERVICES		
	FROM GENERAL REVENUE FUND	554,254,270	
	FROM GRANTS AND DONATIONS TRUST FUND		586,006,813
	FROM MEDICAL CARE TRUST FUND		2,159,511,448
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND		395,610,000
	FROM REFUGEE ASSISTANCE TRUST FUND .		4,028,044

Funds in Specific Appropriations 193 and 208 reflect a reduction of $718,194 from the General Revenue Fund, $416,522 from Grants and Donations Trust Fund, $1,594,172 from the Medical Care Trust Fund, and $3,055 from the Refugee Assistance Trust Fund as a result of eliminating payments for preventable hospitals errors, effective July 1, 2012.

From the funds in Specific Appropriation 193, $61,382,891 from the Medical Care Trust Fund is provided to the Agency for Health Care Administration to fund services for children in the Statewide Inpatient Psychiatric Program. The program shall be designed to permit limits on services, prior authorization of services, and selective provider enrollment. The program must also include monitoring and quality assurance, as well as discharge planning and continuing stay reviews, of all children admitted to the program. The funding is contingent upon the availability of state matching funds in the Department of Children and Family Services in Specific Appropriations 330 and 354.

Funds in Specific Appropriation 193 reflect a reduction of $65,926,407 from the General Revenue Fund, $38,596,178 from the Grants and Donations Trust Fund, $142,783,450 from the Medical Care Trust Fund, and $275,428 from the Refugee Assistance Trust Fund as a result of modifying the reimbursement for inpatient hospital rates. The agency shall implement a recurring methodology in the Title XIX Inpatient Hospital Reimbursement Plan to achieve this reduction. In establishing rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this reduction, but shall not be reduced below the unit cost used in establishing the budget. Hospitals that are licensed as a children's specialty hospital and whose Medicaid days plus charity care days divided by total adjusted patient days equals or exceeds 30 percent, and rural hospitals as defined in section 395.602, Florida Statutes, are excluded from this reduction.

From the funds in Specific Appropriation 193, $16,343,579 in nonrecurring general revenue funds, $35,398,617 in nonrecurring medical care trust funds, $9,571,853 in nonrecurring grants and donations trust funds, and $68,310 in nonrecurring refugee assistance trust funds are provided to partially restore the reduction in inpatient hospital reimbursement rates.

From the funds in Specific Appropriation 193, the calculations of the Medicaid Supplemental Hospital Funding Programs for Medicaid Low Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs for the 2012-2013 fiscal year are incorporated by reference in House Bill 5003. The calculations are the basis for the appropriations made in the General Appropriations Act.

Funds in Specific Appropriation 193, are contingent upon the state share being provided through grants and donations from state, county or other governmental funds. In the event the state share provided through grants and donations is not available to fund the removal of inpatient ceilings for hospitals, the Agency for Health Care Administration shall submit a revised hospital reimbursement plan to the Legislative Budget Commission for approval.

From the funds in Specific Appropriation 193, the Agency for Health Care Administration may establish a global fee for bone marrow transplants and the global fee payment shall be paid to approved bone marrow transplant providers that provide bone marrow transplants to Medicaid beneficiaries.

From the funds in Specific Appropriations 193 and 207, $2,808,024 from the Grants and Donations Trust Fund and $3,835,042 from the Medical Care Trust Fund are provided to make Medicaid payments for multi-visceral transplant and intestine transplants in Florida. The agency shall establish a reasonable global fee for these transplant procedures and the payments shall be used to pay approved multi-visceral transplant and intestine transplant facilities a global fee for providing transplant services to Medicaid beneficiaries. Payment of the global fee is contingent upon the nonfederal share being provided through grants and donations from state, county or other governmental funds. The agency is authorized to seek any federal waiver or state plan amendment necessary to implement this provision.

From the funds in Specific Appropriation 193, $132,552,622 from the Grants and Donations Trust Fund and $181,032,952 from the Medical Care Trust Fund are provided for public hospitals, including any leased public hospital determined to be covered under the state's sovereign immunity; teaching hospitals, as defined in s. 408.07 or s. 395.805, Florida Statutes, which have 70 or more full-time equivalent resident physicians; hospitals that have graduate medical education positions that do not otherwise qualify; and designated trauma hospitals to buy back the Medicaid inpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their inpatient rates up to actual Medicaid inpatient cost. The payments under this proviso are contingent on the state share being provided through grants and donations from state, county, or other governmental funds. This section of proviso does not include the buy back of the Medicaid inpatient trend adjustment applied to the individual state mental health hospitals.

From the funds in Specific Appropriation 193, $60,125,879 from the Grants and Donations Trust Fund and $82,116,560 from the Medical Care Trust Fund are provided for hospitals to buy back the Medicaid inpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their inpatient rates up to actual Medicaid inpatient cost. The payments under this proviso are contingent on the state share being provided through grants and donations from state, county, or other governmental funds. The agency shall not include the funds described in this paragraph for the buy back of reductions to inpatient hospital rates in the calculation of capitation rates for Health Maintenance Organizations unless the nonfederal share is provided through grants and donations from state, county or other governmental funds. This section of proviso does not include the buy back of the Medicaid inpatient trend adjustment applied to the individual state mental health hospitals.

From the funds in Specific Appropriation 193, $110,017,908 from the Grants and Donations Trust Fund and $150,256,300 from the Medical Care Trust Fund are provided for hospitals to allow for exemptions from inpatient reimbursement limitations for any hospital that has local funds available for intergovernmental transfers. The payments under this proviso are contingent upon the state share being provided through grants and donations from state, county, or other governmental funds. The agency shall not include the funds described in this paragraph for the buy back of exemptions to inpatient hospital rates in the calculation of capitation rates for Health Maintenance Organizations unless the nonfederal share is provided through grants and donations from state, county or other governmental funds.

From the funds in Specific Appropriation 193, $167,702 in nonrecurring general revenue funds and $229,037 in nonrecurring medical care trust funds are provided to buy back the Fiscal Year 2011-2012 inpatient Medicaid Trend Adjustment for Putnam Community Medical Center.

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From the funds in Specific Appropriations 193 and 198, the Agency for Health Care Administration shall implement a process to reconcile the difference between the amount of intergovernmental transfers used by or on behalf of individual hospitals' buy back of their Medicaid inpatient and outpatient trend adjustments or exemptions from reimbursement limitations for 2011-2012 state fiscal year and an estimate of the actual annualized benefit derived based on actual days and units of service provided. Reconciliations may be incorporated in Letters of Agreement for intergovernmental transfers for 2012-2013 state fiscal year.

Any hospital that was exempt from the inpatient reimbursement ceiling in the prior state fiscal year, due to their charity care and Medicaid days as a percentage to total adjusted hospital days equaling or exceeding 11 percent, but no longer meets the 11 percent threshold, because of updated audited DSH data, shall remain exempt from the inpatient reimbursement ceilings for a period of two years.

In calculating the current reductions, the Agency shall use budgeted Medicaid hospital days in calculating hospital reimbursement rates under the Title XIX Hospital Inpatient Reimbursement Plan.

From the funds in Specific Appropriation 193, $847,936 in nonrecurring funds from the General Revenue Fund and $1,158,064 in nonrecurring from the Medical Care Trust Fund are provided to allow for exemptions from inpatient reimbursement ceilings for any hospital that is classified as a sole community hospital under 42 C.F.R. section 412.92 but is not classified as a rural hospital under section 395.602, Florida Statutes. The Medicaid Supplemental Hospital Funding Programs for Medicaid, Low Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs for the 2012-2013 fiscal year shall not be affected by this proviso.

194 SPECIAL CATEGORIES
REGULAR DISPROPORTIONATE SHARE
FROM GENERAL REVENUE FUND 750,000
FROM GRANTS AND DONATIONS TRUST FUND 102,612,386
FROM MEDICAL CARE TRUST FUND 143,208,191

Funds in Specific Appropriation 194 shall be used for a Disproportionate Share Hospital Program as provided in sections 409.911, 409.9113, and 409.9119, Florida Statutes, and are contingent on the state share being provided through grants and donations from state, county, or other government entities.

From the funds in Specific Appropriation 194, the calculations of the Medicaid Supplemental Hospital Funding Programs for Medicaid Low Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs for the 2012-2013 fiscal year are incorporated by reference in House Bill 5003. The calculations are the basis for the appropriations made in the General Appropriations Act.

195 SPECIAL CATEGORIES
LOW INCOME POOL
FROM GENERAL REVENUE FUND 9,249,591
FROM GRANTS AND DONATIONS TRUST FUND 413,700,411
FROM MEDICAL CARE TRUST FUND 577,300,001

From the funds in Specific Appropriation 195, the calculations of the Medicaid Supplemental Hospital Funding Programs for Medicaid Low Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs for the 2012-2013 fiscal year are incorporated by reference in House Bill 5003. The calculations are the basis for the appropriations made in the General Appropriations Act.

From the funds in Specific Appropriation 195, the agency is authorized to transfer a hospital's low-income pool payments between the various low-income programs listed in this specific appropriation if it is required to obtain approval of the low-income pool payment methodology from the Centers for Medicare and Medicaid Services. Any transfer of funds, however, is contingent on the hospital's net low-income pool payments under the low-income pool plan remaining unchanged.

From the funds in Specific Appropriation 195, in the event that the amount of approved nonfederal share of matching funds is not provided by local governmental entities, the agency may re-allocate low-income pool funds between programs described within this specific appropriation as necessary to ensure sufficient nonfederal matching funds. No re-allocation, under this provision, of low-income pool funds may occur if the level of program increase for any provider access system exceeds the amount of the additional increases in the local nonfederal share match that their local governments transfer to the state Medicaid program, and for which the provider access system would have otherwise received.

From the funds in Specific Appropriation 195, the agency may make low-income pool Medicaid payments to hospitals in an accelerated manner that is more frequent than on a quarterly basis subject to the availability of state, local and federal funds.

Funds provided in Specific Appropriation 195, are contingent upon the nonfederal share being provided through grants and donations from state, county or other governmental funds. In the event the nonfederal share provided through grants and donations is not available to fund the Medicaid low-income payments for eligible Medicaid providers, known as provider access systems, the agency shall submit a revised low-income pool plan to the Legislative Budget Commission for approval. Distribution of such funds provided in Specific Appropriation 195 is contingent upon approval from the Centers for Medicare and Medicaid Services.

196 SPECIAL CATEGORIES
FREESTANDING DIALYSIS CENTERS
FROM GENERAL REVENUE FUND 8,072,839
FROM MEDICAL CARE TRUST FUND 11,025,429

Funds in Specific Appropriation 196 are for the inclusion of freestanding dialysis clinics in the Medicaid program. The agency shall limit payment to $100.00 per visit for each dialysis treatment. Freestanding dialysis facilities may obtain, administer and submit claims directly to the Medicaid program for End-Stage Renal Disease pharmaceuticals subject to coverage and limitations policy. All pharmaceutical claims for this purpose must include National Drug Codes (NDC) to permit the invoicing for federal and/or state supplemental rebates from manufacturers. Claims for drug products that do not include National Drug Code information are not payable by Florida Medicaid unless the drug product is exempt from federal rebate requirements.

From the funds in Specific Appropriation 196, the Agency for Health Care Administration shall work with dialysis providers, managed care organizations, and physicians to ensure that all Medicaid patients with End Stage Renal Disease (ESRD) are educated and assessed by their physician and dialysis provider to determine their suitability for peritoneal dialysis (PD) as a modality choice. Further, the agency shall consult with the dialysis community concerning suitable voluntary reporting to the state Medicaid program on members' PD suitability.

197 SPECIAL CATEGORIES
HOSPITAL INSURANCE BENEFITS
FROM GENERAL REVENUE FUND 67,624,696
FROM MEDICAL CARE TRUST FUND 92,358,024

198 SPECIAL CATEGORIES
HOSPITAL OUTPATIENT SERVICES
FROM GENERAL REVENUE FUND 185,121,017
FROM GRANTS AND DONATIONS TRUST FUND 166,544,712
FROM MEDICAL CARE TRUST FUND 623,699,937
FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND 105,000,000
FROM REFUGEE ASSISTANCE TRUST FUND . 1,574,766

Funds in Specific Appropriations 198 and 208 reflect a reduction of $19,629,652 from the General Revenue Fund, $26,977,339 from the Medical

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Care Trust Fund, and $107,913 from the Refugee Assistance Trust Fund as a result of limiting emergency room visits to 6 visits per fiscal year for a non-pregnant recipient 21 years of age or older, effective August 1, 2012.

From the funds in Specific Appropriation 198, the calculations of the Medicaid Supplemental Hospital Funding Programs for Medicaid Low Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs for the 2012-2013 fiscal year are incorporated by reference in House Bill 5003. The calculations are the basis for the appropriations made in the General Appropriations Act.

Funds in Specific Appropriation 198 reflect a reduction of $16,358,050 from the General Revenue Fund, $11,173,488 from the Grants and Donations Trust Fund, $37,660,899 from the Medical Care Trust Fund, and $96,046 from the Refugee Assistance Trust Fund as a result of implementing a reduction in outpatient hospital reimbursement rates. The agency shall implement a recurring methodology in the Title XIX Outpatient Hospital Reimbursement Plan to achieve this reduction. In establishing rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this reduction, but shall not be reduced below the unit cost used in establishing the budget. Hospitals that are licensed as a children's specialty hospital and whose Medicaid days plus charity care days divided by total adjusted patient days equals or exceeds 30 percent, and rural hospitals as defined in section 395.602, Florida Statutes, are excluded from this reduction.

From the funds in Specific Appropriation 198, $4,070,090 in nonrecurring general revenue funds, $9,345,050 in nonrecurring medical care trust funds, $2,771,025 in nonrecurring grants and donations trust funds, and $23,833 in nonrecurring refugee assistance trust funds are provided to partially restore the reduction in outpatient hospital reimbursement rates.

Funds provided for the elimination of hospital outpatient ceilings in Specific Appropriation 198 are contingent upon the state share being provided through grants and donations from state, county or other governmental funds. The agency shall submit a revised hospital outpatient reimbursement plan to the Legislative Budget Commission for approval if the state share is not available to fund the removal of hospital outpatient ceilings or if the Centers for Medicare and Medicaid Services does not approve amendments to the Medicaid Hospital Outpatient Reimbursement Plan to eliminate the reimbursement ceilings for certain hospitals.

From the funds in Specific Appropriation 198, $27,279,957 from the Grants and Donations Trust Fund and $37,257,438 from the Medical Care Trust Fund are appropriated so that the agency may amend its current facility fees and physician services to allow for payments to hospitals providing primary care to low-income individuals and participating in the Primary Care Disproportionate Share Hospital (DSH) program in Fiscal Year 2003-2004 provided such hospital implements an emergency room diversion program so that non-emergent patients are triaged to lesser acute settings; or a public hospital assumed the fiscal and operating responsibilities for one or more primary care centers previously operated by the Florida Department of Health or the local county government. Any payments made to qualifying hospitals because of this change shall be contingent on the state share being provided through grants and donations from counties, local governments, public entities, or taxing districts, and federal matching funds. This provision shall be contingent upon federal approval of a state plan amendment.

From the funds in Specific Appropriation 198, $7,182,339 from the Grants and Donations Trust Fund and $9,809,237 from the Medical Care Trust Fund program are provided to increase the outpatient cap for adults from $1,000 to $1,500 per year.

From the funds in Specific Appropriation 198, $31,341,960 from the Grants and Donations Trust Fund and $42,805,095 from the Medical Care

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Trust Fund are provided for public hospitals, including any leased public hospital found to have sovereign immunity, teaching hospitals as defined in section 408.07 (45) or 395.805, Florida Statutes, which have seventy or more full-time equivalent resident physicians, hospitals with graduate medical education positions that do not otherwise qualify, and designated trauma hospitals to buy back the Medicaid outpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their outpatient rates up to actual Medicaid outpatient cost. The payments under this proviso are contingent on the state share being provided through grants and donations from state, county or other governmental funds. This section of proviso does not include the buy back of the Medicaid outpatient trend adjustment applied to the individual state mental health hospitals.

From the funds in Specific Appropriation 198, $14,216,715 from the Grants and Donations Trust Fund and $19,416,394 from the Medical Care Trust Fund are provided for hospitals to buy back the Medicaid outpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their outpatient rates up to actual Medicaid outpatient cost. The payments under this proviso are contingent on the state share being provided through grants and donations from state, county, or other governmental funds. The agency shall not include the funds described in this paragraph for the buy back of reductions to outpatient hospital rates in the calculation of capitation rates for Health Maintenance Organizations unless the nonfederal share is provided through grants and donations from state, county or other governmental funds. This section of proviso does not include the buy back of the Medicaid outpatient trend adjustment applied to the individual state mental health hospitals.

From the funds in Specific Appropriation 198, $19,089,002 from the Grants and Donations Trust Fund and $26,070,690 from the Medical Care Trust Fund are provided for hospitals to allow for exemptions from outpatient reimbursement limitations for any hospital that has local funds available for intergovernmental transfers. The payments under this proviso are contingent upon the state share being provided through grants and donations from state, county, or other governmental funds. The agency shall not include the funds described in this paragraph for the buy back of exemptions to outpatient hospital rates in the calculation of capitation rates for Health Maintenance Organizations unless the nonfederal share is provided through grants and donations

from state, county or other governmental funds. This section of proviso does not include the buy back of the Medicaid inpatient trend adjustment applied to the individual state mental health hospitals.

From the funds in Specific Appropriation 198, $121,482 in nonrecurring general revenue funds and $165,914 in nonrecurring medical care trust funds are provided to buy back the Fiscal Year 2011-2012 outpatient Medicaid Trend Adjustment for Putnam Community Medical Center.

From the funds in Specific Appropriation 198, $589,244 in nonrecurring general revenue funds and $804,756 in nonrecurring medical care trust funds are provided to allow for exemptions from outpatient reimbursement ceilings for any hospital that is classified as a sole community hospital under 42 C.F.R. section 412.92 but is not classified as a rural hospital under section 395.602, Florida Statutes. The Medicaid Supplemental Hospital Funding Programs for Medicaid, Low Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs for the 2012-2013 fiscal year shall not be affected by this proviso.

199 SPECIAL CATEGORIES
RESPIRATORY THERAPY SERVICES
FROM GENERAL REVENUE FUND 8,519,392
FROM MEDICAL CARE TRUST FUND 11,638,934

200 SPECIAL CATEGORIES
NURSE PRACTITIONER SERVICES
FROM GENERAL REVENUE FUND 3,044,620
FROM MEDICAL CARE TRUST FUND 4,158,180

Funds in Specific Appropriations 200, 204, 207, and 208 reflect a reduction of $1,266,530 from the General Revenue Fund, $1,989,512 from

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the Medical Care Trust Fund, and $10,565 from the Refugee Assistance Trust Fund as a result of limiting general physician visits to two visits per month for non-pregnant adults, effective August 1, 2012.

201 SPECIAL CATEGORIES
BIRTHING CENTER SERVICES

FROM GENERAL REVENUE FUND	670,472	
FROM MEDICAL CARE TRUST FUND		915,694

202 SPECIAL CATEGORIES
OTHER LAB AND X-RAY SERVICES

FROM GENERAL REVENUE FUND	45,356,292	
FROM MEDICAL CARE TRUST FUND		61,947,618
FROM REFUGEE ASSISTANCE TRUST FUND .		605,890

From the funds in Specific Appropriation 202, the agency shall continue a program to assess HIV drug resistance for cost-effective management of anti-retroviral drug therapy.

203 SPECIAL CATEGORIES
PATIENT TRANSPORTATION

FROM GENERAL REVENUE FUND	60,529,149	
FROM MEDICAL CARE TRUST FUND		82,667,326
FROM REFUGEE ASSISTANCE TRUST FUND .		30,155

204 SPECIAL CATEGORIES
PHYSICIAN ASSISTANT SERVICES

FROM GENERAL REVENUE FUND	4,803,924	
FROM MEDICAL CARE TRUST FUND		6,561,883
FROM REFUGEE ASSISTANCE TRUST FUND .		16,463

205 SPECIAL CATEGORIES
PERSONAL CARE SERVICES

FROM GENERAL REVENUE FUND	16,492,298	
FROM MEDICAL CARE TRUST FUND		22,535,243

From the funds in Specific Appropriation 205, the Agency for Health Care Administration shall direct a beneficiary who is medically able to attend a prescribed pediatric extended care facility and whose needs can be met by such center, to a prescribed pediatric extended care facility for patient care within a reasonable distance from the pick-up or drop-off location for the child. Prescribed pediatric extended care facility services must be approved by the Medicaid program or its designee. Private duty nursing may be provided as a wrap around alternative for an individual needing additional services when a prescribed pediatric extended care facility is not available.

206 SPECIAL CATEGORIES
PHYSICAL REHABILITATION THERAPY

FROM GENERAL REVENUE FUND	3,750,728	
FROM MEDICAL CARE TRUST FUND		5,122,536

207 SPECIAL CATEGORIES
PHYSICIAN SERVICES

FROM GENERAL REVENUE FUND	343,146,918	
FROM HEALTH CARE TRUST FUND		19,200,000
FROM TOBACCO SETTLEMENT TRUST FUND .		58,738,330
FROM GRANTS AND DONATIONS TRUST FUND		271,824
FROM MEDICAL CARE TRUST FUND		778,511,458
FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND		60,800,000
FROM REFUGEE ASSISTANCE TRUST FUND .		2,801,265

From the funds in Specific Appropriation 207, the agency is authorized to continue the physician lock-in program for recipients who participate in the pharmacy lock-in program.

From the funds in Specific Appropriation 207, $676,320 from the General Revenue Fund and $923,680 from the Medical Care Trust Fund are provided to make Medicaid payments for vagus nerve stimulation devices, outside of the hospital inpatient per diem, for beneficiaries diagnosed with epilepsy, effective July 1, 2012. The cost of the device would thereafter be excluded from allowable costs in the hospital cost report.

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From the funds in Specific Appropriation 207, $120,000,000 from the Medical Care Trust Fund is provided for special Medicaid payments for services provided by doctors of medicine and osteopathy employed by or under contract with a medical school in Florida. The expansion of existing programs to increase federal reimbursements through Upper Payment Limit (UPL) provisions, shall be contingent upon the availability of state match from existing state funds or local sources that do not increase the current requirement for state general revenue or tobacco settlement funds. The agency is authorized to seek a Florida Title XIX State Plan Amendment or waiver to include additional medical schools in Florida.

From the funds in Specific Appropriation 207, the Agency for Health Care Administration shall seek federal approval to implement a supplemental payment program for medical school faculty who provide services to Medicaid beneficiaries enrolled in capitated managed care plans so that such payments may be made directly to physicians employed by or under contract with the state's medical schools for costs associated with graduate medical education or their teaching mission. The agency shall amend its Medicaid policies as necessary to implement this program. Nothing herein shall be construed as requiring capitated managed care plans to fund the state share of the supplemental payments.

208 SPECIAL CATEGORIES
PREPAID HEALTH PLANS

FROM GENERAL REVENUE FUND	1,027,226,779	
FROM HEALTH CARE TRUST FUND		490,600,000
FROM MEDICAL CARE TRUST FUND		2,073,296,829
FROM REFUGEE ASSISTANCE TRUST FUND .		14,311,953

Funds in Specific Appropriation 208 include reductions of $38,942,471 from the General Revenue Fund, $52,711,201 from the Medical Care Trust Fund, and $363,851 from the Refugee Assistance Trust Fund to Health Maintenance Organization and Provider Service Network capitation payments as a result of reducing the reimbursement of inpatient and outpatient hospital rates, effective September 1, 2012.

From the funds in Specific Appropriation 208, $9,586,331 in nonrecurring general revenue funds, $13,086,811 in nonrecurring medical care trust funds, and $90,209 in nonrecurring refugee assistance trust funds is provided to partially restore the reduction to Health Maintenance Organization and Provider Service Network capitation payments as a result of reducing the reimbursement of inpatient and outpatient hospital rates, effective September 1, 2012.

From the funds in Specific Appropriation 208, and pursuant to section 409.912(14), Florida Statutes, as amended by House Bill 5003, the Agency for Health Care Administration is authorized to provide a Medicaid Prepaid Dental Health Program in Miami-Dade County. For all other counties, the agency may not limit dental services to pre-paid plans and must allow qualified dental providers to provide dental services under Medicaid on a fee-for-service reimbursement methodology. The agency is authorized to seek any necessary revisions or amendments to the state plan or federal waivers to implement this policy.

209 SPECIAL CATEGORIES
PRESCRIBED MEDICINE/DRUGS

FROM GENERAL REVENUE FUND	379,937,139	
FROM HEALTH CARE TRUST FUND		1,500,000
FROM GRANTS AND DONATIONS TRUST FUND		730,555,925
FROM MEDICAL CARE TRUST FUND		361,305,736
FROM REFUGEE ASSISTANCE TRUST FUND .		2,476,841

From the funds in Specific Appropriation 209, the agency shall establish a pilot program that will contract with a specialty pharmacy, based in Florida, to manage the procurement and distribution of pharmaceutical products for Medipass and fee-for-service Medicaid patients diagnosed with central precocious puberty (CPP) by September 30, 2012. The pharmacy must have experience in providing specialty products and pharmaceuticals for such rare adolescent diseases. The pilot program may use standards of care developed by the Pediatric Endocrine Society to ensure its formulary is comprehensive and cost-effective. The pilot program must allow at least two products per

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therapeutic class. Physicians and nurses licensed in Florida will not be responsible for procuring such products unless agreed to by the agency and the contracted pharmacy. The agency will report its findings from the pilot program to the President of the Senate and the Speaker of the House of Representatives by February 1, 2013, and shall include input from diagnosing and treating physicians involved in the pilot program.

210 SPECIAL CATEGORIES
MEDICARE PART D PAYMENT
FROM GENERAL REVENUE FUND 491,317,257

211 SPECIAL CATEGORIES
PRIVATE DUTY NURSING SERVICES
FROM GENERAL REVENUE FUND 72,563,289
FROM MEDICAL CARE TRUST FUND 99,102,880

212 SPECIAL CATEGORIES
RURAL HEALTH SERVICES
FROM GENERAL REVENUE FUND 53,071,723
FROM MEDICAL CARE TRUST FUND 72,487,793
FROM REFUGEE ASSISTANCE TRUST FUND . 118,091

From the funds in Specific Appropriation 212, Federally Qualified Health Centers will be reimbursed an encounter rate per visit up to a maximum of one each, medical, dental, and behavioral health per day. Centers that provide dental and behavioral health services in addition to primary health care, shall make all reasonable efforts to accommodate the medical needs of their clients within one day.

213 SPECIAL CATEGORIES
SPEECH THERAPY SERVICES
FROM GENERAL REVENUE FUND 22,911,934
FROM MEDICAL CARE TRUST FUND 31,293,749
FROM REFUGEE ASSISTANCE TRUST FUND . 2,444

214 SPECIAL CATEGORIES
MEDIPASS SERVICES
FROM GENERAL REVENUE FUND 9,425,885
FROM MEDICAL CARE TRUST FUND 12,875,069
FROM REFUGEE ASSISTANCE TRUST FUND . 50,464

215 SPECIAL CATEGORIES
SUPPLEMENTAL MEDICAL INSURANCE
FROM GENERAL REVENUE FUND 543,095,225
FROM MEDICAL CARE TRUST FUND 728,897,645

216 SPECIAL CATEGORIES
OCCUPATIONAL THERAPY SERVICES
FROM GENERAL REVENUE FUND 14,629,011
FROM MEDICAL CARE TRUST FUND 19,980,408

217 SPECIAL CATEGORIES
CLINIC SERVICES
FROM GENERAL REVENUE FUND 43,301,674
FROM GRANTS AND DONATIONS TRUST
FUND 11,664,925
FROM MEDICAL CARE TRUST FUND 75,070,306
FROM REFUGEE ASSISTANCE TRUST FUND . 693,889

From the funds in Specific Appropriation 217, $11,664,925 from the Grants and Donations Trust Fund and $15,931,302 from the Medical Care Trust Fund are provided to buy back clinic services rate adjustments, effective on or after July 1, 2008, and are contingent on the nonfederal share being provided through grants and donations from state, county or other governmental funds. Authority is granted to buy back rate reductions up to, but not higher than the amounts available under the authority appropriated in this line. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

218 SPECIAL CATEGORIES
MEDICAID SCHOOL REFINANCING

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FROM MEDICAL CARE TRUST FUND 97,569,420

From the funds in Specific Appropriation 218, the Agency for Health Care Administration is authorized to seek a Medicaid state plan amendment to allow a Medicaid cost settlement program to maximize federal Medicaid funds through Medicaid claiming for school districts.

TOTAL: MEDICAID SERVICES TO INDIVIDUALS
FROM GENERAL REVENUE FUND 4,376,852,446
FROM TRUST FUNDS 12,075,384,919

TOTAL ALL FUNDS 16,452,237,365

MEDICAID LONG TERM CARE

219 SPECIAL CATEGORIES
ASSISTIVE CARE SERVICES
FROM MEDICAL CARE TRUST FUND 26,179,861

Funds in Specific Appropriation 219 are provided to implement Medicaid coverage for Assistive Care Services and are contingent on the availability of state match being provided in Specific Appropriation 388.

220 SPECIAL CATEGORIES
HOME AND COMMUNITY BASED SERVICES
FROM GENERAL REVENUE FUND 9,696,434
FROM MEDICAL CARE TRUST FUND 1,072,639,449

Funds in Specific Appropriations 220 and 228 for the Developmental Services Waiver, the Aged and Disabled Waiver, the Project AIDS Care Waiver, and the Nursing Home Diversion Waiver may be used for reimbursement for services provided through agencies licensed pursuant to section 400.506, Florida Statutes.

From the funds in Specific Appropriation 220, the Agency for Health Care Administration, in cooperation with the Department of Children and Family Services (DCF), is authorized to seek federal approval to amend the Assisted Living for the Elderly (ALE) Waiver to allow for enrollment of those between the ages of 18 and 59 in addition to the currently eligible enrollees. The Department of Children and Family Services is authorized to use funds in Specific Appropriation 325 to serve adults with disabilities ages 18 to 59 under the Assisted Living for the Elderly (ALE) Waiver.

221 SPECIAL CATEGORIES
ASSISTED LIVING FACILITY WAIVER
FROM MEDICAL CARE TRUST FUND 37,257,303

222 SPECIAL CATEGORIES
INTERMEDIATE CARE FACILITIES/MENTALLY
RETARDED - SUNLAND CENTER
FROM MEDICAL CARE TRUST FUND 90,647,711

From the funds in Specific Appropriations 222 and 223, the Agency for Health Care Administration, in consultation with the Agency for Persons with Disabilities, is authorized to transfer funds, in accordance with the provisions of chapter 216, Florida Statutes, to Specific Appropriation 251 for the Developmental Disabilities Home and Community based waiver, Tier 1 through 3; Family Supported Living Waiver (Tier 4); and the Developmental Disabilities Individual Budget Waiver. Priority for the use of these funds will be given to the planning and services areas with the greatest potential for transition success.

223 SPECIAL CATEGORIES
INTERMEDIATE CARE FACILITIES/
DEVELOPMENTALLY DISABLED COMMUNITY
FROM GENERAL REVENUE FUND 93,070,381
FROM GRANTS AND DONATIONS TRUST
FUND 14,192,659
FROM MEDICAL CARE TRUST FUND 146,493,858

From the funds in Specific Appropriation 223, $14,192,659 from the Grants and Donations Trust Fund and $19,383,539 from the Medical Care

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Trust Fund are provided to buy back intermediate care facilities for the developmentally disabled rate reductions, effective on or after October 1, 2008 and are contingent on the nonfederal share being provided through intermediate care facilities for the developmentally disabled quality assessments. Authority is granted to buy back rate reductions up to, but not higher than, the amounts available under the budgeted authority in this line. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

The recurring methodology to be utilized by the agency to establish rates taking into consideration the cuts imposed on or after October 1, 2008, shall be to compare the average unit appropriation with actual average unit cost as follows: 1) the average unit appropriation shall be determined by dividing the total appropriation in Specific Appropriation 223 by the total bed days for the past fiscal year; 2) the total actual cost as generated based on the October 1 and April 1 rate settings shall be divided by the total bed days for the past fiscal year to determine the actual unit cost; 3) no negative adjustment to the rates paid to providers shall occur so long as the actual unit cost is equal to or less than the average unit appropriation; 4) and in the event the actual unit cost is greater than the average unit appropriation a prorated reduction shall be imposed on all rates after all Quality Assessment Fee funds have been exhausted to cover the rate reductions.

224 SPECIAL CATEGORIES
NURSING HOME CARE
FROM GENERAL REVENUE FUND 485,569,881
FROM HEALTH CARE TRUST FUND 270,000,000
FROM GRANTS AND DONATIONS TRUST FUND 401,879,880
FROM MEDICAL CARE TRUST FUND 1,612,795,884

From the funds in Specific Appropriation 224, $4,650,621 from the Grants and Donations Trust Fund and $6,351,558 from the Medical Care Trust Fund are provided for the purpose of maximizing federal revenues through the continuation of the Special Medicaid Payment Program for governmentally funded nursing homes. Any requests pursuant to chapter 216, Florida Statutes, by the Agency for Health Care Administration to increase budget authority to expand existing programs using increased federal reimbursement through these provisions, shall be contingent upon the availability of state match from existing state funds or local sources that do not increase the current requirement for state general revenue. The agency is authorized to seek federal Medicaid waivers as necessary to implement this provision.

Funds in Specific Appropriation 224 reflect a reduction of $14,862,379 from the General Revenue Fund and $20,298,205 from the Medical Care Trust Fund as a result of modifying the reimbursement for nursing home rates. The agency shall implement a recurring methodology in the Title XIX Nursing Home Reimbursement Plan to reduce nursing home rates to achieve this reduction. In establishing rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this reduction, but shall not be reduced below the unit cost used in establishing the budget.

From the funds in Specific Appropriation 224, the Agency for Health Care Administration, in consultation with the Department of Elder Affairs, the Department of Health, and the Department of Children and Families, is authorized to transfer funds, in accordance with the provisions of chapter 216, Florida Statutes, to Specific Appropriation 325 Home and Community Based Services Waiver, Specific Appropriation 410 Home and Community Based Services Waiver, Specific Appropriation 411 Assisted Living Facility Waiver, Specific Appropriation 417 Capitated Nursing Home Diversion Waiver, and Specific Appropriation 582 Brain and Spinal Cord Home and Community Based Services Waiver to transition the greatest number of appropriate eligible beneficiaries from skilled nursing facilities to community-based alternatives in order to maximize the reduction in Medicaid nursing home occupancy. Priority for the use

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of these funds will be given to the planning and service areas with the greatest potential for transition success.

From the funds in Specific Appropriation 224, $395,447,659 from the Grants and Donations Trust Fund and $540,080,278 from the Medical Care Trust Fund are provided to buy back nursing facility rate reductions, effective on or after January 1, 2008, and are contingent on the non federal share being provided through nursing home quality assessments. Authority is granted to buy back rate reductions up to, but not higher than the amounts available under the budgeted authority in this line. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

From the funds in Specific Appropriation 224, the Agency for Health Care Administration, in coordination with the Department of Children and Families and the Office of Insurance Regulation, shall establish a technical advisory workgroup by August 1, 2012, to examine methods to allow an insured under a life insurance policy or the contract holder of an annuity, to convert the policy or annuity to a long term care benefit. The workgroup shall also examine the feasibility and benefits of mandating life insurance companies to include an offer of accelerated death benefits as a means to fund long term care institutional services in their standard policies. The advisory workgroup must include, but is not limited to, representatives from nursing home providers, life insurance companies, and life insurance agents. Members of the workgroup shall serve without compensation. The agency shall submit a report of findings and activities of the workgroup, including recommendations and proposed legislation, no later than January 15, 2013.

225 SPECIAL CATEGORIES
STATE MENTAL HEALTH HOSPITAL PROGRAM
FROM MEDICAL CARE TRUST FUND 11,147,258

226 SPECIAL CATEGORIES
MENTAL HEALTH HOSPITAL DISPROPORTIONATE SHARE
FROM MEDICAL CARE TRUST FUND 69,602,260

227 SPECIAL CATEGORIES
T.B. HOSPITAL DISPROPORTIONATE SHARE
FROM MEDICAL CARE TRUST FUND 2,444,444

228 SPECIAL CATEGORIES
CAPITATED NURSING HOME DIVERSION WAIVER
FROM MEDICAL CARE TRUST FUND 359,036,110

229 SPECIAL CATEGORIES
PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY (PACE)
FROM MEDICAL CARE TRUST FUND 26,578,951

TOTAL: MEDICAID LONG TERM CARE
FROM GENERAL REVENUE FUND 588,336,696
FROM TRUST FUNDS 4,140,895,628

TOTAL ALL FUNDS 4,729,232,324

PROGRAM: HEALTH CARE REGULATION

HEALTH CARE REGULATION

APPROVED SALARY RATE 28,391,240

230 SALARIES AND BENEFITS POSITIONS 659.00
FROM GENERAL REVENUE FUND 107,303
FROM HEALTH CARE TRUST FUND 37,102,333

231 OTHER PERSONAL SERVICES
FROM HEALTH CARE TRUST FUND 564,144

232 EXPENSES
FROM GENERAL REVENUE FUND 22,440

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FROM HEALTH CARE TRUST FUND 8,038,817

233 OPERATING CAPITAL OUTLAY
FROM HEALTH CARE TRUST FUND 87,054

234 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM HEALTH CARE TRUST FUND 324,316

235 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HEALTH CARE TRUST FUND 6,411,469
FROM QUALITY OF LONG-TERM CARE FACILITY IMPROVEMENT TRUST FUND . . 1,000,000

236 SPECIAL CATEGORIES
EMERGENCY ALTERNATIVE PLACEMENT
FROM HEALTH CARE TRUST FUND 806,629

237 SPECIAL CATEGORIES
MEDICAID SURVEILLANCE
FROM HEALTH CARE TRUST FUND 111,820

238 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HEALTH CARE TRUST FUND 818,529

239 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM HEALTH CARE TRUST FUND 140,269

240 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 783
FROM HEALTH CARE TRUST FUND 233,207

241 SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM HEALTH CARE TRUST FUND 1,217,889

242 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM HEALTH CARE TRUST FUND 247,445,972

From the funds in Specific Appropriation 242, $234,977,140 in nonrecurring administrative trust funds are provided for incentive payments to eligible Medicaid providers and hospitals for the adoption and meaningful use of certified electronic health records technology. Of these funds, $176,232,855 shall be held in reserve. The agency is directed to submit a budget amendment in accordance with the provisions of chapter 216, Florida Statutes, requesting quarterly release of these funds based upon quarterly releases from the Centers for Medicare and Medicaid Services.

TOTAL: HEALTH CARE REGULATION
FROM GENERAL REVENUE FUND 130,526
FROM TRUST FUNDS 304,302,448

TOTAL POSITIONS 659.00
TOTAL ALL FUNDS 304,432,974

TOTAL: AGENCY FOR HEALTH CARE ADMINISTRATION
FROM GENERAL REVENUE FUND 5,076,278,216
FROM TRUST FUNDS 17,211,536,646

TOTAL POSITIONS 1,655.00
TOTAL ALL FUNDS 22,287,814,862
TOTAL APPROVED SALARY RATE 71,890,757

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AGENCY FOR PERSONS WITH DISABILITIES

PROGRAM: SERVICES TO PERSONS WITH DISABILITIES

HOME AND COMMUNITY SERVICES

APPROVED SALARY RATE 9,715,998

243 SALARIES AND BENEFITS POSITIONS 280.50
FROM GENERAL REVENUE FUND 6,941,642
FROM OPERATIONS AND MAINTENANCE TRUST FUND 5,477,104
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 150,829

244 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,748,739
FROM OPERATIONS AND MAINTENANCE TRUST FUND 1,771,141
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 422,396

245 EXPENSES
FROM GENERAL REVENUE FUND 907,982
FROM OPERATIONS AND MAINTENANCE TRUST FUND 1,113,286
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 193,061

246 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 9,060
FROM OPERATIONS AND MAINTENANCE TRUST FUND 26,334

247 SPECIAL CATEGORIES
GRANT AND AID INDIVIDUAL AND FAMILY SUPPORTS
FROM GENERAL REVENUE FUND 2,580,000
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 13,856,771

Funds in Specific Appropriation 247 expended for developmental training programs shall require a 12.5 percent match from local sources. In-kind match is acceptable provided there are no reductions in the number of persons served or level of services provided.

248 SPECIAL CATEGORIES
ROOM AND BOARD PAYMENTS FOR DEVELOPMENTALLY DISABLED
FROM GENERAL REVENUE FUND 3,490,328

249 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 84,698
FROM OPERATIONS AND MAINTENANCE TRUST FUND 22,515
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 32,018

250 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 6,394,944

From the funds in Specific Appropriation 250, $500,000 in recurring funds from the General Revenue Fund is provided for the Special Olympics Healthy Athletes program.

From the funds in Specific Appropriation 250, the following are funded using nonrecurring funds from the General Revenue Fund:

Loveland Center, Inc. in Sarasota County..... 1,000,000
Quest Kids..... 650,000
ARC of Martin County..... 35,000
ARC of Florida..... 2,000,000

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Brevard Achievement Center		1,000,000
Dan Marino Project		500,000
Scott Center for Autism at the Florida Institute of Technology		121,668
251 SPECIAL CATEGORIES		
HOME AND COMMUNITY BASED SERVICES WAIVER		
FROM GENERAL REVENUE FUND	343,208,923	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		468,735,534

Funds from Specific Appropriation 251 shall not be used for administrative costs.

Funds in Specific Appropriation 251 for developmental training programs shall require a 12.5 percent match from local sources. In-kind match is acceptable provided there are no reductions in the number of persons served or level of services provided.

From the funds in Specific Appropriation 251, the Agency for Persons with Disabilities shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives monthly surplus-deficit reports projecting the total Medicaid Waiver program expenditures for the fiscal year along with any corrective action plans necessary to align program expenditures with annual appropriations in accordance with sections 393.0661 (7) and (8), Florida Statutes.

From the funds in Specific Appropriation 251, the Agency for Persons with Disabilities, in consultation with the Agency for Health Care Administration, is authorized to develop a plan to implement a transition program to transfer the greatest number of appropriated eligible beneficiaries from ICF/DD facilities to community based alternatives. Priority for the use of these funds will be given to the planning and services areas with the greatest potential for transition.

252 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	227,831	
253 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	62,001	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		43,809
254 QUALIFIED EXPENDITURE CATEGORY		
HOME AND COMMUNITY BASED SERVICES WAIVER RESTRUCTURING		
FROM GENERAL REVENUE FUND	27,524,911	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		37,591,983

From the funds in Specific Appropriation 254, the recurring sum of $27,524,911 from the General Revenue Fund and $37,591,983 from the Operations and Maintenance Trust Fund is provided for the Home and Community Based Services Waiver. Prior to the release of these funds, the agency must submit a distribution plan for approval by the Legislative Budget Commission, pursuant to the provisions of chapter 216, Florida Statutes. The distribution plan must document the need for the amount of funds requested.

TOTAL: HOME AND COMMUNITY SERVICES		
FROM GENERAL REVENUE FUND	393,181,059	
FROM TRUST FUNDS		529,436,781
TOTAL POSITIONS	280.50	
TOTAL ALL FUNDS		922,617,840

PROGRAM MANAGEMENT AND COMPLIANCE

APPROVED SALARY RATE 15,527,926

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256 SALARIES AND BENEFITS POSITIONS 322.00		
FROM GENERAL REVENUE FUND	10,816,362	
FROM ADMINISTRATIVE TRUST FUND		179,066
FROM FEDERAL GRANTS TRUST FUND		62,876
FROM OPERATIONS AND MAINTENANCE TRUST FUND		8,495,794
257 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	137,931	
FROM FEDERAL GRANTS TRUST FUND		447,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND		89,924
258 EXPENSES		
FROM GENERAL REVENUE FUND	1,314,145	
FROM ADMINISTRATIVE TRUST FUND		284
FROM FEDERAL GRANTS TRUST FUND		130,181
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,702,628
259 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	23,974	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		3,800
260 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	79,594	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		2,218
261 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	238,939	
FROM ADMINISTRATIVE TRUST FUND		812
FROM OPERATIONS AND MAINTENANCE TRUST FUND		141,824
262 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	899,797	
FROM FEDERAL GRANTS TRUST FUND		429,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND		684,492
263 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES		
FROM GENERAL REVENUE FUND	3,874	
264 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	373,224	
265 SPECIAL CATEGORIES		
HOME AND COMMUNITY SERVICES ADMINISTRATION		
FROM GENERAL REVENUE FUND	2,608,143	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		4,009,109
266 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	72,276	
FROM ADMINISTRATIVE TRUST FUND		1,408
FROM OPERATIONS AND MAINTENANCE TRUST FUND		61,033
267 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		
FROM GENERAL REVENUE FUND	302,438	

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268 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 118,233

269 DATA PROCESSING SERVICES
NORTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 79,022
FROM ADMINISTRATIVE TRUST FUND . . . 78,504
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 21,129

269A DATA PROCESSING SERVICES
NORTHWEST REGIONAL DATA CENTER (NWRDC)
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 88,324

The funds provided in Specific Appropriation 269A, shall not be utilized for any costs related to the potential expansion of the floor space operated and managed by the Northwest Regional Data Center.

TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE
FROM GENERAL REVENUE FUND 16,949,719
FROM TRUST FUNDS 16,747,639

TOTAL POSITIONS 322.00
TOTAL ALL FUNDS 33,697,358

DEVELOPMENTAL DISABILITIES PUBLIC FACILITIES

APPROVED SALARY RATE 73,653,980

271 SALARIES AND BENEFITS POSITIONS 2,305.50
FROM GENERAL REVENUE FUND 49,169,650
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 42,905,116

272 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 885,756
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 947,450

273 EXPENSES
FROM GENERAL REVENUE FUND 3,171,111
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 3,111,717

274 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 166,241
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 94,779

275 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 1,121,302
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 1,242,546

276 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,093,594
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 857,584

277 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES
FROM GENERAL REVENUE FUND 2,002,634
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 3,013,776

278 SPECIAL CATEGORIES
PRESCRIBED MEDICINE/DRUGS
FROM GENERAL REVENUE FUND 1,145,923

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279 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 3,219,777
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 2,159,805

280 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 18,751

281 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 497,472
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 462,467

282 FIXED CAPITAL OUTLAY
AGENCY FOR PERSONS WITH DISABILITIES FIXED CAPITAL OUTLAY NEEDS FOR CENTRALLY MANAGED FACILITIES
FROM GENERAL REVENUE FUND 500,000

From the funds in Specific Appropriation 282, $500,000 from nonrecurring general revenue funds is provided for William J. (Billy Joe) Rish Recreational Park.

TOTAL: DEVELOPMENTAL DISABILITIES PUBLIC FACILITIES
FROM GENERAL REVENUE FUND 62,992,211
FROM TRUST FUNDS 54,795,240

TOTAL POSITIONS 2,305.50
TOTAL ALL FUNDS 117,787,451

TOTAL: AGENCY FOR PERSONS WITH DISABILITIES
FROM GENERAL REVENUE FUND 473,122,989
FROM TRUST FUNDS 600,979,660

TOTAL POSITIONS 2,908.00
TOTAL ALL FUNDS 1,074,102,649
TOTAL APPROVED SALARY RATE 98,897,904

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

ADMINISTRATION

PROGRAM: EXECUTIVE LEADERSHIP

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 32,128,326

283 SALARIES AND BENEFITS POSITIONS 630.50
FROM GENERAL REVENUE FUND 18,024,311
FROM ADMINISTRATIVE TRUST FUND . . . 21,050,156
FROM FEDERAL GRANTS TRUST FUND . . . 1,132,308
FROM WELFARE TRANSITION TRUST FUND . 382,775
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 262,386
FROM SOCIAL SERVICES BLOCK GRANT
TRUST FUND 17,291

284 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 355,408
FROM ADMINISTRATIVE TRUST FUND . . . 50,784
FROM FEDERAL GRANTS TRUST FUND . . . 28,261
FROM WELFARE TRANSITION TRUST FUND . 154

285 EXPENSES
FROM GENERAL REVENUE FUND 4,467,905
FROM ADMINISTRATIVE TRUST FUND . . . 860,814
FROM FEDERAL GRANTS TRUST FUND . . . 206,541
FROM WELFARE TRANSITION TRUST FUND . 56,423

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FROM OPERATIONS AND MAINTENANCE TRUST FUND		110,942
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		3,726
286 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	27,616	
FROM ADMINISTRATIVE TRUST FUND . . .		106,950
287 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM ADMINISTRATIVE TRUST FUND . . .		20,000
288 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	261,602	
289 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	548,670	
FROM ADMINISTRATIVE TRUST FUND . . .		311,178
FROM FEDERAL GRANTS TRUST FUND . . .		10,323
FROM WELFARE TRANSITION TRUST FUND .		3,341
FROM OPERATIONS AND MAINTENANCE TRUST FUND		535,040
290 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	851,819	
FROM ADMINISTRATIVE TRUST FUND . . .		126,277
291 SPECIAL CATEGORIES		
STATE INSTITUTIONAL CLAIMS		
FROM GENERAL REVENUE FUND	40,498	
292 SPECIAL CATEGORIES		
DEFERRED-PAYMENT COMMODITY CONTRACTS		
FROM GENERAL REVENUE FUND	6,520	
FROM ADMINISTRATIVE TRUST FUND . . .		2,272
293 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	157,010	
FROM ADMINISTRATIVE TRUST FUND . . .		54,877
FROM FEDERAL GRANTS TRUST FUND . . .		4,252
FROM WELFARE TRANSITION TRUST FUND .		309
FROM OPERATIONS AND MAINTENANCE TRUST FUND		405
294 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	3,724,631	
FROM FEDERAL GRANTS TRUST FUND . . .		668,899
295 QUALIFIED EXPENDITURE CATEGORY		
FLORIDA'S PUBLIC ASSISTANCE ELIGIBILITY SYSTEM		
FROM FEDERAL GRANTS TRUST FUND . . .		30,293,595
FROM OPERATIONS AND MAINTENANCE TRUST FUND		3,365,955

From the funds in Specific Appropriation 295, $3,365,955 from nonrecurring operation and maintenance trust funds and $30,293,595 from nonrecurring the Federal Grants Trust Funds are contingent upon HB 5301 or similar legislation relating to the development and implementation of an eligibility determination system for Medicaid and the Children's Health Insurance Program (CHIP), becoming law. The Department of Children and Family Services shall submit budget amendments requesting quarterly release of these funds based on the recommendation approved by the Legislative Budget Commission in Specific Appropriation 174, pursuant to Chapter 216, Florida Statutes. Requests for release of funds

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shall include detailed operational work and spending plans.

296 QUALIFIED EXPENDITURE CATEGORY		
CHILD DEPENDENCY SYSTEM REDESIGN		
FROM FEDERAL GRANTS TRUST FUND . . .		2,540,000
FROM WELFARE TRANSITION TRUST FUND .		6,000,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,960,000
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,950,000

From the funds in Specific Appropriation 296, $2,540,000 nonrecurring from the Federal Grants Trust Funds and $1,960,000 nonrecurring from the Operations and Maintenance Trust Funds shall be used by the Department of Children and Family Services to fund programming changes to the Florida Safe Families Network (FSFN) system. The programming changes include the requirements identified in the January 2011 compliance assessment completed by the U.S. Department of Health & Human Services Administration for Children and Families as not currently being in the FSFN system and needed in order to comply with all federal Statewide Automated Child Welfare Information systems (SACWIS) requirements. The department is authorized to submit budget amendments requesting quarterly release of based on the recommendation approved by the Legislative Budget Commission pursuant to Chapter 216, Florida Statutes. Request for release of funds shall include detailed operational work plan and spending plan.

From the funds in Specific Appropriation 296, the nonrecurring sum of $1,950,000 from Social Services Block Grant Trust Fund and $6,000,000 from Welfare Transition Trust Fund shall be used by the department to fund enhancements to the Florida Safe Families Network (FSFN). The department is authorized to submit budget amendments requesting quarterly release of funds based on the recommendation approved by the Legislative Budget Commission pursuant to the provisions of Chapter 216, Florida Statutes. Requests for release of funds shall include detailed operational work and spending plans.

298 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		
FROM GENERAL REVENUE FUND	14,656,169	
FROM ADMINISTRATIVE TRUST FUND . . .		6,533,019
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		19,176
FROM FEDERAL GRANTS TRUST FUND . . .		8,363,143
FROM WELFARE TRANSITION TRUST FUND .		324,416
FROM OPERATIONS AND MAINTENANCE TRUST FUND		120,251
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		171,100
299 DATA PROCESSING SERVICES		
SOUTHWOOD SHARED RESOURCE CENTER		
FROM GENERAL REVENUE FUND	6,972	
FROM FEDERAL GRANTS TRUST FUND . . .		29,266
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		12,586
300 DATA PROCESSING SERVICES		
NORTHWOOD SHARED RESOURCE CENTER		
FROM GENERAL REVENUE FUND	8,922,532	
FROM ADMINISTRATIVE TRUST FUND . . .		1,329,218
FROM FEDERAL GRANTS TRUST FUND . . .		7,935,363
FROM WELFARE TRANSITION TRUST FUND .		4,964
FROM OPERATIONS AND MAINTENANCE TRUST FUND		2,412,682
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		4,967

From the funds in Specific Appropriation 300, the Department of Children and Family Services and the Northwood Shared Resource Center (NSRC) shall submit a report providing options and recommendations for reducing the data center service costs of the FLORIDA System. The NSRC and department shall base their report on the results of the feasibility study approved by the Legislative Budget Commission in accordance with

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Specific Appropriation 174.

The report shall be submitted to the Executive Office of the Governor, the chair of the Senate Budget Committee, the chair of the House Appropriations Committee by January 15, 2013.

300A DATA PROCESSING SERVICES
NORTHWEST REGIONAL DATA CENTER (NWRDC)
FROM GENERAL REVENUE FUND 50,197

The funds provided in Specific Appropriation 300A, shall not be utilized for any costs related to the potential expansion of the floor space operated and managed by the Northwest Regional Data Center.

302 DATA PROCESSING SERVICES
NORTHWOOD SHARED RESOURCE CENTER (NSRC)
DEPRECIATION FEDERAL SHARE BILLINGS
FROM FEDERAL GRANTS TRUST FUND . . . 363,236

303 PAYMENTS FOR CLAIMS BILLS AND RELIEF ACTS
RELIEF/JORGE AND DEBBIE GARCIA-BENGOCHEA
FROM FEDERAL GRANTS TRUST FUND . . . 950,000

304 PAYMENTS FOR CLAIMS BILLS AND RELIEF ACTS
RELIEF - MARISSA AMORA
FROM ADMINISTRATIVE TRUST FUND . . . 1,700,000

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 52,101,860
FROM TRUST FUNDS 102,389,621

TOTAL POSITIONS 630.50
TOTAL ALL FUNDS 154,491,481

PROGRAM: SUPPORT SERVICES

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 14,415,884

306 SALARIES AND BENEFITS POSITIONS 277.00
FROM WORKING CAPITAL TRUST FUND . . 18,612,887

307 OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND . . 463,333

308 EXPENSES
FROM WORKING CAPITAL TRUST FUND . . 4,794,218

309 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND . . 48,898

310 SPECIAL CATEGORIES
COMPUTER RELATED EXPENSES
FROM WORKING CAPITAL TRUST FUND . . 9,666,635

311 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM WORKING CAPITAL TRUST FUND . . 67,009

312 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM WORKING CAPITAL TRUST FUND . . 20,291

313 QUALIFIED EXPENDITURE CATEGORY
FLORIDA'S PUBLIC ASSISTANCE ELIGIBILITY SYSTEM
FROM WORKING CAPITAL TRUST FUND . . 32,525,565

From the funds in Specific Appropriation 313, $32,525,565 from nonrecurring working capital trust funds is contingent upon House Bill 5301 or similar legislation relating to the development and implementation of an eligibility determination system for Medicaid and the Children's Health Insurance Program (CHIP), becoming law. The

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Department of Children and Family Services shall submit budget amendments requesting quarterly release of these funds based on the recommendation approved by the Legislative Budget Commission in Specific Appropriation 174. Requests for release of funds shall include detailed operational work and spending plans.

314 QUALIFIED EXPENDITURE CATEGORY
CHILD DEPENDENCY SYSTEM REDESIGN
FROM WORKING CAPITAL TRUST FUND . . 12,450,000

From the funds in Specific Appropriation 314, the nonrecurring sum of $4,500,000 from the Working Capital Trust Fund shall be used by the Department of Children and Family Services to fund programming changes to the Florida Safe Families Network (FSFN) system. The programming changes include the requirements identified in the January 2011 compliance assessment completed by the U.S. Department of Health & Human Services Administration for Children and Families as not currently being in the FSFN system and needed in order to comply with all federal Statewide Automated Child Welfare Information systems (SACWIS) requirements. The department may submit budget amendments requesting quarterly release of these funds upon submission of a detailed operational work plan and spending plan.

From the funds in Specific Appropriation 314, the nonrecurring sum of $7,950,000 from the Working Capital Trust Funds shall be used by the department to fund enhancements to the Florida Safe Families Network (FSFN). The department is authorized to submit budget amendments requesting quarterly release of funds based on the recommendation approved by the Legislative Budget Commission pursuant to the provisions of Chapter 216, Florida Statutes. Requests for release of funds shall include detailed operational work and spending plans.

TOTAL: INFORMATION TECHNOLOGY
FROM TRUST FUNDS 78,648,836

TOTAL POSITIONS 277.00
TOTAL ALL FUNDS 78,648,836

SERVICES

PROGRAM: FAMILY SAFETY PROGRAM

FAMILY SAFETY AND PRESERVATION SERVICES

APPROVED SALARY RATE 129,872,356

316 SALARIES AND BENEFITS POSITIONS 3,193.50
FROM GENERAL REVENUE FUND 61,354,128
FROM DOMESTIC VIOLENCE TRUST FUND . 14,468
FROM FEDERAL GRANTS TRUST FUND . . . 26,504,796
FROM WELFARE TRANSITION TRUST FUND . 66,051,405
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 23,525,132

317 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,061,295
FROM FEDERAL GRANTS TRUST FUND . . . 2,006,497
FROM GRANTS AND DONATIONS TRUST FUND 31,290
FROM WELFARE TRANSITION TRUST FUND . 2,782,090
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 1,214,055

318 EXPENSES
FROM GENERAL REVENUE FUND 12,164,910
FROM CHILD WELFARE TRAINING TRUST FUND 8,394
FROM DOMESTIC VIOLENCE TRUST FUND . 11,645
FROM FEDERAL GRANTS TRUST FUND . . . 4,831,399
FROM WELFARE TRANSITION TRUST FUND . 10,963,286
FROM OPERATIONS AND MAINTENANCE TRUST FUND 49,944
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 3,835,121

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From the funds in Specific Appropriation 318, the nonrecurring sum of $750,000 from the General Revenue Fund is provided for the Child Welfare Case Management Staff Overtime Settlement.

319	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	22,457	
	FROM FEDERAL GRANTS TRUST FUND . . .		6,394
	FROM WELFARE TRANSITION TRUST FUND .		11,215
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		9,364
320	SPECIAL CATEGORIES HOME CARE FOR DISABLED ADULTS		
	FROM GENERAL REVENUE FUND	2,219,860	
321	SPECIAL CATEGORIES GRANTS AND AIDS - COMMUNITY CARE FOR DISABLED ADULTS		
	FROM GENERAL REVENUE FUND	2,041,955	
322	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	5,572,447	
	FROM CHILD WELFARE TRAINING TRUST FUND		2,815
	FROM TOBACCO SETTLEMENT TRUST FUND .		239,120
	FROM DOMESTIC VIOLENCE TRUST FUND .		69
	FROM FEDERAL GRANTS TRUST FUND . . .		1,392,098
	FROM GRANTS AND DONATIONS TRUST FUND		8,237
	FROM WELFARE TRANSITION TRUST FUND .		1,139,803
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		450,000
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		732,231

From the funds in Specific Appropriation 322, the sum of $100,000 from the General Revenue Fund is provided for the Myron Rolle Wellness and Leadership Academy.

From the Funds in Specific Appropriation 322, the sum of $1,497,091 from the General Revenue Fund of which $500,000 is recurring and shall be provided to Lauren's Kids for awareness and education programs for the prevention of childhood sexual abuse.

From the funds in Specific Appropriation 322, the recurring sum of $600,000 from the General Revenue Fund and the nonrecurring sum of $900,000 from the General Revenue Fund is provided to the Florida Council Against Sexual Violence to fund certified rape crisis centers.

323	SPECIAL CATEGORIES GRANTS AND AIDS - GRANTS TO SHERIFFS FOR PROTECTIVE INVESTIGATIONS		
	FROM GENERAL REVENUE FUND	20,654,666	
	FROM TOBACCO SETTLEMENT TRUST FUND .		7,348,586
	FROM WELFARE TRANSITION TRUST FUND .		9,392,840
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		9,589,500

The funds in Specific Appropriation 323 shall be used by the Department of Children and Family Services to award grants to the sheriffs of Manatee, Pasco, Pinellas, Broward, Hillsborough, and Seminole counties to conduct child protective investigations as mandated in section 39.3065, Florida Statutes. The funds shall be allocated as follows:

Manatee County Sheriff.....	3,410,532
Pasco County Sheriff.....	4,591,619
Pinellas County Sheriff.....	10,040,024
Broward County Sheriff.....	12,565,620
Hillsborough County Sheriff.....	12,054,683
Seminole County Sheriff.....	3,323,114

From the funds in Specific Appropriation 323, the nonrecurring sum of $1,000,000 from the General Revenue Fund is provided for the Pasco County Sheriff's Office.

324	SPECIAL CATEGORIES GRANTS AND AIDS - DOMESTIC VIOLENCE PROGRAM		
	FROM GENERAL REVENUE FUND	5,164,596	
	FROM DOMESTIC VIOLENCE TRUST FUND .		6,965,397
	FROM FEDERAL GRANTS TRUST FUND . . .		10,827,348
	FROM WELFARE TRANSITION TRUST FUND .		7,750,000

From the funds in Specific Appropriation 324, $5,164,596 in recurring general revenue funds, $6,965,397 from the Domestic Violence Trust Fund, $10,395,627 from the Federal Grants Trust Fund and $7,750,000 from the Welfare Transition Trust Fund shall be provided to the Florida Coalition Against Domestic Violence for the delivery and management of services of the state's domestic violence program including implementation of statutory directives contained in Chapter 39, Florida Statutes, and administration of all state and federal contracts and grants designed under this appropriation.

From the funds provided in Specific Appropriation 324, $266,663 from the Federal Grants Trust Funds, Violence Against Women Act STOP Formula Grant will be provided to the Florida Council Against Sexual Violence for the provision of training and technical assistance to certified rape crisis programs and allied professions.

325	SPECIAL CATEGORIES HOME AND COMMUNITY BASED SERVICES WAIVER		
	FROM GENERAL REVENUE FUND	20,828,176	
	FROM FEDERAL GRANTS TRUST FUND . . .		28,445,957
326	SPECIAL CATEGORIES GRANTS AND AIDS - CHILD ABUSE PREVENTION AND INTERVENTION		
	FROM GENERAL REVENUE FUND	9,618,126	
	FROM TOBACCO SETTLEMENT TRUST FUND .		143,547
	FROM FEDERAL GRANTS TRUST FUND . . .		574,189
	FROM WELFARE TRANSITION TRUST FUND .		5,778,467
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		2,000,000
327	SPECIAL CATEGORIES GRANTS AND AIDS - CHILD PROTECTION		
	FROM GENERAL REVENUE FUND	6,293,386	
	FROM CHILD WELFARE TRAINING TRUST FUND		285,993
	FROM TOBACCO SETTLEMENT TRUST FUND .		3,375,782
	FROM FEDERAL GRANTS TRUST FUND . . .		18,064,300
	FROM GRANTS AND DONATIONS TRUST FUND		130,000
	FROM WELFARE TRANSITION TRUST FUND .		1,909,191
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		530,696
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,333,286
328	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	7,773,469	
	FROM FEDERAL GRANTS TRUST FUND . . .		2,299
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,212
329	SPECIAL CATEGORIES TEMPORARY EMERGENCY SHELTER SERVICES		
	FROM GENERAL REVENUE FUND	203,527	
330	SPECIAL CATEGORIES GRANTS AND AIDS - FAMILY FOSTER CARE		
	FROM GENERAL REVENUE FUND	4,000,000	

From the funds in Specific Appropriation 330, the department shall transfer $4,000,000 from the General Revenue Fund to the Agency for

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Health Care Administration to provide Medicaid coverage for children in the Statewide Inpatient Psychiatric Program (SIPP) and Residential Group Care beds.

331	SPECIAL CATEGORIES		
	GRANTS AND AIDS - RESIDENTIAL GROUP CARE		
	FROM GENERAL REVENUE FUND	92,339	
	FROM TOBACCO SETTLEMENT TRUST FUND .		1,395,177
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		115,836
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		803,893
332	SPECIAL CATEGORIES		
	GRANTS AND AIDS - EMERGENCY SHELTER CARE		
	FROM GENERAL REVENUE FUND	3,690	
	FROM TOBACCO SETTLEMENT TRUST FUND .		150,009
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		126,065
333	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM GENERAL REVENUE FUND	5,477	
	FROM FEDERAL GRANTS TRUST FUND . . .		3,610
	FROM WELFARE TRANSITION TRUST FUND .		1,242
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,415
334	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	319,231	
	FROM CHILD WELFARE TRAINING TRUST FUND		2
	FROM TOBACCO SETTLEMENT TRUST FUND .		6,375
	FROM FEDERAL GRANTS TRUST FUND . . .		196,288
	FROM WELFARE TRANSITION TRUST FUND .		248,364
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		144,015
335	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	3,130	
	FROM FEDERAL GRANTS TRUST FUND . . .		1,068
	FROM WELFARE TRANSITION TRUST FUND .		10,536
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		3,474
336	SPECIAL CATEGORIES		
	GRANTS AND AIDS - COMMUNITY BASED CARE FUNDS FOR PROVIDERS OF CHILD WELFARE SERVICES		
	FROM GENERAL REVENUE FUND	244,252,998	
	FROM ADMINISTRATIVE TRUST FUND . . .		1,706,743
	FROM CHILD WELFARE TRAINING TRUST FUND		2,531,893
	FROM TOBACCO SETTLEMENT TRUST FUND .		116,374,401
	FROM FEDERAL GRANTS TRUST FUND . . .		279,260,345
	FROM GRANTS AND DONATIONS TRUST FUND		400,000
	FROM WELFARE TRANSITION TRUST FUND .		67,506,554
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		8,979,209
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		41,078,586

From the funds in Specific Appropriation 336, the sum of $2,500,000 in nonrecurring funds from the General Revenue Fund is provided to the Community Based Care of Central Florida.

From the funds in Specific Appropriation 336, the nonrecurring sum of $4,665,811 from the General Revenue Fund for Fiscal Year 2012-13 shall be allocated to the following community-based care agencies to minimize

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the impacts of the community based care equity model under Section 409.16713, Florida Statutes:

Big Bend CBC	44,172
Saint Johns Board of County Commissioners	20,209
Kids Central	497,091
Heartland for Children	273,342
Community-Based Care of Brevard	463,687
CBC of Central Florida (Seminole)	147,922
United for Families	14,596
Hillsborough Kids	375,872
ChildNet	1,083,634
Our Kids	1,745,286

TOTAL: FAMILY SAFETY AND PRESERVATION SERVICES			
	FROM GENERAL REVENUE FUND	403,649,863	
	FROM TRUST FUNDS		782,315,558
	TOTAL POSITIONS	3,193.50	
	TOTAL ALL FUNDS		1,185,965,421

PROGRAM: MENTAL HEALTH PROGRAM

MENTAL HEALTH SERVICES

APPROVED SALARY RATE 264,795,793

337	SALARIES AND BENEFITS POSITIONS	3,114.00	
	FROM GENERAL REVENUE FUND	90,596,752	
	FROM ADMINISTRATIVE TRUST FUND . . .		9,522
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		224,688
	FROM FEDERAL GRANTS TRUST FUND . . .		49,891,357
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		5,761,131
338	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	1,376,493	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		16,000
	FROM FEDERAL GRANTS TRUST FUND . . .		521,400
	FROM WELFARE TRANSITION TRUST FUND .		116,979
339	EXPENSES		
	FROM GENERAL REVENUE FUND	13,058,106	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		456,525
	FROM FEDERAL GRANTS TRUST FUND . . .		917,543
	FROM WELFARE TRANSITION TRUST FUND .		67,213
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		415,059
340	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	387,630	
	FROM FEDERAL GRANTS TRUST FUND . . .		377,471
341	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	3,386,854	
342	LUMP SUM		
	SEXUALLY VIOLENT PREDATOR PROGRAM		
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,722,356

From the funds in Specific Appropriation 342, the nonrecurring sum of $1,722,356 from the Operations and Maintenance Trust Fund is provided for operational costs for the Florida Civil Commitment Center (FCCC). Prior to the release of these funds, the Department of Children and Family Services shall submit a distribution plan for the FCCC. The release of these funds is subject to the consultation provisions of chapter 216, Florida Statutes.

343 SPECIAL CATEGORIES
GRANTS AND AIDS - PUBLIC SAFETY, MENTAL

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HEALTH, AND SUBSTANCE ABUSE LOCAL MATCHING
GRANT PROGRAM
FROM GENERAL REVENUE FUND 3,250,000

From the funds in Specific Appropriation 343, the nonrecurring sum of $3,000,000 from the General Revenue Fund is provided for the Public Safety, Mental Health, and Substance Abuse Local Matching Grant Program.

From the funds provided in Specific Appropriation 343, the nonrecurring sum of $250,000 from the General Revenue Fund is provided to the Bob Janes Triage Center.

344 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILDREN'S MENTAL HEALTH
SERVICES
FROM GENERAL REVENUE FUND 24,964,979
FROM ALCOHOL, DRUG ABUSE AND
MENTAL HEALTH TRUST FUND 8,211,470
FROM FEDERAL GRANTS TRUST FUND . . . 12,710,120
FROM SOCIAL SERVICES BLOCK GRANT
TRUST FUND 1,125,000

345 SPECIAL CATEGORIES
GRANTS AND AIDS - COMMUNITY MENTAL HEALTH
SERVICES
FROM GENERAL REVENUE FUND 179,744,871
FROM ALCOHOL, DRUG ABUSE AND
MENTAL HEALTH TRUST FUND 17,969,402
FROM TOBACCO SETTLEMENT TRUST FUND . 206,775
FROM FEDERAL GRANTS TRUST FUND . . . 14,002,365
FROM WELFARE TRANSITION TRUST FUND . 7,357,585
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 445,370

From the funds in Specific Appropriation 345, $1,596,282 from the General Revenue Fund is provided for the Miami-Dade Forensic Alternative Center.

From the funds in Specific Appropriation 345, $680,000 from nonrecurring general revenue funds are provided for a Florida Assertive Community Treatment (F.A.C.T.) team in Bay County.

From the funds in Specific Appropriation 345, $706,640 from the General Revenue Fund is provided to contract with a not-for-profit mental health facility in the Second Judicial Circuit that is currently under contract with the department and has the capacity for placement of 16 forensic Residential Level 1 beds requiring placement within a chapter 394 or 395, Florida Statutes, licensed facility as an alternative to more costly institutional placement.

From the funds in Specific Appropriation 345, $883,300 from the General Revenue Fund is provided to contract with a not-for-profit facility in the Thirteenth Judicial Circuit currently under contract with the department and has the capacity for placement of 20 Residential Level 1 beds as an alternative to more costly institutional placement. The funds shall only be utilized for operating expenses with building and capital expenditures excluded.

From the funds in Specific Appropriation 345, the nonrecurring sum of $250,000 from the General Revenue Fund is provided to Camillus House.

From the funds in Specific Appropriation 345, the nonrecurring sum of $455,000 from the General Revenue Fund is provided to the Citrus Health Network.

From the funds in Specific Appropriation 345, the nonrecurring sum of $100,000 from the General Revenue Fund is provided to New Horizons Community Mental Health Center.

From the Funds in Specific Appropriation 345, the sum of $350,000 from the General Revenue Fund to Seminole Behavioral Health.

From the funds in Specific Appropriation 345, $250,000 is provided from the General Revenue Fund for the Pinellas Receiving Facility.

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From the funds in Specific Appropriation 345, the nonrecurring sum of $1,500,000 from the General Revenue Fund is provided to Baptist Health Care Lakeview Center for graduate and undergraduate training in rural and underserved areas.

346 SPECIAL CATEGORIES
GRANTS AND AIDS - BAKER ACT SERVICES
FROM GENERAL REVENUE FUND 63,483,949

From the funds in Specific Appropriation 346, $400,000 from the General Revenue Fund is provided for the department to contract with a not-for-profit facility in the Thirteenth Judicial Circuit (Central Region of the State) currently under contract with the department to fund four additional crisis stabilization unit beds to serve the mentally ill in Hillsborough County.

The department shall develop a plan to modify the method of expending funds for crisis stabilization services to establish per diem reimbursement for covered services provided to qualified patients. The department's recommended method shall be budget neutral and shall allow use of available funds to reimburse a variety of providers, including public receiving facilities, community mental health programs, licensed acute care hospitals, or other approved facilities. The plan shall be submitted to the Legislature no later than January 1, 2013 and shall identify steps necessary to transition to the new payment system.

From the funds in Specific Appropriation 346, the nonrecurring sum of $750,000 from the General Revenue Fund is provided to Manatee Children's Crisis Stabilization Unit.

347 SPECIAL CATEGORIES
GRANTS AND AIDS - OUTPATIENT BAKER ACT
PILOT PROGRAM
FROM GENERAL REVENUE FUND 500,000

348 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 6,561,931
FROM ALCOHOL, DRUG ABUSE AND
MENTAL HEALTH TRUST FUND 190,879
FROM FEDERAL GRANTS TRUST FUND . . . 1,286,598
FROM WELFARE TRANSITION TRUST FUND . 2,000

From the funds in Specific Appropriation 348, the sum of $900,000 from the General Revenue Fund is provided to the Beaver Street Enterprise Center.

349 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 31,479,083
FROM ALCOHOL, DRUG ABUSE AND
MENTAL HEALTH TRUST FUND 34,349
FROM FEDERAL GRANTS TRUST FUND . . . 4,654,446
FROM WELFARE TRANSITION TRUST FUND . 86,286

From the funds in Specific Appropriation 349, the department may pay the contracted provider of operations at the Florida Civil Commitment Center (FCCC) a fixed-price unit rate of $55.00 per bed day based on the midnight census to cover housing costs provided by the DeSoto County Sheriff. Eligible payments are for residents of FCCC that are in the DeSoto County Sheriff's custody after being arrested and charged for having committed a crime at the FCCC facility.

350 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED PROFESSIONAL
SERVICES
FROM GENERAL REVENUE FUND 96,271,715
FROM FEDERAL GRANTS TRUST FUND . . . 13,467,628

From the funds provided in Specific Appropriation 350, $7,907,251 from the General Revenue Fund is provided to outsource housekeeping and environmental functions at the Florida State Hospital.

From the funds provided in Specific Appropriation 350, $461,385 from

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the General Revenue Fund is provided to outsource housekeeping functions at the Northeast Florida State Hospital, effective January 1, 2013.

From the funds in Specific Appropriation 350, $500,000 in nonrecurring general revenue funds are provided for New Horizons of the Treasure Coast.

351 SPECIAL CATEGORIES
PURCHASE OF THERAPEUTIC SERVICES FOR CHILDREN
FROM GENERAL REVENUE FUND 8,911,958

352 SPECIAL CATEGORIES
GRANTS AND AIDS - INDIGENT PSYCHIATRIC MEDICATION PROGRAM
FROM GENERAL REVENUE FUND 7,280,276

From the funds in Specific Appropriation 352, $500,000 from the General Revenue Fund is provided for medication assisted treatment.

353 SPECIAL CATEGORIES
PRESCRIBED MEDICINE/DRUGS
FROM GENERAL REVENUE FUND 8,633,889
FROM FEDERAL GRANTS TRUST FUND . . . 1,900,961
FROM OPERATIONS AND MAINTENANCE TRUST FUND 876,992

354 SPECIAL CATEGORIES
GRANTS AND AIDS - PURCHASED RESIDENTIAL TREATMENT SERVICES FOR EMOTIONALLY DISTURBED CHILDREN AND YOUTH
FROM GENERAL REVENUE FUND 20,057,711

From the funds in Specific Appropriation 354, the department may transfer up to $15,770,636 from the General Revenue Fund to the Agency for Health Care Administration to provide Medicaid coverage for children in the Statewide Inpatient Psychiatric Program (SIPP) and Residential Group Care beds. The department must transfer funds up to this amount to cover all services provided to Medicaid eligible children through the Statewide Inpatient Psychiatric Program and Residential Group Care beds. The remaining funds shall be used to provide residential services to non-Medicaid eligible children.

355 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 6,020,839
FROM FEDERAL GRANTS TRUST FUND . . . 526,864

356 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 90,969

357 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILDREN'S BAKER ACT SERVICES
FROM GENERAL REVENUE FUND 11,271,460
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 2,750,000

358 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM GENERAL REVENUE FUND 716,733
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 1,129
FROM WELFARE TRANSITION TRUST FUND . 849

359 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 283,373
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 17,982
FROM FEDERAL GRANTS TRUST FUND . . . 17,099
FROM WELFARE TRANSITION TRUST FUND . 4
FROM OPERATIONS AND MAINTENANCE TRUST FUND 5,210

360 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 27,962
FROM FEDERAL GRANTS TRUST FUND . . . 262
FROM WELFARE TRANSITION TRUST FUND . 304

360A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
CHILDREN'S MENTAL HEALTH MULTI-PURPOSE WELLNESS AND ACTIVITY CENTER
FROM GENERAL REVENUE FUND 600,000

From the funds in Specific Appropriation 360A, $600,000 in nonrecurring general revenue funds is provided for renovations to complete a wellness center for at-risk children and youth in the Eighteenth Judicial Circuit. The department shall contract with an existing non-profit provider of services to at risk children and youth in Brevard County which is currently under contract with the department for the provision of services.

TOTAL: MENTAL HEALTH SERVICES
FROM GENERAL REVENUE FUND 578,957,533
FROM TRUST FUNDS 148,345,173

TOTAL POSITIONS 3,114.00
TOTAL ALL FUNDS 727,302,706

PROGRAM: SUBSTANCE ABUSE PROGRAM

SUBSTANCE ABUSE SERVICES

APPROVED SALARY RATE 2,144,643

361 SALARIES AND BENEFITS POSITIONS 40.00
FROM GENERAL REVENUE FUND 768,118
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 1,505,765
FROM FEDERAL GRANTS TRUST FUND . . . 451,377

362 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 84,736
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 400,734
FROM FEDERAL GRANTS TRUST FUND . . . 662,736
FROM OPERATIONS AND MAINTENANCE TRUST FUND 314

363 EXPENSES
FROM GENERAL REVENUE FUND 224,324
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 280,493
FROM FEDERAL GRANTS TRUST FUND . . . 200,456
FROM WELFARE TRANSITION TRUST FUND . 28,420
FROM OPERATIONS AND MAINTENANCE TRUST FUND 1,925

364 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 318
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 334
FROM FEDERAL GRANTS TRUST FUND . . . 333

365 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILDREN AND ADOLESCENT SUBSTANCE ABUSE SERVICES
FROM GENERAL REVENUE FUND 38,569,619
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 28,545,868
FROM TOBACCO SETTLEMENT TRUST FUND . 2,860,907
FROM WELFARE TRANSITION TRUST FUND . 640,000

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FROM OPERATIONS AND MAINTENANCE TRUST FUND		84,918
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,125,000

From the funds provided in Specific Appropriation 365, $200,000 from recurring general revenue funds are provided to the Florida Certification Board.

366	SPECIAL CATEGORIES		
	GRANTS AND AIDS - COMMUNITY SUBSTANCE ABUSE SERVICES		
	FROM GENERAL REVENUE FUND	42,085,696	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		67,178,155
	FROM FEDERAL GRANTS TRUST FUND . . .		6,389,766
	FROM WELFARE TRANSITION TRUST FUND .		5,571,170
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,907,777

From the funds provided in Specific Appropriation 366, $1,000,000 from nonrecurring general revenue funds are provided for the Pasco County Drug Initiative.

From the funds provided in Specific Appropriation 366, $1,560,000 from nonrecurring general revenue funds are provided for the Recovery House of Central Florida.

367	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	2,714,942	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		607,017
	FROM FEDERAL GRANTS TRUST FUND . . .		126,293
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		37,599

From the funds provided in Specific Appropriation 367, the sum of nonrecurring $1,000,000 general revenue funds and $1,000,000 recurring general revenue funds are provided to expand Project Warm for the treatment and recovery of drug addicted pregnant women.

368	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	67,863	
	FROM FEDERAL GRANTS TRUST FUND . . .		2,932,226
369	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	73,330	
370	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	7,896	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		6,930
	FROM FEDERAL GRANTS TRUST FUND . . .		12
371	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	3,103	
	FROM FEDERAL GRANTS TRUST FUND . . .		493
TOTAL: SUBSTANCE ABUSE SERVICES			
	FROM GENERAL REVENUE FUND	84,599,945	
	FROM TRUST FUNDS		121,547,018
	TOTAL POSITIONS	40.00	
	TOTAL ALL FUNDS		206,146,963

PROGRAM: ECONOMIC SELF SUFFICIENCY PROGRAM

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ECONOMIC SELF SUFFICIENCY SERVICES

APPROVED SALARY RATE 7,935,261

372	SALARIES AND BENEFITS	POSITIONS	4,499.50	
	FROM GENERAL REVENUE FUND		98,808,879	
	FROM FEDERAL GRANTS TRUST FUND . . .			76,978,400
	FROM GRANTS AND DONATIONS TRUST FUND			4,195,009
	FROM WELFARE TRANSITION TRUST FUND .			7,053,096
373	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		1,447,103	
	FROM FEDERAL GRANTS TRUST FUND . . .			1,533,441
	FROM GRANTS AND DONATIONS TRUST FUND			33,609
	FROM WELFARE TRANSITION TRUST FUND .			224,298
374	EXPENSES			
	FROM GENERAL REVENUE FUND		16,403,324	
	FROM TOBACCO SETTLEMENT TRUST FUND .			132,851
	FROM FEDERAL GRANTS TRUST FUND . . .			16,710,340
	FROM GRANTS AND DONATIONS TRUST FUND			3
	FROM WELFARE TRANSITION TRUST FUND .			1,431,841
375	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND		1,393	
	FROM FEDERAL GRANTS TRUST FUND . . .			23,574
	FROM WELFARE TRANSITION TRUST FUND .			4,283
377	SPECIAL CATEGORIES			
	GRANTS AND AIDS - FEDERAL EMERGENCY SHELTER GRANT PROGRAM			
	FROM FEDERAL GRANTS TRUST FUND . . .			4,676,638
	FROM WELFARE TRANSITION TRUST FUND .			787,953

From the funds in Specific Appropriation 377, the Department of Children and Family Services may accept and administer funding allocated to the State of Florida by the U.S. Department of Urban Development (HUD) for the Emergency Shelter Grant (ESG) Program. The ESG Program will be administered by the Department of Children and Family Services in accordance with HUD rules and regulations. This funding may be granted by the state to local governments in the state, which may include cities and counties that are ESG grantees, or to private nonprofit organizations, if the local government where the project is located certifies its approval of the project. Initial preference will be given to local governments and nonprofit organizations in areas of the state where local governments do not receive funding directly from HUD. Grant applications will be ranked competitively based on grant application requirements and criteria published by the Department of Children and Family Services.

377A	SPECIAL CATEGORIES		
	GRANTS AND AIDS - HOMELESS HOUSING ASSISTANCE GRANTS		
	FROM GENERAL REVENUE FUND	3,000,000	

From the funds in Specific Appropriation 377A, the nonrecurring sum of $2,000,000 from the General Revenue is provided to the United Way of Brevard County for distribution to homeless coalitions in the state with a maximum of $66,667 per coalition.

From the funds in Specific Appropriation 377A, the nonrecurring sum of $1,000,000 from the General Revenue Fund is provided to National Veterans Support Group.

378	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	19,412,800	
	FROM FEDERAL GRANTS TRUST FUND . . .		21,021,021
	FROM GRANTS AND DONATIONS TRUST FUND		1,668,750
	FROM WELFARE TRANSITION TRUST FUND .		1,111,550

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379 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 944,184
FROM FEDERAL GRANTS TRUST FUND . . . 3,899,822
FROM WELFARE TRANSITION TRUST FUND . 342,856

From the funds in Specific Appropriation 379, $100,000 is provided to Richmond Heights Resource Center.

From the funds in Specific Appropriation 379, the nonrecurring sum of $100,000 from the General Revenue Fund are provided for Goulds Coalition of Ministries and Lay People.

380 SPECIAL CATEGORIES
GRANTS AND AIDS - LOCAL SERVICES PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 64,742,633

381 SPECIAL CATEGORIES
PUBLIC ASSISTANCE FRAUD CONTRACT
FROM GENERAL REVENUE FUND 264,804
FROM FEDERAL GRANTS TRUST FUND . . . 3,119,093
FROM WELFARE TRANSITION TRUST FUND . 1,103,903

382 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,058,690
FROM FEDERAL GRANTS TRUST FUND . . . 1,053,502
FROM WELFARE TRANSITION TRUST FUND . 67,723

383 SPECIAL CATEGORIES
SERVICES TO REPATRIATED AMERICANS
FROM FEDERAL GRANTS TRUST FUND . . . 40,380

384 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM GENERAL REVENUE FUND 7,273
FROM FEDERAL GRANTS TRUST FUND . . . 7,074
FROM WELFARE TRANSITION TRUST FUND . 455

385 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 510,282
FROM FEDERAL GRANTS TRUST FUND . . . 527,137
FROM WELFARE TRANSITION TRUST FUND . 37,513

386 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM FEDERAL GRANTS TRUST FUND . . . 31,030
FROM GRANTS AND DONATIONS TRUST
FUND 31,475

387 FINANCIAL ASSISTANCE PAYMENTS
CASH ASSISTANCE
FROM GENERAL REVENUE FUND 113,337,400
FROM WELFARE TRANSITION TRUST FUND . 42,101,885

388 FINANCIAL ASSISTANCE PAYMENTS
OPTIONAL STATE SUPPLEMENTATION PROGRAM
FROM GENERAL REVENUE FUND 18,158,881

389 FINANCIAL ASSISTANCE PAYMENTS
PERSONAL CARE ALLOWANCE
FROM GENERAL REVENUE FUND 344,456

390 FINANCIAL ASSISTANCE PAYMENTS
REFUGEE/ENTRANT ASSISTANCE
FROM FEDERAL GRANTS TRUST FUND . . . 15,231,735

TOTAL: ECONOMIC SELF SUFFICIENCY SERVICES
FROM GENERAL REVENUE FUND 274,699,469
FROM TRUST FUNDS 269,924,873

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TOTAL POSITIONS 4,499.50
TOTAL ALL FUNDS 544,624,342

TOTAL: CHILDREN AND FAMILY SERVICES, DEPARTMENT OF
FROM GENERAL REVENUE FUND 1,394,008,670
FROM TRUST FUNDS 1,503,171,079

TOTAL POSITIONS 11,754.50
TOTAL ALL FUNDS 2,897,179,749
TOTAL APPROVED SALARY RATE 451,292,263

ELDER AFFAIRS, DEPARTMENT OF

PROGRAM: SERVICES TO ELDERS PROGRAM

COMPREHENSIVE ELIGIBILITY SERVICES

APPROVED SALARY RATE 10,042,357

391 SALARIES AND BENEFITS POSITIONS 275.00
FROM GENERAL REVENUE FUND 3,388,479
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 10,015,481

392 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 135,250
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 807,828

393 EXPENSES
FROM GENERAL REVENUE FUND 529,486
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 1,776,700

394 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 8,405
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 34,178

395 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 95,999
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 138,000

396 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 95,060
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 34,200

397 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 5,828
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 17,483

398 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 26,084
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 75,354

TOTAL: COMPREHENSIVE ELIGIBILITY SERVICES
FROM GENERAL REVENUE FUND 4,284,591
FROM TRUST FUNDS 12,899,224

TOTAL POSITIONS 275.00
TOTAL ALL FUNDS 17,183,815

HOME AND COMMUNITY SERVICES

SECTION 3 - HUMAN SERVICES
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APPROPRIATION
APPROVED SALARY RATE 3,121,685

399	SALARIES AND BENEFITS POSITIONS 68.50		
	FROM GENERAL REVENUE FUND	1,588,532	
	FROM FEDERAL GRANTS TRUST FUND . . .		2,007,306
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		930,578
400	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	206,973	
	FROM ADMINISTRATIVE TRUST FUND . . .		35,000
	FROM FEDERAL GRANTS TRUST FUND . . .		774,434
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		205,507
401	EXPENSES		
	FROM GENERAL REVENUE FUND	408,913	
	FROM ADMINISTRATIVE TRUST FUND . . .		5,958
	FROM FEDERAL GRANTS TRUST FUND . . .		1,085,024
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		456,251
402	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	5,905	
	FROM FEDERAL GRANTS TRUST FUND . . .		5,000
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		5,000
403	SPECIAL CATEGORIES		
	AGING AND ADULT SERVICES TRAINING AND EDUCATION		
	FROM FEDERAL GRANTS TRUST FUND . . .		119,493
404	SPECIAL CATEGORIES		
	GRANTS AND AIDS - ALZHEIMER'S DISEASE RESPITE AND PROJECTS		
	FROM GENERAL REVENUE FUND	12,989,878	

In addition to the existing projects, the following project in Specific Appropriation 404 is funded from recurring general revenue funds:

Alzheimer's Family Care Center of Broward County..... 250,000

From the funds in Specific Appropriation 404, the following projects are funded from nonrecurring general revenue funds:

Mt. Sinai - Brain Bank..... 100,000
Alzheimer's Community Care Association..... 150,000

405	SPECIAL CATEGORIES		
	GRANTS AND AIDS - COMMUNITY CARE FOR THE ELDERLY		
	FROM GENERAL REVENUE FUND	54,378,099	
	FROM FEDERAL GRANTS TRUST FUND . . .		277,928
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		5,388,969

Funds in Specific Appropriation 405 appropriated for Aging Resource Centers shall be equally allocated to each Aging Resource Center at the beginning of the fiscal year. The department may re-allocate funds during the fiscal year based on negotiations with the Aging Resource Centers.

From the funds in Specific Appropriation 405, $1,000,000 from the General Revenue Fund is provided to serve new elders on the waitlist who have been classified as a priority score of four or higher.

From the funds in Specific Appropriation 405, $1,000,000 in nonrecurring general revenue funds and $1,000,000 in nonrecurring operations and maintenance trust funds are provided to the Aging Resource Centers for additional staff and infrastructure to help persons age 60 find needed services and provides $2,000,000 in nonrecurring general revenue funds and $2,000,000 in nonrecurring operations and maintenance trust funds is provided for choice counseling.

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406	SPECIAL CATEGORIES		
	GRANTS AND AIDS - HOME ENERGY ASSISTANCE		
	FROM FEDERAL GRANTS TRUST FUND . . .		5,963,764
407	SPECIAL CATEGORIES		
	GRANTS AND AIDS - OLDER AMERICANS ACT PROGRAM		
	FROM GENERAL REVENUE FUND	346,998	
	FROM FEDERAL GRANTS TRUST FUND . . .		96,743,728
408	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	115,400	
	FROM ADMINISTRATIVE TRUST FUND . . .		33,131
	FROM FEDERAL GRANTS TRUST FUND . . .		461,867
	FROM GRANTS AND DONATIONS TRUST FUND		22,700
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		53,564
409	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,753,545	
	FROM ADMINISTRATIVE TRUST FUND . . .		31,397
	FROM FEDERAL GRANTS TRUST FUND . . .		9,135,359
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		796,511
410	SPECIAL CATEGORIES		
	HOME AND COMMUNITY BASED SERVICES WAIVER		
	FROM GENERAL REVENUE FUND	48,633,691	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		66,758,926

Funds in Specific Appropriation 410 reflect a reduction of $822,937 from the General Revenue Fund and $1,123,921 from the Operations and Maintenance Trust Fund as a result of the sunset of the Medicaid Adult Day Health Care Waiver.

The funding provided for the administration and operation of the Medicaid Channeling Waiver in Specific Appropriation 410 reflects a reduction of $2,519,292 from the General Revenue Fund and $3,440,709 from the Operations and Maintenance Trust Fund.

From the funds in Specific Appropriation 410, $1,300,000 in nonrecurring general revenue funds and $1,775,467 in nonrecurring operations and maintenance trust funds are provided for the department to serve elders in the Aged and Disabled Adult Home and Community Based Services Waiver. The department shall first enroll individuals from the waitlist who are assessed at a priority score of four or higher.

411	SPECIAL CATEGORIES		
	ASSISTED LIVING FACILITY WAIVER		
	FROM GENERAL REVENUE FUND	15,748,662	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		21,508,641

From the funds in Specific Appropriation 411, $918,738 from the General Revenue Fund and $1,254,762 from the Operations and Maintenance Trust Fund are provided for the department to serve additional elders in the Assisted Living Facility Waiver program. The department shall first enroll individuals from the waitlist who are assessed at a priority score of four or higher.

412	SPECIAL CATEGORIES		
	GRANTS AND AIDS - LOCAL SERVICES PROGRAMS		
	FROM GENERAL REVENUE FUND	7,465,811	
413	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	82,022	
	FROM FEDERAL GRANTS TRUST FUND . . .		30,160
414	SPECIAL CATEGORIES		

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 5,639
FROM ADMINISTRATIVE TRUST FUND . . . 91
FROM FEDERAL GRANTS TRUST FUND . . . 6,635
FROM OPERATIONS AND MAINTENANCE TRUST FUND 2,182

415 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 9,427
FROM FEDERAL GRANTS TRUST FUND . . . 13,091
FROM OPERATIONS AND MAINTENANCE TRUST FUND 5,274

416 SPECIAL CATEGORIES
GRANTS AND AIDS - OLDER AMERICANS ACT - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM FEDERAL GRANTS TRUST FUND . . . 500,000

417 SPECIAL CATEGORIES
CAPITATED NURSING HOME DIVERSION WAIVER
FROM GENERAL REVENUE FUND 151,764,563
FROM OPERATIONS AND MAINTENANCE TRUST FUND 207,271,547

From the funds in Specific Appropriation 417, $7,397,284 from the General Revenue Fund and $10,102,796 from the Operations and Maintenance Trust Fund are provided to expand the current Nursing Home Diversion program by an additional 1,896 slots or the greatest number of slots permissible under the additional funding, effective July 1, 2012. The department shall first enroll individuals from the waitlist who are assessed at a priority score of four or higher.

Funds in Specific Appropriation 417 reflect a reduction of $6,015,303 from the General Revenue Fund and $8,215,365 from the Operations and Maintenance Trust Fund as a result of reducing the provider reimbursement rate based upon an actuarial adjustment.

418 SPECIAL CATEGORIES
PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY (PACE)
FROM GENERAL REVENUE FUND 11,234,924
FROM OPERATIONS AND MAINTENANCE TRUST FUND 15,344,027

From the funds in Specific Appropriation 418, $2,217,810 from the General Revenue Fund and $3,028,959 from the Operations and Maintenance Trust Fund are provided to increase the Program for All-Inclusive Care for the Elderly (PACE) by 250 slots; 150 PACE slots are provided for Lee and Collier counties, effective July 1, 2012; and 100 PACE slots are provided for Miami-Dade County, effective July 1, 2012.

418A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SENIOR CITIZEN CENTERS
FROM GENERAL REVENUE FUND 1,500,000

From the funds in Specific Appropriation 418A, $500,000 in nonrecurring general revenue funds is provided for the City of Hialeah Senior Citizen Center.

From the funds in Specific Appropriation 418A, $1,000,000 in nonrecurring general revenue funds is provided for the Little Havana Activities and Nutrition Center Mildred Pepper Senior Center.

TOTAL: HOME AND COMMUNITY SERVICES
FROM GENERAL REVENUE FUND 308,238,982
FROM TRUST FUNDS 435,979,043

TOTAL POSITIONS 68.50
TOTAL ALL FUNDS 744,218,025

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 3,848,050

419 SALARIES AND BENEFITS POSITIONS 74.00
FROM GENERAL REVENUE FUND 1,820,703
FROM ADMINISTRATIVE TRUST FUND . . . 1,832,946
FROM FEDERAL GRANTS TRUST FUND . . . 1,391,312

420 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 89,463
FROM ADMINISTRATIVE TRUST FUND . . . 456,484
FROM FEDERAL GRANTS TRUST FUND . . . 629,837

421 EXPENSES
FROM GENERAL REVENUE FUND 263,007
FROM ADMINISTRATIVE TRUST FUND . . . 508,882
FROM FEDERAL GRANTS TRUST FUND . . . 810,121

422 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 2,000

423 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM GENERAL REVENUE FUND 12,611

424 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 5,485
FROM ADMINISTRATIVE TRUST FUND . . . 112,789
FROM FEDERAL GRANTS TRUST FUND . . . 225,900

425 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 78,697
FROM FEDERAL GRANTS TRUST FUND . . . 20,686

426 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 5,022
FROM ADMINISTRATIVE TRUST FUND . . . 4,068
FROM FEDERAL GRANTS TRUST FUND . . . 7,016

427 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 11,509
FROM ADMINISTRATIVE TRUST FUND . . . 18,013

428 DATA PROCESSING SERVICES
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 5,288

429 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 46,250
FROM ADMINISTRATIVE TRUST FUND . . . 374,946
FROM FEDERAL GRANTS TRUST FUND . . . 167,933
FROM OPERATIONS AND MAINTENANCE TRUST FUND 18,750

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 2,332,747
FROM TRUST FUNDS 6,586,971

TOTAL POSITIONS 74.00
TOTAL ALL FUNDS 8,919,718

CONSUMER ADVOCATE SERVICES

APPROVED SALARY RATE 1,391,604

SECTION 3 - HUMAN SERVICES
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APPROPRIATION

431	SALARIES AND BENEFITS POSITIONS 33.50		
	FROM GENERAL REVENUE FUND	412,567	
	FROM FEDERAL GRANTS TRUST FUND . . .		1,425,620
432	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .		98,825
	FROM FEDERAL GRANTS TRUST FUND . . .		405,633
433	EXPENSES		
	FROM GENERAL REVENUE FUND	126,361	
	FROM ADMINISTRATIVE TRUST FUND . . .		100,000
	FROM FEDERAL GRANTS TRUST FUND . . .		107,427
434	SPECIAL CATEGORIES		
	PUBLIC GUARDIANSHIP CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,937,527	
	FROM ADMINISTRATIVE TRUST FUND . . .		154,816
435	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	6,760	
	FROM ADMINISTRATIVE TRUST FUND . . .		106,000
436	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	63,264	
	FROM FEDERAL GRANTS TRUST FUND . . .		7,023
437	SPECIAL CATEGORIES		
	LONG TERM CARE OMBUDSMAN COUNCIL		
	FROM GENERAL REVENUE FUND	892,350	
	FROM FEDERAL GRANTS TRUST FUND . . .		626,020
438	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	30,092	
439	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	5,038	
	FROM FEDERAL GRANTS TRUST FUND . . .		9,597
TOTAL: CONSUMER ADVOCATE SERVICES			
	FROM GENERAL REVENUE FUND	3,473,959	
	FROM TRUST FUNDS		3,040,961
	TOTAL POSITIONS	33.50	
	TOTAL ALL FUNDS		6,514,920
TOTAL: ELDER AFFAIRS, DEPARTMENT OF			
	FROM GENERAL REVENUE FUND	318,330,279	
	FROM TRUST FUNDS		458,506,199
	TOTAL POSITIONS	451.00	
	TOTAL ALL FUNDS		776,836,478
	TOTAL APPROVED SALARY RATE	18,403,696	

HEALTH, DEPARTMENT OF

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT

ADMINISTRATIVE SUPPORT

APPROVED SALARY RATE 14,512,199

440	SALARIES AND BENEFITS POSITIONS 323.50		
	FROM GENERAL REVENUE FUND	1,137,315	
	FROM ADMINISTRATIVE TRUST FUND . . .		16,869,757
441	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .		1,088,963
	FROM FEDERAL GRANTS TRUST FUND . . .		75,000

SECTION 3 - HUMAN SERVICES
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APPROPRIATION

442	EXPENSES		
	FROM GENERAL REVENUE FUND	68,596	
	FROM ADMINISTRATIVE TRUST FUND . . .		2,779,261
	FROM FEDERAL GRANTS TRUST FUND . . .		60,000
443	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - MINORITY HEALTH INITIATIVES		
	FROM GENERAL REVENUE FUND	3,134,044	
444	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	63,408	
	FROM ADMINISTRATIVE TRUST FUND . . .		1,300
445	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM ADMINISTRATIVE TRUST FUND . . .		35,572
446	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	177,891	
	FROM ADMINISTRATIVE TRUST FUND . . .		1,010,477
	FROM FEDERAL GRANTS TRUST FUND . . .		100,000
447	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	163,731	
	FROM ADMINISTRATIVE TRUST FUND . . .		130,651
447A	SPECIAL CATEGORIES		
	TENANT BROKER COMMISSIONS		
	FROM ADMINISTRATIVE TRUST FUND . . .		1,584,000
448	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	8,880	
	FROM ADMINISTRATIVE TRUST FUND . . .		11,439
449	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	29,780	
	FROM ADMINISTRATIVE TRUST FUND . . .		107,200
TOTAL: ADMINISTRATIVE SUPPORT			
	FROM GENERAL REVENUE FUND	4,783,645	
	FROM TRUST FUNDS		23,853,620
	TOTAL POSITIONS	323.50	
	TOTAL ALL FUNDS		28,637,265

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 4,977,064

450	SALARIES AND BENEFITS POSITIONS 96.00		
	FROM GENERAL REVENUE FUND	2,182,296	
	FROM ADMINISTRATIVE TRUST FUND . . .		3,488,393
451	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .		231,000
452	EXPENSES		
	FROM GENERAL REVENUE FUND	1,961,842	
	FROM ADMINISTRATIVE TRUST FUND . . .		489,995
453	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND . . .		380,000
454	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	910,718	

SECTION 3 - HUMAN SERVICES
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	FROM ADMINISTRATIVE TRUST FUND . . .		2,894,838
455	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	37,832	
	FROM ADMINISTRATIVE TRUST FUND . . .		25,052
455A	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	1,517	
456	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	17,258	
	FROM ADMINISTRATIVE TRUST FUND . . .		27,462
457	DATA PROCESSING SERVICES		
	CHILDREN AND FAMILIES DATA CENTER		
	FROM ADMINISTRATIVE TRUST FUND . . .		1,270,838
458	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM GENERAL REVENUE FUND	98,556	
	FROM ADMINISTRATIVE TRUST FUND . . .		3,965,943
459	DATA PROCESSING SERVICES		
	NORTHWOOD SHARED RESOURCE CENTER		
	FROM GENERAL REVENUE FUND	498,280	
	FROM ADMINISTRATIVE TRUST FUND . . .		1,379,318
459A	DATA PROCESSING SERVICES		
	NORTHWEST REGIONAL DATA CENTER (NWRDC)		
	FROM ADMINISTRATIVE TRUST FUND . . .		50,116

The funds provided in Specific Appropriation 459A shall not be utilized for any costs related to the potential expansion of the floor space operated and managed by the Northwest Regional Data Center.

461	DATA PROCESSING SERVICES		
	NORTHWOOD SHARED RESOURCE CENTER (NSRC)		
	DEPRECIATION FEDERAL SHARE BILLINGS		
	FROM ADMINISTRATIVE TRUST FUND . . .		17,011
TOTAL:	INFORMATION TECHNOLOGY		
	FROM GENERAL REVENUE FUND	5,708,299	
	FROM TRUST FUNDS		14,219,966
	TOTAL POSITIONS	96.00	
	TOTAL ALL FUNDS		19,928,265

PROGRAM: COMMUNITY PUBLIC HEALTH

FAMILY HEALTH OUTPATIENT AND NUTRITION SERVICES

The Florida Hospital/Sanford-Burnham Translational Research Institute is designated as a State of Florida resource for research in diabetes diagnosis, prevention and treatment. The Florida Sanford-Burnham Translational Research Institute may coordinate with the Department of Health with activities and grant opportunities in relation to research in diabetes, prevention and treatment.

APPROVED SALARY RATE 9,309,494

462	SALARIES AND BENEFITS POSITIONS 202.50		
	FROM GENERAL REVENUE FUND	1,894,222	
	FROM RAPE CRISIS PROGRAM TRUST FUND		85,761
	FROM EPILEPSY SERVICES TRUST FUND .		62,355
	FROM FEDERAL GRANTS TRUST FUND . . .		8,025,737
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		1,119,961
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		519,172
463	OTHER PERSONAL SERVICES		
	FROM FEDERAL GRANTS TRUST FUND . . .		752,570
	FROM GRANTS AND DONATIONS TRUST FUND		63,220
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		132,326
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		61,332
464	EXPENSES		
	FROM GENERAL REVENUE FUND	155,572	
	FROM ADMINISTRATIVE TRUST FUND . . .		10,237
	FROM RAPE CRISIS PROGRAM TRUST FUND		11,379
	FROM EPILEPSY SERVICES TRUST FUND .		31,044
	FROM FEDERAL GRANTS TRUST FUND . . .		2,897,784
	FROM GRANTS AND DONATIONS TRUST FUND		21,410
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		447,752
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		292,504
465	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - FAMILY PLANNING SERVICES		
	FROM GENERAL REVENUE FUND	4,245,455	
	FROM FEDERAL GRANTS TRUST FUND . . .		1,067,783
466	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - EPILEPSY SERVICES		
	FROM GENERAL REVENUE FUND	2,107,152	
	FROM EPILEPSY SERVICES TRUST FUND .		1,427,831
468	AID TO LOCAL GOVERNMENTS		
	CONTRIBUTION TO COUNTY HEALTH UNITS		
	FROM GENERAL REVENUE FUND	3,455,424	
469	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - PRIMARY CARE PROGRAM		
	FROM GENERAL REVENUE FUND	19,421,512	

From the funds in Specific Appropriation 469, $200,000 in nonrecurring funds from the General Revenue Fund is provided to establish a countywide mobile health unit to provide primary and acute care to the uninsured population of Gadsden County.

470	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - FLUORIDATION PROJECT		
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		150,000
471	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - RURAL PRIMARY CARE RESIDENCY SLOTS		
	FROM GENERAL REVENUE FUND	3,000,000	
472	AID TO LOCAL GOVERNMENTS		
	SCHOOL HEALTH SERVICES		
	FROM GENERAL REVENUE FUND	1,006,487	
	FROM TOBACCO SETTLEMENT TRUST FUND .		9,902,925
	FROM FEDERAL GRANTS TRUST FUND . . .		9,125,846

From the funds in Specific Appropriation 472 and 482, $5,000,000 from the Federal Grants Trust Fund is provided for school health services using Title XXI administrative funding. The Agency for Health Care Administration is authorized to seek a state plan amendment necessary to implement this provision.

473	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND . . .		56,500
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		25,000

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

474 SPECIAL CATEGORIES
GRANTS AND AIDS - OUNCE OF PREVENTION
FROM WELFARE TRANSITION TRUST FUND . 1,900,000

From the funds in Specific Appropriation 474, Ounce of Prevention shall identify, fund, and evaluate innovative prevention programs for at-risk children and families, and $250,000 shall be used for statewide public education campaigns on television and radio to educate the public on critical prevention issues facing Florida's at-risk children and families. The Ounce of Prevention shall contract with a not-for-profit corporation that provides matching funds in a three to one ratio.

475 SPECIAL CATEGORIES
GRANTS AND AIDS - CRISIS COUNSELING
FROM GENERAL REVENUE FUND 2,000,000

From the funds in Specific Appropriation 475, a minimum of 85 percent of the appropriated funds shall be spent on direct client services, direct service provider certification and Option Line.

The department shall award a contract to a current Florida Pregnancy Support Services Program (FPSSP) contract management provider that is a Florida non-profit corporation and recognized as tax exempt by the IRS under code section 501 (c)(3) for this Specific Appropriation. The contract shall provide for the development and implementation of certification standards and to provide the required contract management of all sub-contracted direct service providers, Option Line and FPSSP website.

The department shall pay the non-profit contract management provider no less than $380 per month per sub-contracted direct service provider for contract management and an FPSSP website.

The department is authorized to spend no more than $50,000 for agency program oversight activities.

476 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 105,527
FROM RAPE CRISIS PROGRAM TRUST FUND 500
FROM FEDERAL GRANTS TRUST FUND . . . 1,289,221
FROM GRANTS AND DONATIONS TRUST FUND 5,740
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 13,000
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 305,500

477 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 9,009,637
FROM ADMINISTRATIVE TRUST FUND . . . 100,000
FROM RAPE CRISIS PROGRAM TRUST FUND 1,505,421
FROM FEDERAL GRANTS TRUST FUND . . . 6,536,020
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 2,075,773
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 119,630

From the funds in Specific Appropriation 477, $750,000 in recurring funds from the General Revenue Fund is provided to the Florida Heiken Children's Vision Program to provide free comprehensive eye examinations and eyeglasses to financially disadvantaged school children who have no other source for vision care.

From the funds in Specific Appropriation 477, $750,000 in recurring funds from the General Revenue Fund is provided to Vision Quest to provide free comprehensive eye examinations and eyeglasses to financially disadvantaged school children who have no other source for vision care.

From the funds in Specific Appropriation 477, $500,000 in nonrecurring funds from the General Revenue Fund is provided to the University of Miami for the Crohn's Disease and Ulcerative Colitis Project.

From the funds in Specific Appropriation 477, $1,950,000 in recurring funds from the General Revenue Fund is provided to the Nova Southeastern University to support the assignment of students enrolled in Osteopathic Medicine, Pharmacy, Dentistry, and Nursing in medical/clinical rotations at health care clinics and hospitals, and Federally Qualified Health Centers located in rural and underserved areas of the state.

From the funds in Specific Appropriation 477, $360,000 in recurring funds from the General Revenue Fund is provided for the Midwifery Services for the Treasure Coast.

From the funds in Specific Appropriation 477, $500,000 in nonrecurring funds from the General Revenue Fund is provided for the Apopka Family Health Center.

From the funds in Specific Appropriation 477, $50,000 in nonrecurring funds from the General Revenue Fund is provided to the Diabetes Advisory Council established pursuant to s. 385.203, Florida Statutes.

From the funds in Specific Appropriation 477, $1,236,473 in nonrecurring funds from the General Revenue Fund is provided for breast and cervical cancer screening through the Mary Brogan Breast and Cervical Cancer Early Detection Program.

478 SPECIAL CATEGORIES
GRANTS AND AIDS - HEALTHY START COALITIONS
FROM GENERAL REVENUE FUND 21,454,198
FROM FEDERAL GRANTS TRUST FUND . . . 2,178,303
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 6,542,389

479 SPECIAL CATEGORIES
HEALTH EDUCATION RISK REDUCTION PROJECT
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 12,686

480 SPECIAL CATEGORIES
HEALTHY START COORDINATED CARE SYSTEM WAIVER
FROM GENERAL REVENUE FUND 15,171,241
FROM FEDERAL GRANTS TRUST FUND . . . 22,932,070

481 SPECIAL CATEGORIES
GRANTS AND AIDS - FEDERAL NUTRITION PROGRAMS
FROM FEDERAL GRANTS TRUST FUND . . . 475,942,752

482 SPECIAL CATEGORIES
FULL SERVICE SCHOOLS - INTERAGENCY COOPERATION
FROM GENERAL REVENUE FUND 6,000,000
FROM FEDERAL GRANTS TRUST FUND . . . 2,500,000

484 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 53,504
FROM FEDERAL GRANTS TRUST FUND . . . 43,305

485 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM FEDERAL GRANTS TRUST FUND . . . 6,590
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 1,526

486 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 18,442
FROM RAPE CRISIS PROGRAM TRUST

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

FUND		712
FROM FEDERAL GRANTS TRUST FUND . . .		60,156
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		8,024
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		2,544
487 QUALIFIED EXPENDITURE CATEGORY WOMEN, INFANTS AND CHILDREN DATA SYSTEM		
FROM FEDERAL GRANTS TRUST FUND . . .		3,932,141
TOTAL: FAMILY HEALTH OUTPATIENT AND NUTRITION SERVICES		
FROM GENERAL REVENUE FUND	89,098,373	
FROM TRUST FUNDS		564,304,432
TOTAL POSITIONS	202.50	
TOTAL ALL FUNDS		653,402,805

INFECTIOUS DISEASE CONTROL

APPROVED SALARY RATE 15,382,022

488 SALARIES AND BENEFITS POSITIONS 386.50		
FROM GENERAL REVENUE FUND	4,087,757	
FROM FEDERAL GRANTS TRUST FUND . . .		11,399,870
FROM OPERATIONS AND MAINTENANCE TRUST FUND		4,402,141
489 OTHER PERSONAL SERVICES		
FROM FEDERAL GRANTS TRUST FUND . . .		596,922
FROM OPERATIONS AND MAINTENANCE TRUST FUND		71,716
490 EXPENSES		
FROM GENERAL REVENUE FUND	950,844	
FROM FEDERAL GRANTS TRUST FUND . . .		7,767,918
FROM GRANTS AND DONATIONS TRUST FUND		23,537
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,727,934
491 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - AIDS PATIENT CARE		
FROM GENERAL REVENUE FUND	12,609,807	
FROM FEDERAL GRANTS TRUST FUND . . .		7,060,522
492 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - RYAN WHITE CONSORTIA		
FROM FEDERAL GRANTS TRUST FUND . . .		20,754,358

Funds in Specific Appropriation 492 from the Federal Grants Trust Fund are contingent upon sufficient state matching funds being identified to qualify for the federal Ryan White grant award. The Department of Health and the Department of Corrections shall collaborate in determining the amount of general revenue funds expended by the Department of Corrections for AIDS-related activities and services that qualify as state matching funds for the Ryan White grant.

493 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - STATEWIDE ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) NETWORKS		
FROM GENERAL REVENUE FUND	10,463,853	
494 AID TO LOCAL GOVERNMENTS CONTRIBUTION TO COUNTY HEALTH UNITS		
FROM GENERAL REVENUE FUND	12,462,553	
495 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	20,562	
FROM FEDERAL GRANTS TRUST FUND . . .		178,326
FROM OPERATIONS AND MAINTENANCE TRUST FUND		14,818
496 FOOD PRODUCTS		

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FROM GENERAL REVENUE FUND	167,470	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		58,213
497 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	665,595	
FROM FEDERAL GRANTS TRUST FUND . . .		4,716,511
FROM GRANTS AND DONATIONS TRUST FUND		162,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND		679,948
498 SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,530,876	
FROM FEDERAL GRANTS TRUST FUND . . .		11,166,097
499 SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES		
FROM GENERAL REVENUE FUND	139,356	
500 SPECIAL CATEGORIES GRANTS AND AIDS - ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) INSURANCE CONTINUATION PROGRAM		
FROM GENERAL REVENUE FUND	6,454,951	
FROM FEDERAL GRANTS TRUST FUND . . .		4,891,498
501 SPECIAL CATEGORIES PURCHASED CLIENT SERVICES		
FROM GENERAL REVENUE FUND	106,323	
502 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	82,929	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		211,066
503 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	22,470	
FROM FEDERAL GRANTS TRUST FUND . . .		32,266
FROM OPERATIONS AND MAINTENANCE TRUST FUND		23,595
504 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	51,105	
FROM FEDERAL GRANTS TRUST FUND . . .		96,042
FROM OPERATIONS AND MAINTENANCE TRUST FUND		34,558
504A SPECIAL CATEGORIES STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
FROM FEDERAL GRANTS TRUST FUND . . .		56,793
504B SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
FROM FEDERAL GRANTS TRUST FUND . . .		436,000
505 SPECIAL CATEGORIES OUTREACH FOR PREGNANT WOMEN		
FROM GENERAL REVENUE FUND	500,000	
TOTAL: INFECTIOUS DISEASE CONTROL		
FROM GENERAL REVENUE FUND	50,316,451	
FROM TRUST FUNDS		76,562,649

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TOTAL POSITIONS	386.50	
TOTAL ALL FUNDS		126,879,100

ENVIRONMENTAL HEALTH SERVICES

APPROVED SALARY RATE 9,769,560

506	SALARIES AND BENEFITS POSITIONS	215.50	
	FROM GENERAL REVENUE FUND	1,430,722	
	FROM ADMINISTRATIVE TRUST FUND . . .		2,261,644
	FROM FEDERAL GRANTS TRUST FUND . . .		1,545,796
	FROM GRANTS AND DONATIONS TRUST FUND		1,817,921
	FROM RADIATION PROTECTION TRUST FUND		5,889,799
507	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .		71,060
	FROM FEDERAL GRANTS TRUST FUND . . .		131,791
	FROM GRANTS AND DONATIONS TRUST FUND		130,415
	FROM RADIATION PROTECTION TRUST FUND		33,393
508	EXPENSES		
	FROM GENERAL REVENUE FUND	179,251	
	FROM ADMINISTRATIVE TRUST FUND . . .		977,051
	FROM FEDERAL GRANTS TRUST FUND . . .		346,479
	FROM GRANTS AND DONATIONS TRUST FUND		321,055
	FROM RADIATION PROTECTION TRUST FUND		1,731,715
509	AID TO LOCAL GOVERNMENTS		
	CONTRIBUTION TO COUNTY HEALTH UNITS		
	FROM GENERAL REVENUE FUND	2,200,270	
	FROM ADMINISTRATIVE TRUST FUND . . .		427,426
	FROM GRANTS AND DONATIONS TRUST FUND		2,194,571
510	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND . . .		15,000
	FROM FEDERAL GRANTS TRUST FUND . . .		31,698
	FROM RADIATION PROTECTION TRUST FUND		56,997
511	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM RADIATION PROTECTION TRUST FUND		210,856
512	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	2,047,489	
	FROM ADMINISTRATIVE TRUST FUND . . .		335,165
	FROM FEDERAL GRANTS TRUST FUND . . .		643,776
	FROM GRANTS AND DONATIONS TRUST FUND		676,038
	FROM RADIATION PROTECTION TRUST FUND		150,000

From the funds in Specific Appropriation 512, $1,500,000 in nonrecurring funds from the General Revenue Fund is provided to the department to complete phase II and phase III of the study authorized in Specific Appropriation 1682 of chapter 2008-152, Laws of Florida. The funds will be spent for installing field systems and sampling, installing and sampling the soil and groundwater at various sites throughout Florida to determine how nitrogen moves, and developing various models to show how nitrogen is affected by treatment in Florida-specific soils. The department shall submit a status report before October 1, 2012, a subsequent status report before February 1, 2013, and a final report upon completion of phase III to the Governor, the President of the Senate, and the Speaker of the House of Representatives prior to proceeding with any nitrogen reduction activities.

From the funds in Specific Appropriation 512, $450,000 in recurring funds from the General Revenue Fund is provided to the Birth Defects Registry.

513	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM FEDERAL GRANTS TRUST FUND . . .		750,000
514	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	79,670	
	FROM RADIATION PROTECTION TRUST FUND		14,575
515	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	7,348	
	FROM ADMINISTRATIVE TRUST FUND . . .		1,748
	FROM FEDERAL GRANTS TRUST FUND . . .		1,532
	FROM RADIATION PROTECTION TRUST FUND		1,052
516	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	12,667	
	FROM ADMINISTRATIVE TRUST FUND . . .		13,220
	FROM FEDERAL GRANTS TRUST FUND . . .		9,758
	FROM GRANTS AND DONATIONS TRUST FUND		13,529
	FROM RADIATION PROTECTION TRUST FUND		40,713
517	SPECIAL CATEGORIES		
	STATE UNDERGROUND PETROLEUM ENVIRONMENTAL RESPONSE (SUPER) ACT REIMBURSEMENT		
	FROM GRANTS AND DONATIONS TRUST FUND		534,775
TOTAL:	ENVIRONMENTAL HEALTH SERVICES		
	FROM GENERAL REVENUE FUND	5,957,417	
	FROM TRUST FUNDS		21,380,548
	TOTAL POSITIONS	215.50	
	TOTAL ALL FUNDS		27,337,965

COUNTY HEALTH DEPARTMENTS LOCAL HEALTH NEEDS

APPROVED SALARY RATE 456,021,071

518	SALARIES AND BENEFITS POSITIONS	11,703.00	
	FROM COUNTY HEALTH DEPARTMENT TRUST FUND		597,616,650
519	OTHER PERSONAL SERVICES		
	FROM COUNTY HEALTH DEPARTMENT TRUST FUND		46,697,185
520	EXPENSES		
	FROM COUNTY HEALTH DEPARTMENT TRUST FUND		109,451,459
521	AID TO LOCAL GOVERNMENTS		
	CONTRIBUTION TO COUNTY HEALTH UNITS		
	FROM GENERAL REVENUE FUND	110,199,044	
	FROM TOBACCO SETTLEMENT TRUST FUND .		1,651,522

Funds in Specific Appropriation 521 reflect a reduction of $5,000,000 from the General Revenue Fund and a reduction of $1,468,477 from the Tobacco Settlement Trust Fund as a result of reduced contribution to the county health departments. Counties that are designated as rural by the

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Department of Health shall be exempt from this funding reduction. The department shall apply the funding reduction to the remaining counties within the state.

522 AID TO LOCAL GOVERNMENTS
COMMUNITY HEALTH INITIATIVES
FROM GENERAL REVENUE FUND 1,895,274
FROM COUNTY HEALTH DEPARTMENT
TRUST FUND 500,000

From the funds in Specific Appropriation 522, an additional $117,173 in recurring funds from the General Revenue Fund is provided for La Liga-League Against Cancer.

523 OPERATING CAPITAL OUTLAY
FROM COUNTY HEALTH DEPARTMENT
TRUST FUND 11,235,802

524 LUMP SUM
COUNTY HEALTH DEPARTMENTS
POSITIONS 341.25

525 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM COUNTY HEALTH DEPARTMENT
TRUST FUND 2,809,253

526 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM COUNTY HEALTH DEPARTMENT
TRUST FUND 69,984,660

527 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM COUNTY HEALTH DEPARTMENT
TRUST FUND 27,500

528 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM COUNTY HEALTH DEPARTMENT
TRUST FUND 6,453,932

529 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM COUNTY HEALTH DEPARTMENT
TRUST FUND 288,347

530 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM COUNTY HEALTH DEPARTMENT
TRUST FUND 3,098,117

531 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM COUNTY HEALTH DEPARTMENT
TRUST FUND 3,336,842

531A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
MAINTENANCE AND REPAIR OF COUNTY HEALTH
DEPARTMENTS
FROM COUNTY HEALTH DEPARTMENT
TRUST FUND 7,533,960

531B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - HEALTH FACILITIES
FROM COUNTY HEALTH DEPARTMENT
TRUST FUND 8,313,858

From the funds in Specific Appropriation 531B, $8,313,858 in nonrecurring funds in the County Health Department Trust Fund is provided for a federal grant to be used for the construction of a new facility for the Osceola County Health Department.

TOTAL: COUNTY HEALTH DEPARTMENTS LOCAL HEALTH NEEDS
FROM GENERAL REVENUE FUND 112,094,318
FROM TRUST FUNDS 868,999,087

TOTAL POSITIONS 12,044.25
TOTAL ALL FUNDS 981,093,405

STATEWIDE PUBLIC HEALTH SUPPORT SERVICES

APPROVED SALARY RATE 23,900,555

532 SALARIES AND BENEFITS POSITIONS 607.00
FROM GENERAL REVENUE FUND 6,540,673
FROM ADMINISTRATIVE TRUST FUND . . . 756,378
FROM EMERGENCY MEDICAL SERVICES
TRUST FUND 2,757,114
FROM FEDERAL GRANTS TRUST FUND . . . 9,826,958
FROM GRANTS AND DONATIONS TRUST
FUND 771,796
FROM NURSING STUDENT LOAN
FORGIVENESS TRUST FUND 65,526
FROM PLANNING AND EVALUATION TRUST
FUND 10,368,783

533 OTHER PERSONAL SERVICES
FROM EMERGENCY MEDICAL SERVICES
TRUST FUND 149,583
FROM FEDERAL GRANTS TRUST FUND . . . 419,601
FROM GRANTS AND DONATIONS TRUST
FUND 289,299
FROM PLANNING AND EVALUATION TRUST
FUND 689,100

534 EXPENSES
FROM GENERAL REVENUE FUND 523,198
FROM ADMINISTRATIVE TRUST FUND . . . 67,399
FROM EMERGENCY MEDICAL SERVICES
TRUST FUND 813,693
FROM BIOMEDICAL RESEARCH TRUST
FUND 2,047
FROM FEDERAL GRANTS TRUST FUND . . . 4,359,446
FROM GRANTS AND DONATIONS TRUST
FUND 301,993
FROM NURSING STUDENT LOAN
FORGIVENESS TRUST FUND 39,050
FROM PLANNING AND EVALUATION TRUST
FUND 11,480,615

536 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EMERGENCY MEDICAL
SERVICES COUNTY GRANTS
FROM EMERGENCY MEDICAL SERVICES
TRUST FUND 6,211,675

537 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EMERGENCY MEDICAL
SERVICES MATCHING GRANTS
FROM EMERGENCY MEDICAL SERVICES
TRUST FUND 4,681,461

538 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 53,693
FROM ADMINISTRATIVE TRUST FUND . . . 2,600
FROM EMERGENCY MEDICAL SERVICES
TRUST FUND 1,932
FROM FEDERAL GRANTS TRUST FUND . . . 361,466
FROM NURSING STUDENT LOAN
FORGIVENESS TRUST FUND 6,000
FROM PLANNING AND EVALUATION TRUST
FUND 128,302

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539 SPECIAL CATEGORIES
GRANTS AND AIDS - STRENGTHENING DOMESTIC SECURITY - BIOTERRORISM ENHANCEMENTS - HEALTH AND HOSPITALS
FROM FEDERAL GRANTS TRUST FUND . . . 47,323,907

540 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 258,540
FROM ADMINISTRATIVE TRUST FUND . . . 255,000
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 1,107,458
FROM FEDERAL GRANTS TRUST FUND . . . 1,516,404
FROM GRANTS AND DONATIONS TRUST FUND 205,108
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND 41,188
FROM PLANNING AND EVALUATION TRUST FUND 5,809,214

From the funds in Specific Appropriation 540, $1,875,000 from the Planning and Evaluation Trust Fund is provided for the inclusion of Severe Combined Immunodeficiency Disease (SCID) testing within the Newborn Screening Program.

541 SPECIAL CATEGORIES
DRUGS, VACCINES AND OTHER BIOLOGICALS
FROM GENERAL REVENUE FUND 25,417,280
FROM FEDERAL GRANTS TRUST FUND . . . 94,726,722
FROM GRANTS AND DONATIONS TRUST FUND 20,140,807

Funds in Specific Appropriation 541 from the Federal Grants Trust Fund are contingent upon sufficient state matching funds being identified to qualify for the federal Ryan White grant award. The Department of Health and the Department of Corrections shall collaborate in determining the amount of state general revenue funds expended by the Department of Corrections for AIDS-related activities and services that qualify as state matching funds for the Ryan White grant.

From the funds in Specific Appropriation 541, $2,500,000 in recurring funds from the General Revenue Fund is provided to reduce the waiting list to the AIDS Drug Assistance Program.

From the funds in Specific Appropriation 541, $940,000 in nonrecurring funds from the General Revenue Fund is provided to increase childhood immunizations. Effective for the start of the 2012-2013 school year and in addition to the current compulsory school immunization, the Department of Health shall write rules requiring children entering, attending, or transferring to the seventh grade in Florida public and non-public schools receive one dose of Meningococcal conjugate vaccine.

542 SPECIAL CATEGORIES
JAMES AND ESTHER KING BIOMEDICAL RESEARCH PROGRAM
FROM BIOMEDICAL RESEARCH TRUST FUND 7,150,000

543 SPECIAL CATEGORIES
WILLIAM G. "BILL" BANKHEAD, JR., AND DAVID COLEY CANCER RESEARCH PROGRAM
FROM GENERAL REVENUE FUND 500,000
FROM BIOMEDICAL RESEARCH TRUST FUND 5,000,000

From the funds provided in Specific Appropriation 543, $500,000 from the General Revenue Fund, of which $208,072 is nonrecurring, is provided to maintain the statewide Brain Tumor Registry Program at the McKnight Brain Institute.

543A SPECIAL CATEGORIES
H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE
FROM BIOMEDICAL RESEARCH TRUST FUND 5,000,000

543B SPECIAL CATEGORIES
BIOMEDICAL RESEARCH
FROM GENERAL REVENUE FUND 8,000,000
FROM BIOMEDICAL RESEARCH TRUST FUND 10,000,000

From the funds in Specific Appropriation 543B, $2,500,000 in nonrecurring funds from the General Revenue Fund and $5,000,000 in recurring funds from the Biomedical Research Trust Fund is provided to the Shands Cancer Hospital.

From the funds in Specific Appropriation 543B, $2,500,000 in nonrecurring funds from the General Revenue Fund and $5,000,000 in recurring funds from the Biomedical Research Trust Fund is provided to the Sylvester Cancer Center at the University of Miami.

From the funds in Specific Appropriation 543B, $3,000,000 from the General Revenue Fund is provided for the Department of Health and the Sanford-Burnham Medical Research Institute to work in conjunction to establish activities and grant opportunities in relation to biomedical research.

544 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,886,010
FROM PLANNING AND EVALUATION TRUST FUND 150,928

545 SPECIAL CATEGORIES
GRANTS AND AIDS - STATE AND FEDERAL DISASTER RELIEF OPERATIONS
FROM FEDERAL GRANTS TRUST FUND . . . 1,000,000

546 SPECIAL CATEGORIES
GRANTS AND AIDS - TRAUMA CARE
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 12,093,747

547 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM PLANNING AND EVALUATION TRUST FUND 98,943

548 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 13,755
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 11,775
FROM FEDERAL GRANTS TRUST FUND . . . 2,304
FROM GRANTS AND DONATIONS TRUST FUND 767
FROM PLANNING AND EVALUATION TRUST FUND 97,561

548A SPECIAL CATEGORIES
GRANTS AND AID - NURSING STUDENT LOAN REIMBURSEMENT/ SCHOLARSHIPS
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND 929,006

549 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 94,855
FROM ADMINISTRATIVE TRUST FUND . . . 3,873
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 23,994
FROM FEDERAL GRANTS TRUST FUND . . . 72,620
FROM GRANTS AND DONATIONS TRUST FUND 7,616
FROM NURSING STUDENT LOAN

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FORGIVENESS TRUST FUND 356
FROM PLANNING AND EVALUATION TRUST FUND 80,206

549A FIXED CAPITAL OUTLAY
HEALTH FACILITIES REPAIR AND MAINTENANCE - STATEWIDE
FROM PLANNING AND EVALUATION TRUST FUND 1,736,947

From the funds in Specific Appropriation 549A, the following projects are funded from nonrecurring funds in the Planning and Evaluation Trust Fund:

Jacksonville Lab..... 1,586,947
Pensacola Lab..... 150,000

549B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 5,250,000

From the funds in Specific Appropriation 549B, $5,000,000 in nonrecurring funds from the General Revenue Fund is provided for emergency power improvements and related infrastructure for a statutory teaching hospital located on a barrier island in order to ensure the institution's patient services and facilities are operable during disaster events. Prior to the release of these funds, a qualifying hospital shall submit a project plan to the department detailing the use of this funding for improving emergency power and related projects including a timeline for completion of the project.

From the funds in Specific Appropriation 549B, $250,000 in nonrecurring funds from the General Revenue Fund is provided for the construction of a pediatric cardiac hybrid catheterization lab/operating room at the Joe DiMaggio Children's Hospital.

TOTAL: STATEWIDE PUBLIC HEALTH SUPPORT SERVICES
FROM GENERAL REVENUE FUND 49,538,004
FROM TRUST FUNDS 269,138,268

TOTAL POSITIONS 607.00
TOTAL ALL FUNDS 318,676,272

PROGRAM: CHILDREN'S MEDICAL SERVICES

CHILDREN'S SPECIAL HEALTH CARE

APPROVED SALARY RATE 30,750,267

550 SALARIES AND BENEFITS POSITIONS 744.00
FROM GENERAL REVENUE FUND 16,458,073
FROM DONATIONS TRUST FUND 15,066,112
FROM FEDERAL GRANTS TRUST FUND . . . 6,367,926

551 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 140,466
FROM DONATIONS TRUST FUND 89,063
FROM FEDERAL GRANTS TRUST FUND . . . 388,687

552 EXPENSES
FROM GENERAL REVENUE FUND 1,312,787
FROM DONATIONS TRUST FUND 3,590,549
FROM FEDERAL GRANTS TRUST FUND . . . 2,858,039

553 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 29,319
FROM DONATIONS TRUST FUND 35,629
FROM FEDERAL GRANTS TRUST FUND . . . 106,825

554 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILDREN'S MEDICAL SERVICES NETWORK

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FROM GENERAL REVENUE FUND 16,054,931
FROM TOBACCO SETTLEMENT TRUST FUND . 11,775,196
FROM DONATIONS TRUST FUND 159,087,270
FROM FEDERAL GRANTS TRUST FUND . . . 553,738
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 8,258,090
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 1,613,263

Funds in Specific Appropriation 554 shall not be used to support continuing education courses or training for health professionals or staff employed by the Children's Medical Services (CMS) Network or under contract with the department. This limitation shall include but not be limited to: classroom instruction, train the trainer, or web-based continuing education courses that may be considered professional development, or that results in continuing education credits that may be applied towards the initial or subsequent renewal of a health professional's license. This does not preclude the CMS Network from providing information on treatment methodologies or best practices to appropriate CMS network health professionals, staff, or contractors.

From the funds in Specific Appropriation 554, the department shall transfer an amount not to exceed $450,000 from the General Revenue Fund to the Agency for Health Care Administration for Medicaid reimbursable services that support children enrolled in contracted medical foster care programs.

From the funds in Specific Appropriation 554, $100,000 in recurring funds from the General Revenue Fund is provided for the Fetal Alcohol Clinic in Sarasota.

555 SPECIAL CATEGORIES
GRANTS AND AIDS - MEDICAL SERVICES FOR ABUSED/NEGLECTED CHILDREN
FROM GENERAL REVENUE FUND 12,292,307
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 5,763,295

From the funds in Specific Appropriation 555, $660,000 from the General Revenue Fund is provided as additional funding for Child Protection Team Medical Directors.

556 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,500,000
FROM DONATIONS TRUST FUND 1,826,075
FROM FEDERAL GRANTS TRUST FUND . . . 82,405
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 281,710

From the funds in Specific Appropriation 556, $1,500,000 in nonrecurring funds from the General Revenue Fund is provided to a public hospital created either by county ordinance or by special act of the Florida Legislature which has no taxing authority located in Lee County for the purpose of initial planning and design of a free standing children's hospital to serve Southwest Florida.

556A SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,158,501

From the funds in Specific Appropriation 556A, $500,000 in recurring funds from the General Revenue Fund is provided for the Diaphragmatic Pacing Demonstration Project at Broward Children's Center.

From the funds in Specific Appropriation 556A, $100,000 in recurring funds from the General Revenue Fund is provided for the Autism Center of Miami.

557 SPECIAL CATEGORIES
POISON CONTROL CENTER
FROM GENERAL REVENUE FUND 1,591,693

558 SPECIAL CATEGORIES

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RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 413,123
FROM DONATIONS TRUST FUND 710,876

559 SPECIAL CATEGORIES
GRANTS AND AIDS - DEVELOPMENTAL EVALUATION AND INTERVENTION SERVICES/PART C
FROM GENERAL REVENUE FUND 23,231,961
FROM TOBACCO SETTLEMENT TRUST FUND . 3,817,556
FROM FEDERAL GRANTS TRUST FUND . . . 23,853,779
FROM WELFARE TRANSITION TRUST FUND . 3,600,000

From the funds in Specific Appropriation 559, $4,101,483 from the General Revenue Fund is provided as the state match for Medicaid reimbursable early intervention services in Specific Appropriation 185.

560 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 82,009
FROM DONATIONS TRUST FUND 121,245
FROM FEDERAL GRANTS TRUST FUND . . . 75,871

561 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 164,125
FROM DONATIONS TRUST FUND 120,540
FROM FEDERAL GRANTS TRUST FUND . . . 49,845

561A QUALIFIED EXPENDITURE CATEGORY
CHILDRENS MEDICAL SERVICES DEVELOPMENT AND INTEGRATION PROJECT
FROM FEDERAL GRANTS TRUST FUND . . . 831,171

TOTAL: CHILDREN'S SPECIAL HEALTH CARE
FROM GENERAL REVENUE FUND 74,429,295
FROM TRUST FUNDS 250,924,755

TOTAL POSITIONS 744.00
TOTAL ALL FUNDS 325,354,050

PROGRAM: HEALTH CARE PRACTITIONER AND ACCESS

MEDICAL QUALITY ASSURANCE

The Department of Health along with the Board of Pharmacy may seek and accept grants to develop and publish a listing of tamper resistant formulated controlled substances, including schedules II-V, that such technologies for which information has been submitted by the manufacturer of such a product. Inclusion of a drug on such registry may not require that a drug bear a labeling claim with respect to reduction of tampering, abuse or abuse potential at the time of listing. Such a listing may also include a determination by the Department of Health as to which listed controlled substance incorporating tamper resistant formulation technology may provide substantially similar tamper-resistance properties, based solely upon studies submitted by the drug manufacturer. The Department shall distribute this registry once a year to all pharmacies authorized to dispense controlled substances and to all physicians authorized to dispense and prescribe controlled substances.

APPROVED SALARY RATE 22,010,069

562 SALARIES AND BENEFITS POSITIONS 600.00
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 29,795,052

563 OTHER PERSONAL SERVICES
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 5,365,666

564 EXPENSES
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 7,068,722

565 OPERATING CAPITAL OUTLAY
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 57,604

566 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 13,000

567 SPECIAL CATEGORIES
UNLICENSED ACTIVITIES
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 1,231,856

568 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 297,494

569 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 13,825,119

570 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 654,782

571 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 339,364

572 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 255,612

TOTAL: MEDICAL QUALITY ASSURANCE
FROM TRUST FUNDS 58,904,271

TOTAL POSITIONS 600.00
TOTAL ALL FUNDS 58,904,271

COMMUNITY HEALTH RESOURCES

APPROVED SALARY RATE 4,238,204

573 SALARIES AND BENEFITS POSITIONS 104.00
FROM GENERAL REVENUE FUND 591,784
FROM ADMINISTRATIVE TRUST FUND . . . 371,741
FROM TOBACCO SETTLEMENT TRUST FUND . 294,586
FROM FEDERAL GRANTS TRUST FUND . . . 1,366,829
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 2,403,326

From the funds in Specific Appropriation 573, $294,586 and four positions are provided to implement the Comprehensive Statewide Tobacco Education and Prevention Program in accordance with Section 27, Article X of the State Constitution.

574 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 10,000
FROM FEDERAL GRANTS TRUST FUND . . . 19,770

575 EXPENSES
FROM GENERAL REVENUE FUND 72,425
FROM ADMINISTRATIVE TRUST FUND . . . 131,539

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FROM FEDERAL GRANTS TRUST FUND . . . 555,127
FROM GRANTS AND DONATIONS TRUST FUND 29,729
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 668,523

576 AID TO LOCAL GOVERNMENTS
CONTRIBUTION TO COUNTY HEALTH UNITS
FROM GENERAL REVENUE FUND 64,747

577 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LOCAL HEALTH COUNCILS
FROM GRANTS AND DONATIONS TRUST FUND 1,006,000

578 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 12,850
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 9,000

579 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,616,562
FROM ADMINISTRATIVE TRUST FUND . . . 5,623
FROM FEDERAL GRANTS TRUST FUND . . . 616,997
FROM GRANTS AND DONATIONS TRUST FUND 3,581
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 242,075

From the funds in Specific Appropriation 579, $1,600,000 in nonrecurring funds from the General Revenue Fund is provided for the FAMU/UF/FSU/FAU collaboration to provide: (1) training opportunities for students from diverse backgrounds to pursue advanced degrees in the state's existing medical, dental, pharmacy, nursing and other health related programs; and (2) operation of two rural panhandle clinics.

580 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,530,924
FROM FEDERAL GRANTS TRUST FUND . . . 437,153
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 1,919,836

From the funds in Specific Appropriation 580, $1,000,000 from the General Revenue Fund is provided for the department to contract with the Brain Injury Association of Florida (BIAF) to identify and link resources to traumatic brain injury patients.

581 SPECIAL CATEGORIES
GRANTS AND AIDS - RURAL HEALTH NETWORK GRANTS
FROM GENERAL REVENUE FUND 500,000
FROM FEDERAL GRANTS TRUST FUND . . . 574,305

582 SPECIAL CATEGORIES
BRAIN AND SPINAL CORD HOME AND COMMUNITY BASED SERVICES WAIVER
FROM GENERAL REVENUE FUND 2,201,241
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 12,996,146

From the funds in Specific Appropriation 582, $663,914 from the General Revenue Fund and $906,736 from the Brain and Spinal Cord Injury Program Trust Fund are provided to expand the current Traumatic Brain Injury/Spinal Cord Injury Medicaid waiver by an additional 50 slots. This funding shall be used to reduce the current wait list for those individuals that are at the greatest risk for institutionalization or developing secondary complications requiring hospitalization.

583 SPECIAL CATEGORIES
CYSTIC FIBROSIS HOME AND COMMUNITY BASED SERVICES WAIVER
FROM GENERAL REVENUE FUND 1,044,540

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APPROPRIATION
FROM FEDERAL GRANTS TRUST FUND . . . 1,426,574

From the funds in Specific Appropriation 583, $325,000 from the General Revenue Fund and $239,706 from the Federal Grants Trust Fund are provided to increase the current Cystic Fibrosis Home and Community Based Services Waiver.

584 SPECIAL CATEGORIES
PURCHASED CLIENT SERVICES
FROM GENERAL REVENUE FUND 1,000,000
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 1,676,352

From the funds in Specific Appropriation 584, $1,000,000 from the General Revenue Fund is provided for services for newly-injured clients of brain, spinal cord, or brain and spinal cord injuries who are not served under the Traumatic Brain Injury/Spinal Cord Injury Medicaid waiver.

585 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 29,641

586 SPECIAL CATEGORIES
GRANTS AND AIDS - SPINAL CORD RESEARCH
FROM GENERAL REVENUE FUND 400,000
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 1,000,000

From the funds in Specific Appropriation 586, $400,000 in nonrecurring funds from the General Revenue Fund is provided for Brain and Spinal Research at the University of Miami.

586A SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM ADMINISTRATIVE TRUST FUND . . . 1,639
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 47,576

587 SPECIAL CATEGORIES
COMPREHENSIVE STATEWIDE TOBACCO PREVENTION AND EDUCATION PROGRAM
FROM TOBACCO SETTLEMENT TRUST FUND . 64,289,944

Funds in Specific Appropriation 587 shall be used to implement the Comprehensive Statewide Tobacco Education and Prevention Program in accordance with Section 27, Article X of the State Constitution as adjusted annually for inflation, using the Consumer Price Index as published by the United States Department of Labor. The appropriation shall be allocated as follows:

State & Community Interventions..... 10,630,288
State & Community Interventions - AHEC..... 5,320,738
Health Communications Interventions..... 21,408,551
Cessation Interventions..... 12,663,790
Cessation Interventions - AHEC..... 7,213,826
Surveillance & Evaluation..... 5,731,550
Administration & Management..... 1,321,201

From the funds in Specific Appropriation 587, the department may use nicotine replacements and other treatments approved by the Federal Food and Drug Administration as part of smoking cessation interventions.

587A SPECIAL CATEGORIES
FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY CRESTVIEW CENTER
FROM GENERAL REVENUE FUND 1,500,000

588 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 10,632
FROM ADMINISTRATIVE TRUST FUND . . . 2,509

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FROM FEDERAL GRANTS TRUST FUND . . .		9,997
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		21,791
589 SPECIAL CATEGORIES MEDICALLY FRAGILE ENHANCEMENT PAYMENT FROM GENERAL REVENUE FUND	760,020	

From the funds in Specific Appropriation 589, $150,000 from the General Revenue Fund is provided as additional funding for ventilator dependent, medically fragile children in the Broward Children's Center.

TOTAL: COMMUNITY HEALTH RESOURCES		
FROM GENERAL REVENUE FUND	11,322,516	
FROM TRUST FUNDS		92,151,118
TOTAL POSITIONS	104.00	
TOTAL ALL FUNDS		103,473,634

PROGRAM: DISABILITY DETERMINATIONS

DISABILITY BENEFITS DETERMINATION

APPROVED SALARY RATE 49,917,583

590 SALARIES AND BENEFITS POSITIONS 1,227.00		
FROM GENERAL REVENUE FUND	568,177	
FROM FEDERAL GRANTS TRUST FUND . . .		641,403
FROM U.S. TRUST FUND		71,171,210
591 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	25,996	
FROM FEDERAL GRANTS TRUST FUND . . .		27,001
FROM U.S. TRUST FUND		16,095,631
592 EXPENSES		
FROM GENERAL REVENUE FUND	118,839	
FROM FEDERAL GRANTS TRUST FUND . . .		138,434
FROM U.S. TRUST FUND		23,100,363
593 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	4,000	
FROM FEDERAL GRANTS TRUST FUND . . .		4,000
FROM U.S. TRUST FUND		200,000
594 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	135,331	
FROM FEDERAL GRANTS TRUST FUND . . .		140,563
FROM U.S. TRUST FUND		36,244,419
595 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	1,784	
FROM FEDERAL GRANTS TRUST FUND . . .		1,784
FROM U.S. TRUST FUND		397,194
596 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM FEDERAL GRANTS TRUST FUND . . .		255
FROM U.S. TRUST FUND		2,334
597 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	3,992	
FROM FEDERAL GRANTS TRUST FUND . . .		4,051
FROM U.S. TRUST FUND		438,524
TOTAL: DISABILITY BENEFITS DETERMINATION		
FROM GENERAL REVENUE FUND	858,119	
FROM TRUST FUNDS		148,607,166

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TOTAL POSITIONS	1,227.00	
TOTAL ALL FUNDS		149,465,285
TOTAL: HEALTH, DEPARTMENT OF		
FROM GENERAL REVENUE FUND	404,106,437	
FROM TRUST FUNDS		2,389,045,880
TOTAL POSITIONS	16,550.25	
TOTAL ALL FUNDS		2,793,152,317
TOTAL APPROVED SALARY RATE	640,788,088	

VETERANS' AFFAIRS, DEPARTMENT OF

PROGRAM: SERVICES TO VETERANS' PROGRAM

VETERANS' HOMES

APPROVED SALARY RATE 30,327,168

598 SALARIES AND BENEFITS POSITIONS 978.00		
FROM OPERATIONS AND MAINTENANCE TRUST FUND		43,041,623
599 OTHER PERSONAL SERVICES		
FROM OPERATIONS AND MAINTENANCE TRUST FUND		2,986,987
600 EXPENSES		
FROM GRANTS AND DONATIONS TRUST FUND		32,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND		12,025,975
601 OPERATING CAPITAL OUTLAY		
FROM GRANTS AND DONATIONS TRUST FUND		67,500
FROM OPERATIONS AND MAINTENANCE TRUST FUND		329,094
FROM STATE HOMES FOR VETERANS TRUST FUND		95,210
602 FOOD PRODUCTS		
FROM OPERATIONS AND MAINTENANCE TRUST FUND		3,226,561
603 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM OPERATIONS AND MAINTENANCE TRUST FUND		9,310,854
604 SPECIAL CATEGORIES RECREATIONAL EQUIPMENT AND SUPPLIES		
FROM GRANTS AND DONATIONS TRUST FUND		72,500
605 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,738,266
606 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM OPERATIONS AND MAINTENANCE TRUST FUND		364,334
607 FIXED CAPITAL OUTLAY MAINTENANCE AND REPAIR OF STATE-OWNED RESIDENTIAL FACILITIES FOR VETERANS		
FROM OPERATIONS AND MAINTENANCE TRUST FUND		550,000
FROM STATE HOMES FOR VETERANS TRUST FUND		894,400

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TOTAL: VETERANS' HOMES
FROM TRUST FUNDS 74,735,304

TOTAL POSITIONS 978.00
TOTAL ALL FUNDS 74,735,304

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,530,608

608 SALARIES AND BENEFITS POSITIONS 25.50
FROM GENERAL REVENUE FUND 2,031,526

609 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 19,765

610 EXPENSES
FROM GENERAL REVENUE FUND 658,996
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 100,458

611 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 120,512

612 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 110,882
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 730,600

613 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 6,845
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 27

614 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 9,361

615 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 12,504

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 2,970,391
FROM TRUST FUNDS 831,085

TOTAL POSITIONS 25.50
TOTAL ALL FUNDS 3,801,476

VETERANS' BENEFITS AND ASSISTANCE

APPROVED SALARY RATE 3,723,398

617 SALARIES AND BENEFITS POSITIONS 85.00
FROM GENERAL REVENUE FUND 4,002,511
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 687,797

618 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 12,000
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 10,000

619 EXPENSES
FROM GENERAL REVENUE FUND 229,941
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 149,286

620 OPERATING CAPITAL OUTLAY
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 4,000

622 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 2,569
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 4,000

623 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 12,746
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 4,096

624 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 27,765
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 3,420

TOTAL: VETERANS' BENEFITS AND ASSISTANCE
FROM GENERAL REVENUE FUND 4,287,532
FROM TRUST FUNDS 862,599

TOTAL POSITIONS 85.00
TOTAL ALL FUNDS 5,150,131

TOTAL: VETERANS' AFFAIRS, DEPARTMENT OF
FROM GENERAL REVENUE FUND 7,257,923
FROM TRUST FUNDS 76,428,988

TOTAL POSITIONS 1,088.50
TOTAL ALL FUNDS 83,686,911
TOTAL APPROVED SALARY RATE 35,581,174

TOTAL OF SECTION 3

FROM GENERAL REVENUE FUND 7,673,104,514

FROM TRUST FUNDS 22,239,668,452

TOTAL POSITIONS 34,407.25

TOTAL ALL FUNDS 29,912,772,966

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

The moneys contained herein are appropriated from the named funds to the Department of Corrections, Justice Administration, Department of Juvenile Justice, Florida Department of Law Enforcement, Department of Legal Affairs/Attorney General, and the Parole Commission as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

CORRECTIONS, DEPARTMENT OF

From the funds in Specific Appropriations 625 through 815, each provider contracting with the Department of Corrections must provide the department with a proposal prior to the release of funds that details the services that will be delivered, the expected results, and recommended performance measures. The department and each provider must execute a contract before the release of any funds, and the contract documents must include mutually agreed upon performance measures. Each provider must provide quarterly performance reports to the department. Funds shall only be released to providers whose performance reports indicate successful compliance with the performance measures described in the contract.

The Department of Corrections shall develop and use a uniform format and uniform methodologies for the purpose of reporting annually to the Governor and to the Legislature on the state prison system. Such reports shall include a comprehensive plan for current facility use and

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any departures from planned facility use, including opening new facilities, renovating or closing existing facilities, and advancing or delaying the opening of new or renovated facilities. The report shall include the maximum capacity of currently operating facilities and the potential maximum capacity of facilities that the department could make operational within the fiscal year. The report shall also identify appropriate sites for future facilities and provide information to support specified locations, such as availability of personnel in local labor markets. Reports should include updated infrastructure needs for existing or future facilities. Each report should reconcile capacity figures to the immediately preceding report. For the purpose of this paragraph, maximum capacity shall be calculated and displayed pursuant to section 944.023(1)(b), Florida Statutes. The department may provide additional analysis of current and future bed needs based on such factors as deemed necessary by the Secretary. The next report shall be due January 1, 2013.

From the funds in Specific Appropriations 625 through 815, the Department of Corrections shall, before closing, substantially reducing the use of, or changing the purpose of any state correctional institution as defined in section 944.02, Florida Statutes, submit its proposal to the Governor's Office of Policy and Budget and the chairs of the Senate Budget Committee and the House Appropriations Committee for review.

Funds in Specific Appropriation 625 through 815 shall not be used to pay for unoccupied space currently being leased by the Department of Corrections in the event the leases are vacant on or after July 1, 2012, and for which it has been determined by the Secretary of the department that there is no longer a need.

PROGRAM: DEPARTMENT ADMINISTRATION

BUSINESS SERVICE CENTERS

APPROVED SALARY RATE 9,038,192

625 SALARIES AND BENEFITS POSITIONS 239.00
FROM GENERAL REVENUE FUND 11,292,469
FROM ADMINISTRATIVE TRUST FUND . . . 1,071,412

626 EXPENSES
FROM GENERAL REVENUE FUND 79,817
FROM ADMINISTRATIVE TRUST FUND . . . 133,494

627 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 46,507

628 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 131,877

629 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 2,315

630 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 2,983

TOTAL: BUSINESS SERVICE CENTERS
FROM GENERAL REVENUE FUND 11,555,968
FROM TRUST FUNDS 1,204,906

TOTAL POSITIONS 239.00
TOTAL ALL FUNDS 12,760,874

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 12,688,626

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631 SALARIES AND BENEFITS POSITIONS 263.00
FROM GENERAL REVENUE FUND 8,678,767
FROM ADMINISTRATIVE TRUST FUND . . . 2,577,472
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 77,486

From the funds in Specific Appropriation 631, $1,000,000 of general revenue funds shall be placed in reserve. After the Department of Corrections' successful statewide implementation of the electronic time and attendance system identified in chapters 2010-152 and 2011-69, Laws of Florida, the department may submit a budget amendment in accordance with all applicable provisions of chapter 216, Florida Statutes, requesting release of the funds.

632 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,090
FROM ADMINISTRATIVE TRUST FUND . . . 292,906

633 EXPENSES
FROM GENERAL REVENUE FUND 956,141
FROM ADMINISTRATIVE TRUST FUND . . . 491,826
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 1,083,200

From funds in Specific Appropriation 633, up to $10,000 in general revenue funds is appropriated for the department to prepare and issue a competitive procurement no later than July 31, 2012, for statewide inmate phone services.

634 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 20,227
FROM ADMINISTRATIVE TRUST FUND . . . 30,160
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 240,600
FROM FEDERAL GRANTS TRUST FUND . . . 101,840

635 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM GENERAL REVENUE FUND 1,294

636 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 488,509
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 200,000
FROM FEDERAL GRANTS TRUST FUND . . . 347,650

637 SPECIAL CATEGORIES
TRANSFER TO GENERAL REVENUE FUND
FROM FEDERAL GRANTS TRUST FUND . . . 13,900,000

Funds in Specific Appropriation 637 are from reimbursements from the U. S. Government for incarcerating aliens in Florida's prisons. If total reimbursements exceed $13,900,000, the department shall submit a budget amendment in accordance with all applicable provisions of chapter 216, Florida Statutes, requesting additional budget authority to transfer the balance to the General Revenue Fund.

638 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 325,293

639 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 36,220

640 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 9,136,542
FROM ADMINISTRATIVE TRUST FUND . . . 63,116
FROM CORRECTIONAL WORK PROGRAM

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TRUST FUND		130,168
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	19,665,083	
FROM TRUST FUNDS		19,536,424
TOTAL POSITIONS	263.00	
TOTAL ALL FUNDS		39,201,507

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 7,856,445

641	SALARIES AND BENEFITS POSITIONS	161.50	
	FROM GENERAL REVENUE FUND	8,557,487	
	FROM ADMINISTRATIVE TRUST FUND . . .		1,072,962
641A	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	13,500	
642	EXPENSES		
	FROM GENERAL REVENUE FUND	659,224	
	FROM ADMINISTRATIVE TRUST FUND . . .		24,271
643	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	127,720	
644	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	2,084,778	
	FROM ADMINISTRATIVE TRUST FUND . . .		7,812
645	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	48,354	
646	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM GENERAL REVENUE FUND	295,329	
647	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	1,270	
648	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	1,279	
648A	DATA PROCESSING SERVICES		
	TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES		
	FROM GENERAL REVENUE FUND	102,717	
648B	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	4	
649	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM GENERAL REVENUE FUND	6,773,122	
	FROM ADMINISTRATIVE TRUST FUND . . .		7,046
TOTAL: INFORMATION TECHNOLOGY			
	FROM GENERAL REVENUE FUND	18,664,784	
	FROM TRUST FUNDS		1,112,091
	TOTAL POSITIONS	161.50	
	TOTAL ALL FUNDS		19,776,875

PROGRAM: SECURITY AND INSTITUTIONAL OPERATIONS

From the funds in Specific Appropriations 661, 673, and 686 a total of

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$1,074,362 is provided as payment in lieu of ad valorem taxation for distribution to local government taxing authorities. Funding is provided as follows: $269,324 for the Bay Correctional Facility, $339,242 for the Moore Haven Correctional Facility, $275,560 for the South Bay Correctional Facility, $100,000 for the Gadsden Correctional Facility and $90,236 for the Lake City Correctional Facility. These funds may not be distributed if there are outstanding claims for ad valorem taxes due on the property at issue and may not be distributed until the property is reclassified on the real property and tangible personal property rolls as State Government property back to the date the finance corporation or other state entity acquired the title thereto. These distributions shall be adjusted, with respect to any facility, to reimburse the Department of Corrections for the total amounts expended by the state in resisting the imposition of such ad valorem tax claims, including all attorneys' fees and costs actually incurred by the state's agencies.

Funds and positions in Specific Appropriations 625 through 758 and 778 through 815 support the state's inmate population. These funds and positions are sufficient to provide housing and security for 98,885 inmates when fully annualized. Variable expenses, maintenance, and health services funds are provided for an average daily population of 99,257 inmates.

Funds and positions in Specific Appropriations 625 through 758 and 778 through 815 are provided to address security needs for the prison population expected in Fiscal Year 2012-2013, as projected by the Criminal Justice Estimating Conference.

ADULT MALE CUSTODY OPERATIONS

APPROVED SALARY RATE 317,865,052

651	SALARIES AND BENEFITS POSITIONS	7,992.00	
	FROM GENERAL REVENUE FUND	380,644,343	
	FROM FEDERAL GRANTS TRUST FUND . . .		340,612
652	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	4,382,832	
	FROM GRANTS AND DONATIONS TRUST FUND		91,000
653	EXPENSES		
	FROM GENERAL REVENUE FUND	20,973,057	
	FROM FEDERAL GRANTS TRUST FUND . . .		216,949
	FROM GRANTS AND DONATIONS TRUST FUND		240,389

From the funds in Specific Appropriation 653, $142,900 from recurring general revenue funds is provided to the City of Pahokee as a payment in lieu of taxes for the Sago Palm facility.

654	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	303,666	
	FROM FEDERAL GRANTS TRUST FUND . . .		750,000
	FROM GRANTS AND DONATIONS TRUST FUND		250,000
655	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	25,757,404	
	FROM FEDERAL GRANTS TRUST FUND . . .		83,421
655A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	450,000	
656	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	5,332,231	
	FROM FEDERAL GRANTS TRUST FUND . . .		273,617
657	SPECIAL CATEGORIES		
	FOOD SERVICE AND PRODUCTION		

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SPECIFIC
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FROM GENERAL REVENUE FUND 3,244,169
FROM FEDERAL GRANTS TRUST FUND . . . 118,172

658 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 523,270

659 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 15,675,608
FROM SALE OF GOODS AND SERVICES CLEARING TRUST FUND 1,048,049

660 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 6,553,045

661 SPECIAL CATEGORIES
PRIVATE PRISON OPERATIONS
FROM GENERAL REVENUE FUND 121,628,960
FROM PRIVATELY OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND 1,300,586

662 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 505,746

663 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 219,176

663A FIXED CAPITAL OUTLAY
MAJOR REPAIRS, RENOVATIONS AND IMPROVEMENTS TO MAJOR INSTITUTIONS
FROM GENERAL REVENUE FUND 2,119,660

TOTAL: ADULT MALE CUSTODY OPERATIONS
FROM GENERAL REVENUE FUND 588,313,167
FROM TRUST FUNDS 4,712,795

TOTAL POSITIONS 7,992.00
TOTAL ALL FUNDS 593,025,962

ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY OPERATIONS

APPROVED SALARY RATE 34,144,807

664 SALARIES AND BENEFITS POSITIONS 813.00
FROM GENERAL REVENUE FUND 33,893,564
FROM GRANTS AND DONATIONS TRUST FUND 118,901

665 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 331,284
FROM GRANTS AND DONATIONS TRUST FUND 32,884

666 EXPENSES
FROM GENERAL REVENUE FUND 1,994,239
FROM GRANTS AND DONATIONS TRUST FUND 50,703

667 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 2,406,265
FROM GRANTS AND DONATIONS TRUST FUND 15,841

668 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 625,305

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669 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 180,841
FROM GRANTS AND DONATIONS TRUST FUND 22,509

670 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 469,295

671 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 3,635,370

672 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 341,923

673 SPECIAL CATEGORIES
PRIVATE PRISON OPERATIONS
FROM GENERAL REVENUE FUND 25,571,930
FROM PRIVATELY OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND 597,359

674 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 80,162

675 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 10,525

TOTAL: ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY OPERATIONS
FROM GENERAL REVENUE FUND 69,540,703
FROM TRUST FUNDS 838,197

TOTAL POSITIONS 813.00
TOTAL ALL FUNDS 70,378,900

MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS

APPROVED SALARY RATE 13,199,764

676 SALARIES AND BENEFITS POSITIONS 102.00
FROM GENERAL REVENUE FUND 13,757,578
FROM FEDERAL GRANTS TRUST FUND . . . 493,334

677 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 247,841

678 EXPENSES
FROM GENERAL REVENUE FUND 77,143
FROM FEDERAL GRANTS TRUST FUND . . . 24,336

679 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 20,185
FROM FEDERAL GRANTS TRUST FUND . . . 500,000

680 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 1,334,376
FROM FEDERAL GRANTS TRUST FUND . . . 483,667

681 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 29,599

682 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 197,340
FROM FEDERAL GRANTS TRUST FUND . . . 191,046

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683 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 486,977

684 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,136,384

685 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 159,226

686 SPECIAL CATEGORIES
PRIVATE PRISON OPERATIONS
FROM GENERAL REVENUE FUND 19,804,187
FROM PRIVATELY OPERATED
INSTITUTIONS INMATE WELFARE TRUST
FUND 195,403

687 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 38,675

688 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 7,625
FROM FEDERAL GRANTS TRUST FUND . . . 898

TOTAL: MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS
FROM GENERAL REVENUE FUND 38,297,136
FROM TRUST FUNDS 1,888,684

TOTAL POSITIONS 102.00
TOTAL ALL FUNDS 40,185,820

SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS

APPROVED SALARY RATE 180,227,614

689 SALARIES AND BENEFITS POSITIONS 4,860.00
FROM GENERAL REVENUE FUND 231,070,792

690 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,286,462

691 EXPENSES
FROM GENERAL REVENUE FUND 3,549,587

692 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 12,170,243

693 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,762,621

694 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 1,168,710

695 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 654,272

696 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 12,910,617

697 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 1,514,628

699 SPECIAL CATEGORIES

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LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 283,746

700 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 35,878

TOTAL: SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS
FROM GENERAL REVENUE FUND 266,407,556

TOTAL POSITIONS 4,860.00
TOTAL ALL FUNDS 266,407,556

RECEPTION CENTER OPERATIONS

APPROVED SALARY RATE 71,521,029

701 SALARIES AND BENEFITS POSITIONS 1,985.00
FROM GENERAL REVENUE FUND 94,282,461
FROM FEDERAL GRANTS TRUST FUND . . . 8,249

702 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 788,028

703 EXPENSES
FROM GENERAL REVENUE FUND 3,914,923
FROM FEDERAL GRANTS TRUST FUND . . . 31,090

704 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 250,000

705 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 6,099,923
FROM FEDERAL GRANTS TRUST FUND . . . 32,449

706 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 87,126

707 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 363,768
FROM FEDERAL GRANTS TRUST FUND . . . 46,893

708 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 299,643

709 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 3,252,930

710 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 678,193

712 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 81,590

713 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 18,998

TOTAL: RECEPTION CENTER OPERATIONS
FROM GENERAL REVENUE FUND 109,867,583
FROM TRUST FUNDS 368,681

TOTAL POSITIONS 1,985.00
TOTAL ALL FUNDS 110,236,264

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APPROPRIATION
PUBLIC SERVICE WORKSQUADS AND WORK RELEASE
TRANSITION

APPROVED SALARY RATE 37,369,131

714 SALARIES AND BENEFITS POSITIONS 1,033.00
FROM GENERAL REVENUE FUND 33,814,635
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 19,233,926
FROM GRANTS AND DONATIONS TRUST
FUND 48,692

715 EXPENSES
FROM GENERAL REVENUE FUND 628,772
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 717,224
FROM GRANTS AND DONATIONS TRUST
FUND 32,776

716 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 154,907
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 90,020

717 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 1,104,000

718 LUMP SUM
CORRECTIONAL WORK PROGRAMS
POSITIONS 15.00
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 1,054,597

Funds and positions in Specific Appropriation 718 from the Correctional Work Program Trust Fund are provided for interagency contracted services funded by state agencies or local governments. These positions and funds shall be released as needed upon execution of interagency community service squad contracts.

719 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 27,247,420
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 284,315

720 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 203,504

721 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 185,998

722 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,090,171

723 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 308,420
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 182,075

725 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 40,356

726 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 4,411
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 4,128

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TOTAL: PUBLIC SERVICE WORKSQUADS AND WORK RELEASE
TRANSITION
FROM GENERAL REVENUE FUND 64,782,594
FROM TRUST FUNDS 21,647,753

TOTAL POSITIONS 1,048.00
TOTAL ALL FUNDS 86,430,347

ROAD PRISON OPERATIONS

APPROVED SALARY RATE 3,753,364

727 SALARIES AND BENEFITS POSITIONS 95.00
FROM GENERAL REVENUE FUND 351
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 5,447,338

728 EXPENSES
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 499,172

729 FOOD PRODUCTS
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 352,549

730 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 11,284

731 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 53,567

732 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 24,666

733 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 8,341

TOTAL: ROAD PRISON OPERATIONS
FROM GENERAL REVENUE FUND 351
FROM TRUST FUNDS 6,396,917

TOTAL POSITIONS 95.00
TOTAL ALL FUNDS 6,397,268

OFFENDER MANAGEMENT AND CONTROL

APPROVED SALARY RATE 43,808,498

734 SALARIES AND BENEFITS POSITIONS 1,257.00
FROM GENERAL REVENUE FUND 56,320,043
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 63,669

735 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 274,572

736 EXPENSES
FROM GENERAL REVENUE FUND 2,683,112
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 1,959

737 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 21,578

738 SPECIAL CATEGORIES
CONTRACTED SERVICES

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FROM GENERAL REVENUE FUND 31,653

739 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 64,719
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 1,655

740 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 166,269

741 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 7,439

TOTAL: OFFENDER MANAGEMENT AND CONTROL
FROM GENERAL REVENUE FUND 59,569,385
FROM TRUST FUNDS 67,283

TOTAL POSITIONS 1,257.00
TOTAL ALL FUNDS 59,636,668

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 8,733,593

742 SALARIES AND BENEFITS POSITIONS 178.00
FROM GENERAL REVENUE FUND 11,639,864

743 OTHER PERSONAL SERVICES
FROM GRANTS AND DONATIONS TRUST
FUND 75,000

744 EXPENSES
FROM GENERAL REVENUE FUND 1,981,528
FROM GRANTS AND DONATIONS TRUST
FUND 226,785
FROM SALE OF GOODS AND SERVICES
CLEARING TRUST FUND 1,678,250

745 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 256,642

746 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,557,104

From funds in Specific Appropriation 746, $1,000,000 in recurring general revenue funds is provided to continue the victim notification system (VINE).

From funds in Specific Appropriation 746, $250,000 in nonrecurring general revenue funds is provided for a pilot project utilizing remote transcription services.

747 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 100,080

748 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 114,940

749 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 2,202

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 15,652,360

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FROM TRUST FUNDS 1,980,035

TOTAL POSITIONS 178.00
TOTAL ALL FUNDS 17,632,395

CORRECTIONAL FACILITIES MAINTENANCE AND REPAIR

APPROVED SALARY RATE 18,355,242

750 SALARIES AND BENEFITS POSITIONS 543.00
FROM GENERAL REVENUE FUND 23,164,284

751 EXPENSES
FROM GENERAL REVENUE FUND 55,038,033

From funds in Specific Appropriation 751, $250,000 in nonrecurring general revenue funds is appropriated to maintain Department of Corrections' facilities that have been closed due to prison consolidation.

752 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 382,228

753 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 4,653

754 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 4,658,135

755 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM GENERAL REVENUE FUND 4,198,894

756 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 36,771

757 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 11,401

758 FIXED CAPITAL OUTLAY
CORRECTIONAL FACILITIES - LEASE PURCHASE
FROM GENERAL REVENUE FUND 64,527,183

Funds in Specific Appropriation 758 are provided for payments required under the master lease purchase agreement used to secure the certificates of participation issued to finance or refinance the following correctional facilities:

Bay Correctional Facility	3,048,274
Moore Haven Correctional Facility (Glades County)	2,605,751
South Bay Correctional Facility (Palm Beach County)	5,055,170
Graceville Correctional Facility (Jackson County)	4,827,944
Okeechobee Correctional Institution	3,448,588
Blackwater River Correctional Facility (Santa Rosa County)	7,031,009
Gadsden Correctional Facility	2,434,272
Lake City Correctional Facility (Columbia County)	2,625,330
Demilly Correctional Institution (Polk County)	1,390,375
Sago Palm Work Camp (Palm Beach County)	1,476,000
Various DOC Facility Projects - Series 2009 B and C Bonds	30,584,470

Series 2009 B and C Bonds include various facility construction projects for the following Department of Corrections facilities:

Mayo Annex (Lafayette County), Suwannee Annex (Suwannee County), Lowell Reception Center (Marion County), Lancaster Secure Housing Unit (Gilchrist County), Liberty Work Camp (Liberty County), Franklin Work Camp (Franklin County), Cross City Work Camp (Dixie County), Okeechobee Work Camp (Okeechobee County), New River Work Camp (Bradford County),

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Santa Rosa Work Camp (Santa Rosa County), Hollywood Work Release Center (Broward County), Kissimmee Work Release Center (Osceola County), Lake City Work Release Center (Columbia County), Santa Fe Work Release Center (Alachua County), Everglades Re-Entry Center (Dade County), Baker Re-Entry Center (Baker County), and Pat Thomas Re-Entry Center (Gadsden County).

TOTAL: CORRECTIONAL FACILITIES MAINTENANCE AND REPAIR
FROM GENERAL REVENUE FUND 152,021,582

TOTAL POSITIONS 543.00
TOTAL ALL FUNDS 152,021,582

PROGRAM: COMMUNITY CORRECTIONS

COMMUNITY SUPERVISION

APPROVED SALARY RATE 113,810,438

759 SALARIES AND BENEFITS POSITIONS 2,791.00
FROM GENERAL REVENUE FUND 155,840,005
FROM FEDERAL GRANTS TRUST FUND . . . 153,333

760 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 60,945

761 EXPENSES
FROM GENERAL REVENUE FUND 2,767,529
FROM FEDERAL GRANTS TRUST FUND . . . 64,717

762 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 256,941

763 SPECIAL CATEGORIES
BUILDING/OFFICE RENT PAYMENTS
FROM GENERAL REVENUE FUND 12,271,573

Funds in Specific Appropriation 763 are provided to continue rent payments for individual private contracts for rental of office/building space at a rate not to exceed the rate for each contract in effect on June 30, 2012. Price level increases are not provided for rent payments for Department of Corrections' private leases in the 2012-2013 fiscal year. No other funds are appropriated or shall be transferred by the department for such increases.

764 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 140,324

764A SPECIAL CATEGORIES
LOCAL COMMUNITY CORRECTIONS PROJECT
FROM GENERAL REVENUE FUND 150,000

Funds in Specific Appropriation 764A are provided from nonrecurring general revenue funds for the Operation New Hope re-entry initiative, a program that provides case management, life-coaching, job training and job placement services to assist offenders on community supervision transition back into the community and workforce.

765 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 3,885,933

766 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 565,414

767 SPECIAL CATEGORIES
ELECTRONIC MONITORING
FROM GENERAL REVENUE FUND 6,276,469

768 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 250,104

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769 SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM FEDERAL GRANTS TRUST FUND . . . 91,400

770 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM FEDERAL GRANTS TRUST FUND . . . 875,993

TOTAL: COMMUNITY SUPERVISION
FROM GENERAL REVENUE FUND 182,465,237
FROM TRUST FUNDS 1,185,443

TOTAL POSITIONS 2,791.00
TOTAL ALL FUNDS 183,650,680

ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES

771 EXPENSES
FROM GENERAL REVENUE FUND 300,000

772 SPECIAL CATEGORIES
CONTRACT DRUG ABUSE SERVICES
FROM GENERAL REVENUE FUND 1,000,000

773 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 4,963,104

774 SPECIAL CATEGORIES
LOCAL COMMUNITY CORRECTIONS PROJECT
FROM GENERAL REVENUE FUND 376,004

From the funds in Specific Appropriation 774, $150,000 in nonrecurring general revenue funds is provided for the WestCare substance abuse treatment program in Pinellas County.

775 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED DRUG TREATMENT/REHABILITATION PROGRAMS
FROM GENERAL REVENUE FUND 13,307,066
FROM FEDERAL GRANTS TRUST FUND . . . 550,000

From the funds in Specific Appropriation 775, $600,000 in recurring general revenue funds are provided for the Drug Abuse Comprehensive Coordinating Office, Inc. (DACCO) in Hillsborough County.

TOTAL: ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES
FROM GENERAL REVENUE FUND 19,946,174
FROM TRUST FUNDS 550,000

TOTAL ALL FUNDS 20,496,174

COMMUNITY FACILITY OPERATIONS

776 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 2,816,521

From funds in Specific Appropriation 776, $350,000 in nonrecurring funds is provided for WestCare Foundation, Inc. to establish a pilot program for Pasco and Pinellas counties utilizing the "Smart Justice" model as an accountable alternative for Non-Violent Drug Offenders who would be sentenced to prison. A comprehensive clinical assessment will be utilized to identify the offender's appropriateness for the program. Up to 60 offenders in Pasco and Pinellas counties will be targeted at a cost of no more than $16.00 per day. This model will incorporate a bundled program approach to monitoring, using global positioning devices, day reporting, employment coaching, drug treatment, family reunification, counseling and other community interventions.

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777 SPECIAL CATEGORIES
JUDICIAL/DEPARTMENT OF CORRECTIONS
SENTENCING ALTERNATIVES
FROM GENERAL REVENUE FUND 700,143

Pursuant to sections 944.012(6)(c), 921.00241 and 775.082(10), Florida Statutes, $700,143 in recurring general revenue funds are provided in Specific Appropriation 777 to continue Judicial/DOC pilot programs for offenders who would be sentenced to prison, but could be diverted to appropriate programs that allow the offender to retain community support, access drug treatment and/or employment opportunities while receiving life-skills assistance in a structured environment. These treatment programs may include drug treatment, residential and outpatient treatment programming, day reporting or other services to reduce recidivism.

These pilot programs shall continue to use evidence-based practices and graduated incentives that are anticipated to result in a reduction in prison admissions for that community.

TOTAL: COMMUNITY FACILITY OPERATIONS
FROM GENERAL REVENUE FUND 3,516,664

TOTAL ALL FUNDS 3,516,664

PROGRAM: HEALTH SERVICES

INMATE HEALTH SERVICES

APPROVED SALARY RATE 121,757,982

778 SALARIES AND BENEFITS POSITIONS 2,679.00
FROM GENERAL REVENUE FUND 124,440,177

779 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 17,691,537

780 EXPENSES
FROM GENERAL REVENUE FUND 11,051,314

781 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 249,229

782 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 773,686

783 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 769,274

784 SPECIAL CATEGORIES
INMATE HEALTH SERVICES
FROM GENERAL REVENUE FUND 133,880,822
FROM ADMINISTRATIVE TRUST FUND . . . 116,000

From the funds in Specific Appropriation 784, $100,000 in recurring general revenue funds is provided for Hepatitis B vaccinations for inmates.

From Specific Appropriation 784, up to $41,405,554 in recurring general revenue funds is provided for the contracting of health services in the Southern Florida Region (formerly known as Region IV). If a contract is not executed, the Department of Corrections is authorized to submit a budget amendment in accordance with chapter 216, Florida Statutes, to move funds between categories of appropriation to continue to provide inmate health services.

785 SPECIAL CATEGORIES
TREATMENT OF INMATES - GENERAL DRUGS
FROM GENERAL REVENUE FUND 22,743,337

786 SPECIAL CATEGORIES
TREATMENT OF INMATES - PSYCHOTROPIC DRUGS

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FROM GENERAL REVENUE FUND 11,786,133

787 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 249,635

788 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 354,101

TOTAL: INMATE HEALTH SERVICES
FROM GENERAL REVENUE FUND 323,989,245
FROM TRUST FUNDS 116,000

TOTAL POSITIONS 2,679.00
TOTAL ALL FUNDS 324,105,245

TREATMENT OF INMATES WITH INFECTIOUS DISEASES

APPROVED SALARY RATE 527,639

789 SALARIES AND BENEFITS POSITIONS 11.50
FROM GENERAL REVENUE FUND 100,143
FROM FEDERAL GRANTS TRUST FUND . . . 399,894

790 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 104,207

791 EXPENSES
FROM GENERAL REVENUE FUND 178,506
FROM FEDERAL GRANTS TRUST FUND . . . 201,494

792 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 27,019

793 SPECIAL CATEGORIES
INMATE HEALTH SERVICES
FROM GENERAL REVENUE FUND 2,204,554

794 SPECIAL CATEGORIES
TREATMENT OF INMATES - INFECTIOUS DISEASE
DRUGS
FROM GENERAL REVENUE FUND 20,181,349

TOTAL: TREATMENT OF INMATES WITH INFECTIOUS DISEASES
FROM GENERAL REVENUE FUND 22,664,552
FROM TRUST FUNDS 732,614

TOTAL POSITIONS 11.50
TOTAL ALL FUNDS 23,397,166

PROGRAM: EDUCATION AND PROGRAMS

ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND
TREATMENT SERVICES

APPROVED SALARY RATE 1,569,267

795 SALARIES AND BENEFITS POSITIONS 33.00
FROM GENERAL REVENUE FUND 935,483
FROM FEDERAL GRANTS TRUST FUND . . . 754,082

796 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 32,809

797 EXPENSES
FROM GENERAL REVENUE FUND 68,648
FROM FEDERAL GRANTS TRUST FUND . . . 622,815

798 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 45,600

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799 SPECIAL CATEGORIES
CONTRACT DRUG ABUSE SERVICES
FROM GENERAL REVENUE FUND 4,019,584
FROM FEDERAL GRANTS TRUST FUND . . . 3,072,341

From funds in Specific Appropriation 799, $600,000 of nonrecurring general revenue funds is appropriated to provide substance abuse treatment to inmates who have been sentenced to state prison for 24 months or less.

800 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 2,900
FROM FEDERAL GRANTS TRUST FUND . . . 50

TOTAL: ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES
FROM GENERAL REVENUE FUND 5,026,615
FROM TRUST FUNDS 4,527,697

TOTAL POSITIONS 33.00
TOTAL ALL FUNDS 9,554,312

BASIC EDUCATION SKILLS

APPROVED SALARY RATE 13,972,951

801 SALARIES AND BENEFITS POSITIONS 314.00
FROM GENERAL REVENUE FUND 12,938,449
FROM FEDERAL GRANTS TRUST FUND . . . 2,444,648

802 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 493,477
FROM FEDERAL GRANTS TRUST FUND . . . 516,172

803 EXPENSES
FROM GENERAL REVENUE FUND 1,972,021
FROM FEDERAL GRANTS TRUST FUND . . . 1,933,823

From funds in Specific Appropriation 803, $500,000 from recurring general revenue funds is provided to issue a request for proposal, as defined in section 287.057(1)(b), F.S., to establish a pilot online career education program to serve up to 400 inmates through an Advanced/SACS accredited online school district that offers career-based online high school diplomas designed to prepare adults for transition into the workplace. The department may use federal funds provided to educate inmates to expand this pilot beyond 400 inmates. The department shall provide an initial report regarding the progress of the inmates in the online diploma and career certificate programs to the chairs of the Senate Budget Committee and the House Appropriations Committee by December 31, 2012.

804 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 472,386

805 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 557,821
FROM FEDERAL GRANTS TRUST FUND . . . 1,402,052

From Specific Appropriation 805, $125,000 in nonrecurring general revenue funds is provided for the Hillsborough Reentry Center operated by the Hillsborough County Sheriff's Office, to support ex-offenders released to the Hillsborough Reentry Center from the Department of Corrections, for the purpose of providing continued substance abuse and mental health services.

806 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 96,709

807 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 20,888

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808 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 14,268
FROM FEDERAL GRANTS TRUST FUND . . . 1,196

TOTAL: BASIC EDUCATION SKILLS
FROM GENERAL REVENUE FUND 16,093,633
FROM TRUST FUNDS 6,770,277

TOTAL POSITIONS 314.00
TOTAL ALL FUNDS 22,863,910

ADULT OFFENDER TRANSITION, REHABILITATION AND SUPPORT

APPROVED SALARY RATE 3,347,016

809 SALARIES AND BENEFITS POSITIONS 59.00
FROM GENERAL REVENUE FUND 4,264,581
FROM FEDERAL GRANTS TRUST FUND . . . 436,594

810 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 119,743

811 EXPENSES
FROM GENERAL REVENUE FUND 372,770
FROM FEDERAL GRANTS TRUST FUND . . . 119,152

812 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 3,000

813 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 3,222,432
FROM FEDERAL GRANTS TRUST FUND . . . 324,848

From the funds in Specific Appropriation 813, $200,000 in recurring general revenue funds may be used to expand Horizon volunteer faith and character peer-to-peer program activities at Wakulla Correctional Institution and up to 7 additional prisons, including Computer Lab, Quest and Realizing Educational Emotional and Finance Smarts (REEFS) transition programs.

814 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 20,544

815 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 2,980

TOTAL: ADULT OFFENDER TRANSITION, REHABILITATION AND SUPPORT
FROM GENERAL REVENUE FUND 8,003,050
FROM TRUST FUNDS 883,594

TOTAL POSITIONS 59.00
TOTAL ALL FUNDS 8,886,644

TOTAL: CORRECTIONS, DEPARTMENT OF
FROM GENERAL REVENUE FUND 1,996,043,422
FROM TRUST FUNDS 74,519,391

TOTAL POSITIONS 25,424.00
TOTAL ALL FUNDS 2,070,562,813
TOTAL APPROVED SALARY RATE 1,013,546,650

JUSTICE ADMINISTRATION

PROGRAM: JUSTICE ADMINISTRATIVE COMMISSION

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The Justice Administrative Commission, in coordination with the Public Defenders, State Attorneys and Supreme Court, shall develop a plan to transfer court reporting services from the Justice Administrative Commission to the State Court System. The Justice Administrative Commission shall submit this plan to the chair of the Senate Budget Committee and the chair of the House Appropriations Committee by November 1, 2012.

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 3,597,321

816 SALARIES AND BENEFITS POSITIONS 80.00
FROM GENERAL REVENUE FUND 4,500,762

817 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 19,776

818 EXPENSES
FROM GENERAL REVENUE FUND 673,490
FROM GRANTS AND DONATIONS TRUST FUND 425,316

819 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 20,000

820 LUMP SUM
WORKLOAD FOR COUNTY OR MUNICIPAL CONTRACTS
POSITIONS 14.00

The positions in Specific Appropriation 820 are provided for State Attorneys and Public Defenders to use for grants received from counties during Fiscal Year 2012-2013 for the purpose of prosecution of local ordinance violations pursuant to section 27.34, Florida Statutes, or defense of persons accused of violating local ordinances pursuant to section 27.54, Florida Statutes. Such transfers are contingent upon the Justice Administrative Commission notifying the chair of the Senate Budget Committee and the chair of the House Appropriations Committee and the Governor's Office of Policy and Budget. Such notification is subject to the legislative review and objection provisions of chapter 216, Florida Statutes. Rate may be established for these positions consistent with the salaries provided for in the grant.

821 SPECIAL CATEGORIES
GRANTS AND AIDS - FOSTER CARE CITIZEN REVIEW PANEL
FROM GENERAL REVENUE FUND 92,160
FROM GRANTS AND DONATIONS TRUST FUND 300,000

822 SPECIAL CATEGORIES
SEXUAL PREDATOR CIVIL COMMITMENT LITIGATION COSTS
FROM GENERAL REVENUE FUND 3,397,591

Funds in Specific Appropriation 822 are provided for attorney fees and case-related expenses associated with prosecuting and defending sexual predator civil commitment cases. Case-related expenses are limited to expert witness fees, clinical evaluations, court reporter costs, and foreign language interpreters. The maximum amount to be paid by the Justice Administrative Commission for medical experts for sexual predator civil commitment cases is $200 per hour and all related travel costs must be apportioned to the associated case. The Justice Administrative Commission is authorized to pay up to $5,000 per case for case-related expenses incurred by the State Attorney, the Public Defender, or the Criminal Conflict and Civil Regional Counsel, or court appointed counsel where there is an ethical conflict, for a combined maximum of $10,000 for case-related expenses per case, unless the court orders payment of a greater amount. The Justice Administrative Commission shall submit quarterly reports, in an electronic format, to the chair of the Senate Budget Committee and the chair of the House Appropriations Committee describing, by judicial circuit: requests for payments of case-related expenses received; court orders received directing payment of such expenses; and actual encumbrances and disbursements from this special appropriations category.

823 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 86,520

824 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF FINANCIAL SERVICES - AUDITS OF CLERK BUDGETS
FROM GENERAL REVENUE FUND 67,272

825 SPECIAL CATEGORIES
PUBLIC DEFENDER DUE PROCESS COSTS
FROM GENERAL REVENUE FUND 18,663,034

Funds in Specific Appropriation 825 are provided for the Public Defenders' due process costs as specified in section 29.006, Florida Statutes. The Justice Administrative Commission shall submit quarterly reports of expenditures by circuit in an electronic format to the chair of the Senate Budget Committee and the chair of the House Appropriations Committee. Funds shall initially be credited for the use of each circuit in the amounts listed below, and may be adjusted pursuant to the provisions of section 29.015, Florida Statutes.

1st Judicial Circuit	823,448
2nd Judicial Circuit	656,793
3rd Judicial Circuit	147,619
4th Judicial Circuit	1,273,749
5th Judicial Circuit	871,658
6th Judicial Circuit	1,189,457
7th Judicial Circuit	675,912
8th Judicial Circuit	479,128
9th Judicial Circuit	1,151,167
10th Judicial Circuit	757,431
11th Judicial Circuit	3,319,357
12th Judicial Circuit	647,744
13th Judicial Circuit	1,890,561
14th Judicial Circuit	328,641
15th Judicial Circuit	837,310
16th Judicial Circuit	114,835
17th Judicial Circuit	1,374,773
18th Judicial Circuit	644,172
19th Judicial Circuit	601,795
20th Judicial Circuit	877,484

From the funds credited for use in the following circuits, the amounts specified below shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of State Court Administrator on behalf of the circuit courts operating shared court reporting or interpreter services:

1st Judicial Circuit	190,611
2nd Judicial Circuit	323,698
3rd Judicial Circuit	52,251
6th Judicial Circuit	103,493
7th Judicial Circuit	37,310
8th Judicial Circuit	83,798
9th Judicial Circuit	481,878
10th Judicial Circuit	68,975
11th Judicial Circuit	121,996
12th Judicial Circuit	153,205
13th Judicial Circuit	784,106
14th Judicial Circuit	134,089
15th Judicial Circuit	93,646
16th Judicial Circuit	74,983
17th Judicial Circuit	60,851

826 SPECIAL CATEGORIES
CHILD DEPENDENCY AND CIVIL CONFLICT CASE
FROM GENERAL REVENUE FUND 11,500,000

Funds in Specific Appropriation 826 are provided for case fees and expenses of court-appointed counsel in civil conflict cases and child dependency cases. The Justice Administrative Commission shall submit

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quarterly reports, in an electronic format, of these case payments to the chair of the Senate Budget Committee and the chair of the House Appropriations Committee by judicial circuit, which shall include, but not be limited to: information on requests for payments received; court orders received directing payment; and actual encumbrances and disbursements and performance measures for court appointed counsel including: average time to complete cases by case type; number of bar complaints for state paid cases; percent of initial invoices to the Justice Administrative Commission that are rejected; percent of initial invoices filed with the Justice Administrative Commission within 90 days after closure of the case; number of cases by type; and total cost per case by type from this special appropriations category.

The maximum flat fee to be paid by the Justice Administrative Commission for attorney fees for the following dependency and civil cases is set as follows:

ADMISSION OF INMATE TO MENTAL HEALTH FACILITY	300
ADULT PROTECTIVE SERVICES ACT - Ch. 415, F.S.	500
BAKER ACT/MENTAL HEALTH - Ch. 394, F.S.	400
CINS/FINS - Ch. 984, F.S.	750
CIVIL APPEALS	400
DEPENDENCY - Up to 1 Year	800
DEPENDENCY - Each Year after 1st Year	200
DEPENDENCY - No Petition Filed or Dismissed at Shelter	200
DEPENDENCY APPEALS	1,000
DEVELOPMENTALLY DISABLED ADULT - Ch. 393, F.S.	400
EMANCIPATION - Section 743.015, F.S.	400
GUARDIANSHIP - EMERGENCY - Ch. 744, F.S.	400
GUARDIANSHIP - Ch. 744, F.S.	400
MARCHMAN ACT/SUBSTANCE ABUSE - Ch. 397, F.S.	300
MEDICAL PROCEDURES - Section 394.459(3), F.S.	400
PARENTAL NOTIFICATION OF ABORTION ACT	400
TERMINATION OF PARENTAL RIGHTS - Ch. 39, F.S. - Up to 1 Year	1,000
TERMINATION OF PARENTAL RIGHTS - Ch. 39, F.S. - Each Year after 1st Year	200
TERMINATION OF PARENTAL RIGHTS - Ch. 63, F.S. - Up to 1 year	1,000
TERMINATION OF PARENTAL RIGHTS - Ch. 63, F.S. - Each Year after 1st Year	200
TERMINATION OF PARENTAL RIGHTS APPEALS	2,000
TUBERCULOSIS - Ch. 392, F.S.	300

827 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 29,926

828 SPECIAL CATEGORIES
ATTORNEY PAYMENTS OVER FLAT FEE
FROM GENERAL REVENUE FUND 3,000,000

Funds in Specific Appropriation 828 are provided for court ordered payments for attorney fees in criminal conflict cases in excess of the flat fee established in law. Pursuant to section 27.5304 (12), Florida Statutes, if funds in this category are insufficient to pay the amounts ordered by the court above the flat fees, the amounts ordered above the flat fees shall be paid from the due process funds or other funds, as necessary, appropriated to the state court system in the General Appropriations Act. The Office of the State Courts Administrator (OSCA) shall conduct a study of the adequacy and reasonableness of the current statutory flat fee limits and the statutory hourly rates listed in section 27.5304 (12) for criminal cases in which conflict counsel is appointed. The Justice Administrative Commission shall assist the Office by providing all data, documents, and information in its possession requested by OSCA to complete the study. OSCA shall submit a report of the study to the chair of the Senate Budget Committee and the chair of the House Appropriations Committee by January 15, 2013.

829 SPECIAL CATEGORIES
CRIMINAL CONFLICT CASE COSTS
FROM GENERAL REVENUE FUND 22,669,350

Funds in Specific Appropriation 829 are provided for case fees as specified in section 27.5304, Florida Statutes, and expenses as

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specified in section 29.007, Florida Statutes, of court-appointed counsel for indigent criminal defendants and for due process costs for those individuals the court finds indigent for costs. The Justice Administrative Commission shall submit quarterly reports, in an electronic format, of criminal conflict case payments and performance measures for court-appointed counsel including: average time to complete cases by case type, number of bar complaints for state paid cases, percent of initial invoices to the Justice Administrative Commission that are rejected; percent of initial invoices filed with the Justice Administrative Commission within 90 days after closure of the case; number of cases by type; and total cost per case by type to the chair of the Senate Budget Committee and the chair of the House Appropriations Committee by judicial circuit.

From the funds in Specific Appropriation 829, a total of $216,934 shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of State Courts Administrator on behalf of the circuit courts operating shared court reporting and interpreter services.

The maximum flat fee to be paid by the Justice Administrative Commission for attorney fees for criminal conflict cases is set as follows:

POSTCONVICTION - Rules 3.850 and 3.800, Fla.R.Crim. Proc.	1,000
CAPITAL - 1ST DEGREE MURDER (LEAD COUNSEL)	15,000
CAPITAL - 1ST DEGREE MURDER (CO-COUNSEL)	15,000
CAPITAL - 1ST DEGREE MURDER (NON-DEATH)	2,500
CAPITAL SEXUAL BATTERY	2,000
CAPITAL APPEALS	2,000
CONTEMPT PROCEEDINGS	400
CRIMINAL TRAFFIC	400
EXTRADITION	500
FELONY - LIFE	2,500
FELONY - PUNISHABLE BY LIFE	2,000
FELONY 1ST DEGREE	1,500
FELONY 2ND DEGREE	1,000
FELONY 3RD DEGREE	750
FELONY OR MISDEMEANOR - NO INFORMATION FILED	400
FELONY APPEALS	1,500
JUVENILE DELINQUENCY - 1ST DEGREE FELONY	600
JUVENILE DELINQUENCY - 2ND DEGREE	400
JUVENILE DELINQUENCY - 3RD DEGREE	300
JUVENILE DELINQUENCY - FELONY LIFE	700
JUVENILE DELINQUENCY - MISDEMEANOR	300
JUVENILE DELINQUENCY - DIRECT FILE OR NO PETITION FILED	300
JUVENILE DELINQUENCY APPEALS	1,000
MISDEMEANOR	400
MISDEMEANOR APPEALS	750
VIOLATION OF PROBATION - FELONY (INCLUDES VOCC)	500
VIOLATION OF PROBATION - MISDEMEANOR (INCLUDES VOCC)	300
VIOLATION OF PROBATION (VOCC) JUVENILE DELINQUENCY	300

Funds for costs and related expenses to be paid through Specific Appropriations 826, 829, and 831 shall be subject to the following:

The hourly rate for mitigation specialists in capital death cases shall not exceed $75.00 per hour.

The maximum amount to be paid by the Justice Administrative Commission for non-attorney due process services other than those specified, shall not exceed the rates in effect for the 2007-2008 fiscal year.

The maximum amount to be paid by the Justice Administrative Commission for investigators is $40 per hour. The maximum amount to be paid for court reporting and transcribing costs is as follows:

1. Depositions Appearance fees: 1st hour: $50.00; thereafter $25.00 per hour. The fee is to be paid to the court reporter whether or not a transcript is ordered.

2. Deposition transcript fee (Original & one copy):
10 business day delivery: $4.00 per page
5 business day delivery: $5.50 per page
24 hours delivery: $7.50 per page

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Additional copies: $0.50 per page

3. Appellate/hearing/trial transcript fee (Original & all copies needed with a minimum of 2 copies):
10 business day delivery: $5.00 per page
5 business day delivery: $6.50 per page
24 hours delivery: $8.50 per page
Copies (when original previously ordered): $0.50 per page.

4. Transcription from tapes or audio recordings (other than depositions or hearings): Either $35 per hour listening fee or $3.00 per page whichever is greater.

5. Video Services: $100 per hour per location with two-hour minimum.

830 SPECIAL CATEGORIES
STATE ATTORNEY DUE PROCESS COSTS
FROM GENERAL REVENUE FUND 10,716,646

Funds in Specific Appropriation 830 are provided for the State Attorneys' due process costs as specified in section 29.005, Florida Statutes. The Justice Administrative Commission shall submit quarterly reports of expenditures by circuit in an electronic format to the chair of the Senate Budget Committee and the chair of the House Appropriations Committee. Funds shall initially be credited for the use of each circuit in the amounts listed below, and may be adjusted pursuant to the provisions of section 29.015, Florida Statutes.

1st Judicial Circuit	634,159
2nd Judicial Circuit	337,221
3rd Judicial Circuit	125,409
4th Judicial Circuit	463,191
5th Judicial Circuit	348,398
6th Judicial Circuit	627,470
7th Judicial Circuit	472,150
8th Judicial Circuit	237,452
9th Judicial Circuit	497,258
10th Judicial Circuit	309,424
11th Judicial Circuit	2,215,903
12th Judicial Circuit	279,656
13th Judicial Circuit	596,529
14th Judicial Circuit	118,189
15th Judicial Circuit	742,928
16th Judicial Circuit	91,817
17th Judicial Circuit	1,324,813
18th Judicial Circuit	378,029
19th Judicial Circuit	271,206
20th Judicial Circuit	645,444

From the funds credited for the use in the following circuits, the amounts specified below shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of State Court Administrator on behalf of the circuit courts operating shared court reporting or interpreter services:

1st Judicial Circuit	18,232
2nd Judicial Circuit	16,650
3rd Judicial Circuit	10,456
6th Judicial Circuit	25,443
7th Judicial Circuit	12,818
8th Judicial Circuit	21,937
9th Judicial Circuit	26,007
10th Judicial Circuit	3,980
11th Judicial Circuit	426,986
12th Judicial Circuit	19,650
13th Judicial Circuit	45,716
15th Judicial Circuit	61,252
16th Judicial Circuit	4,315
17th Judicial Circuit	20,081

831 SPECIAL CATEGORIES
CRIMINAL CONFLICT AND DEPENDENCY COUNSEL
LIABILITY
FROM GENERAL REVENUE FUND 3,800,000

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Funds in Specific Appropriation 831 are provided to pay for criminal conflict, dependency and other civil cases for which appointment was made during Fiscal Years 2004-2005, 2005-2006, and 2006-2007. The Justice Administrative Commission shall submit quarterly reports of expenditures by circuit in an electronic format to the chair of the Senate Budget Committee and the chair of the House Appropriations Committee.

832 SPECIAL CATEGORIES
STATE ATTORNEY AND PUBLIC DEFENDER
TRAINING
FROM GENERAL REVENUE FUND 33,529
FROM GRANTS AND DONATIONS TRUST
FUND 3,000

833 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 600

834 SPECIAL CATEGORIES
DUE PROCESS CONTINGENCY FUND
FROM GENERAL REVENUE FUND 2,424,041

835 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 2,384,810
FROM CHILD SUPPORT TRUST FUND . . . 72,534
FROM GRANTS AND DONATIONS TRUST
FUND 76,023
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 22,203

From the funds provided in Specific Appropriation 835, the State Attorneys and Public Defenders shall transfer cash from their Grants and Donations Trust Fund, Child Support Enforcement Trust Fund, State Attorney Revenue Trust Fund, Public Defender Revenue Trust Fund, and Indigent Criminal Defense Trust Fund in proportion to their positions funded from these sources to the Justice Administrative Commission to pay the Human Resources Services contract in the Department of Management Services.

836 SPECIAL CATEGORIES
TRANSFER TO THE DEPARTMENT OF FINANCIAL
SERVICES FOR THE POSTCONVICTION CAPITAL
COLLATERAL CASES - REGISTRY ATTORNEYS
FROM GENERAL REVENUE FUND 1,765,996

837 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 14,973

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 85,860,476
FROM TRUST FUNDS 899,076

TOTAL POSITIONS 94.00
TOTAL ALL FUNDS 86,759,552

PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE

APPROVED SALARY RATE 20,986,664

839 SALARIES AND BENEFITS POSITIONS 539.00
FROM GENERAL REVENUE FUND 25,372,541

Funds and positions in Specific Appropriations 839 through 848A, shall first be used to represent children involved in dependency proceedings. Once all children in dependency proceedings are represented, the funds may be used to represent children in other proceedings as authorized by law.

840 OTHER PERSONAL SERVICES

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FROM GENERAL REVENUE FUND 125,000
FROM GRANTS AND DONATIONS TRUST FUND 150,000

841 EXPENSES
FROM GENERAL REVENUE FUND 1,328,251
FROM GRANTS AND DONATIONS TRUST FUND 50,249

842 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 24,000
FROM GRANTS AND DONATIONS TRUST FUND 10,000

843 SPECIAL CATEGORIES
GRANTS AND AIDS - COURT SYSTEM SERVICES FOR CHILDREN AND YOUTH
FROM GENERAL REVENUE FUND 892,656

844 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 3,273,393
FROM GRANTS AND DONATIONS TRUST FUND 110,000

From the funds in Specific Appropriation 844, $300,000 in nonrecurring general revenue funds is provided for the Guardian Ad Litem Program within the Orange County Bar Association.

845 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 365,749

846 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 65,000

847 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 42,057

848 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 118,165

848A DATA PROCESSING SERVICES
NORTHWEST REGIONAL DATA CENTER (NWRDC)
FROM GENERAL REVENUE FUND 50,116

The funds provided in Specific Appropriation 848A, shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE
FROM GENERAL REVENUE FUND 31,656,928
FROM TRUST FUNDS 320,249

TOTAL POSITIONS 539.00
TOTAL ALL FUNDS 31,977,177

PROGRAM: CLERKS OF COURT

CLERKS OF COURT

850 SPECIAL CATEGORIES
GRANTS & AIDS - CLERKS OF COURT
FROM GENERAL REVENUE FUND 27,000,000
FROM THE CLERKS OF THE COURT TRUST FUND 388,880,312

The budget for each clerk of court and the approved unit costs required under section 28.36, Florida Statutes, for Fiscal Year 2012-2013 are contained in the document entitled "Fiscal Year 2011-2012 and Fiscal Year 2012-2013 Clerk of Court Unit Cost Budgets" dated March 6, 2012, and on file with the Clerk of the House of Representatives. This document is hereby incorporated by reference into the Fiscal Year 2012-2013 General Appropriations Act.

From the funds in Specific Appropriation 850, $2,000,000 in nonrecurring general revenue funds is provided to assist with the backlog of foreclosure cases.

TOTAL: CLERKS OF COURT
FROM GENERAL REVENUE FUND 27,000,000
FROM TRUST FUNDS 388,880,312

TOTAL ALL FUNDS 415,880,312

CLERKS OF COURT OPERATIONS CORPORATION

APPROVED SALARY RATE 534,991

851 SALARIES AND BENEFITS POSITIONS 7.00
FROM THE CLERKS OF THE COURT TRUST FUND 672,789

852 OTHER PERSONAL SERVICES
FROM THE CLERKS OF THE COURT TRUST FUND 30,000

853 EXPENSES
FROM THE CLERKS OF THE COURT TRUST FUND 241,658

854 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM THE CLERKS OF THE COURT TRUST FUND 665,000

From funds in Specific Appropriation 854, the Clerks of Court Operations Corporation (CCOC) shall conduct a study identifying and assessing the effectiveness of collection methods for court-related fines and fees owed to the state. As part of the study, the CCOC shall assess of the feasibility of participating in the Treasury Offset Program, pursuant to 31 U.S.C. s. 3716. The study shall, at a minimum, identify the benefits and obstacles to participating in the program, the costs associated with participating in the program, and the estimated additional collections revenue the state could reasonably generate associated with participation in the program. The CCOC shall provide the study to the chair of the Senate Budget Committee and the chair of the House Appropriations Committee no later than December 1, 2012.

855 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM THE CLERKS OF THE COURT TRUST FUND 1,187

856 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM THE CLERKS OF THE COURT TRUST FUND 2,519

857 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM THE CLERKS OF THE COURT TRUST FUND 1,731

TOTAL: CLERKS OF COURT OPERATIONS CORPORATION
FROM TRUST FUNDS 1,614,884

TOTAL POSITIONS 7.00
TOTAL ALL FUNDS 1,614,884

STATE ATTORNEYS

The Prosecution Coordination Office's budgeting, legal, training and

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education needs may be funded by each State Attorney's office within the funds provided in Specific Appropriations 858 through 1008. Funding for this office shall not exceed $400,000 from the State Attorney's Revenue Trust Fund.

PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT

APPROVED SALARY RATE 10,099,122

858 SALARIES AND BENEFITS POSITIONS 231.75
FROM GENERAL REVENUE FUND 10,683,249
FROM STATE ATTORNEYS REVENUE TRUST FUND 1,996,567
FROM GRANTS AND DONATIONS TRUST FUND 344,533

859 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 30,415
FROM STATE ATTORNEYS REVENUE TRUST FUND 95,987
FROM GRANTS AND DONATIONS TRUST FUND 4,013

860 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 54,681

861 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 856,495
FROM STATE ATTORNEYS REVENUE TRUST FUND 107,210
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 9,047
FROM GRANTS AND DONATIONS TRUST FUND 41,211

862 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 44,223
FROM STATE ATTORNEYS REVENUE TRUST FUND 43,138

863 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 9,874

864 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 14,562

865 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 3,000

TOTAL: PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 11,638,818
FROM TRUST FUNDS 2,699,387

TOTAL POSITIONS 231.75
TOTAL ALL FUNDS 14,338,205

PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,670,409

866 SALARIES AND BENEFITS POSITIONS 116.00
FROM GENERAL REVENUE FUND 6,163,706
FROM STATE ATTORNEYS REVENUE TRUST FUND 747,020
FROM GRANTS AND DONATIONS TRUST FUND 369,213

867 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 25,381
FROM STATE ATTORNEYS REVENUE TRUST FUND 141,480

868 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE ATTORNEYS REVENUE TRUST FUND 206,001

869 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 353,565
FROM STATE ATTORNEYS REVENUE TRUST FUND 227,139
FROM GRANTS AND DONATIONS TRUST FUND 1,500

870 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 18,379
FROM STATE ATTORNEYS REVENUE TRUST FUND 7,118

871 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 8,093

TOTAL: PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 6,569,124
FROM TRUST FUNDS 1,699,471

TOTAL POSITIONS 116.00
TOTAL ALL FUNDS 8,268,595

PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,414,965

872 SALARIES AND BENEFITS POSITIONS 71.00
FROM GENERAL REVENUE FUND 3,595,432
FROM STATE ATTORNEYS REVENUE TRUST FUND 489,316
FROM GRANTS AND DONATIONS TRUST FUND 240,186

873 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 7,857
FROM STATE ATTORNEYS REVENUE TRUST FUND 6,372
FROM GRANTS AND DONATIONS TRUST FUND 5,068

874 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE ATTORNEYS REVENUE TRUST FUND 102,160

875 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 181,966
FROM STATE ATTORNEYS REVENUE TRUST FUND 27,204
FROM GRANTS AND DONATIONS TRUST FUND 76,701

876 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 19,558
FROM GRANTS AND DONATIONS TRUST FUND 17,759

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877 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 6,034

878 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 35,000

TOTAL: PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 3,845,847
FROM TRUST FUNDS 964,766

TOTAL POSITIONS 71.00
TOTAL ALL FUNDS 4,810,613

PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 16,708,197

879 SALARIES AND BENEFITS POSITIONS 370.00
FROM GENERAL REVENUE FUND 17,646,748
FROM STATE ATTORNEYS REVENUE TRUST FUND 1,722,271
FROM GRANTS AND DONATIONS TRUST FUND 438,061

From the positions and funds provided in Specific Appropriation 879, two full-time equivalent positions with associated rate of 93,225 and $135,109 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

880 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 139,844
FROM STATE ATTORNEYS REVENUE TRUST FUND 178,090
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 55,000
FROM GRANTS AND DONATIONS TRUST FUND 533,189

881 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE ATTORNEYS REVENUE TRUST FUND 260,000

882 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 282,862
FROM STATE ATTORNEYS REVENUE TRUST FUND 335,658
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 110,800
FROM GRANTS AND DONATIONS TRUST FUND 455,515

883 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 117,724
FROM STATE ATTORNEYS REVENUE TRUST FUND 78,050

884 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 11,404

885 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 2,550

886 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 110,164

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TOTAL: PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 18,201,132
FROM TRUST FUNDS 4,276,798

TOTAL POSITIONS 370.00
TOTAL ALL FUNDS 22,477,930

PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 11,971,282

887 SALARIES AND BENEFITS POSITIONS 239.00
FROM GENERAL REVENUE FUND 12,864,003
FROM STATE ATTORNEYS REVENUE TRUST FUND 1,092,985
FROM GRANTS AND DONATIONS TRUST FUND 958,881

888 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 10,599
FROM STATE ATTORNEYS REVENUE TRUST FUND 37,063
FROM GRANTS AND DONATIONS TRUST FUND 79,104

889 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE ATTORNEYS REVENUE TRUST FUND 92,568

890 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 488,267
FROM STATE ATTORNEYS REVENUE TRUST FUND 40,678
FROM GRANTS AND DONATIONS TRUST FUND 2,000

891 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 55,228
FROM STATE ATTORNEYS REVENUE TRUST FUND 13,261

892 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 15,740

893 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 41,500

TOTAL: PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 13,475,337
FROM TRUST FUNDS 2,316,540

TOTAL POSITIONS 239.00
TOTAL ALL FUNDS 15,791,877

PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 22,457,412

894 SALARIES AND BENEFITS POSITIONS 475.00
FROM GENERAL REVENUE FUND 22,235,371
FROM STATE ATTORNEYS REVENUE TRUST FUND 2,971,500
FROM GRANTS AND DONATIONS TRUST FUND 3,044,526

895 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 86,869
FROM GRANTS AND DONATIONS TRUST FUND 34,737

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896 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE ATTORNEYS REVENUE TRUST FUND 241,500

897 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 476,061
FROM STATE ATTORNEYS REVENUE TRUST FUND 232,453
FROM GRANTS AND DONATIONS TRUST FUND 569,866

898 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 82,995
FROM STATE ATTORNEYS REVENUE TRUST FUND 65,174

899 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 22,724

900 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 2,520

901 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 109,631

TOTAL: PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 22,906,540
FROM TRUST FUNDS 7,269,387

TOTAL POSITIONS 475.00
TOTAL ALL FUNDS 30,175,927

PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 11,135,986

902 SALARIES AND BENEFITS POSITIONS 242.00
FROM GENERAL REVENUE FUND 11,722,885
FROM STATE ATTORNEYS REVENUE TRUST FUND 1,839,336
FROM GRANTS AND DONATIONS TRUST FUND 433,644

903 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 39,274
FROM STATE ATTORNEYS REVENUE TRUST FUND 73,887
FROM GRANTS AND DONATIONS TRUST FUND 9,980

904 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE ATTORNEYS REVENUE TRUST FUND 127,937

905 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 598,416
FROM STATE ATTORNEYS REVENUE TRUST FUND 342,348
FROM GRANTS AND DONATIONS TRUST FUND 158,681

906 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

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FROM GENERAL REVENUE FUND 42,146
FROM STATE ATTORNEYS REVENUE TRUST FUND 29,142

907 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 6,094
FROM STATE ATTORNEYS REVENUE TRUST FUND 17,620
FROM GRANTS AND DONATIONS TRUST FUND 2,380

908 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 22,381

909 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 31,362

TOTAL: PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 12,431,196
FROM TRUST FUNDS 3,066,317

TOTAL POSITIONS 242.00
TOTAL ALL FUNDS 15,497,513

PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 6,263,660

910 SALARIES AND BENEFITS POSITIONS 139.00
FROM GENERAL REVENUE FUND 6,896,797
FROM STATE ATTORNEYS REVENUE TRUST FUND 634,133
FROM GRANTS AND DONATIONS TRUST FUND 407,416

911 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 8,533
FROM STATE ATTORNEYS REVENUE TRUST FUND 54,605
FROM GRANTS AND DONATIONS TRUST FUND 34,329

912 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE ATTORNEYS REVENUE TRUST FUND 67,500

913 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 284,761
FROM STATE ATTORNEYS REVENUE TRUST FUND 18,485
FROM GRANTS AND DONATIONS TRUST FUND 9,040

914 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 50,121

915 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 13,506

916 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 7,306

TOTAL: PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT

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FROM GENERAL REVENUE FUND	7,261,024	
FROM TRUST FUNDS		1,225,508
TOTAL POSITIONS	139.00	
TOTAL ALL FUNDS		8,486,532

PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 16,624,498

917	SALARIES AND BENEFITS POSITIONS 361.50		
	FROM GENERAL REVENUE FUND	19,127,898	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		1,202,010
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		151,975
	FROM GRANTS AND DONATIONS TRUST FUND		986,638

From the positions and funds provided in Specific Appropriation 917, five full-time equivalent positions with associated salary rate of 267,173 and $387,207 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

918	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	140,793	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		291,200
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		63,000
	FROM GRANTS AND DONATIONS TRUST FUND		1,000
919	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		252,000
920	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	927,462	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		197,029
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		35,225
	FROM GRANTS AND DONATIONS TRUST FUND		18,966
921	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	71,109	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		75,023
922	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	26,486	
923	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	636	

TOTAL: PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	20,294,384	
FROM TRUST FUNDS		3,274,066
TOTAL POSITIONS	361.50	
TOTAL ALL FUNDS		23,568,450

PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 10,680,495

924	SALARIES AND BENEFITS POSITIONS 216.00		
	FROM GENERAL REVENUE FUND	10,461,390	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		2,404,508
	FROM GRANTS AND DONATIONS TRUST FUND		908,805
925	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	31,189	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		65,818
	FROM GRANTS AND DONATIONS TRUST FUND		33,018
926	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		100,000
927	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	215,533	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		203,328
	FROM GRANTS AND DONATIONS TRUST FUND		215,896
928	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	40,312	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		27,194
929	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	14,365	
930	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	2,029	
	FROM GRANTS AND DONATIONS TRUST FUND		2,445
931	SPECIAL CATEGORIES		
	SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
	FROM GRANTS AND DONATIONS TRUST FUND		72,132

TOTAL: PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	10,764,818	
FROM TRUST FUNDS		4,033,144
TOTAL POSITIONS	216.00	
TOTAL ALL FUNDS		14,797,962

PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 53,027,803

932	SALARIES AND BENEFITS POSITIONS 1,264.00		
	FROM GENERAL REVENUE FUND	41,769,853	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		3,550,895
	FROM CHILD SUPPORT TRUST FUND . . .		17,782,016
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		200,365
	FROM GRANTS AND DONATIONS TRUST FUND		3,259,003

From the positions and funds provided in Specific Appropriation 932, two full-time equivalent positions with associated salary rate of 188,047 and $272,532 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

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Additionally, two full-time equivalent positions with associated salary rate of 91,981 and $133,307 from the Grants and Donations Trust Fund are provided solely for prosecution of workers compensation insurance fraud.

933 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 239,005
FROM STATE ATTORNEYS REVENUE TRUST FUND 154,922
FROM CHILD SUPPORT TRUST FUND . . . 868,300
FROM GRANTS AND DONATIONS TRUST FUND 131,131

934 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE ATTORNEYS REVENUE TRUST FUND 345,780

935 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 773,140
FROM STATE ATTORNEYS REVENUE TRUST FUND 419,390
FROM CHILD SUPPORT TRUST FUND . . . 3,890,604
FROM CIVIL RICO TRUST FUND 200,020
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 203,700
FROM GRANTS AND DONATIONS TRUST FUND 1,220,527

936 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 391,606
FROM CHILD SUPPORT TRUST FUND . . . 22,384
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 186,697

937 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 22,221

938 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 3,600

939 SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 568,063

940 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 1,763,336

TOTAL: PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 43,199,425
FROM TRUST FUNDS 34,767,133

TOTAL POSITIONS 1,264.00
TOTAL ALL FUNDS 77,966,558

PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 8,576,980

941 SALARIES AND BENEFITS POSITIONS 182.00
FROM GENERAL REVENUE FUND 9,674,377
FROM STATE ATTORNEYS REVENUE TRUST FUND 1,186,489

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942 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 23,211

943 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE ATTORNEYS REVENUE TRUST FUND 80,000

944 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 408,517
FROM STATE ATTORNEYS REVENUE TRUST FUND 89,785

945 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 54,983
FROM STATE ATTORNEYS REVENUE TRUST FUND 11,039

946 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 9,461

947 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 367

TOTAL: PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 10,170,916
FROM TRUST FUNDS 1,367,313

TOTAL POSITIONS 182.00
TOTAL ALL FUNDS 11,538,229

PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 16,680,807

948 SALARIES AND BENEFITS POSITIONS 357.00
FROM GENERAL REVENUE FUND 17,685,322
FROM STATE ATTORNEYS REVENUE TRUST FUND 1,968,521
FROM GRANTS AND DONATIONS TRUST FUND 796,432

From the positions and funds provided in Specific Appropriation 948, two full-time equivalent positions with associated salary rate of 94,177 and $136,488 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

Additionally, two full-time equivalent positions with associated salary rate of 85,834 and $124,398 from the Grants and Donations Trust Fund are provided solely for prosecution of workers compensation insurance fraud.

949 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 119,228
FROM STATE ATTORNEYS REVENUE TRUST FUND 11,122
FROM GRANTS AND DONATIONS TRUST FUND 7,755

950 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE ATTORNEYS REVENUE TRUST FUND 169,750

951 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 638,990
FROM STATE ATTORNEYS REVENUE TRUST FUND 180,196

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FROM GRANTS AND DONATIONS TRUST
FUND 81,630

952 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 90,428
FROM STATE ATTORNEYS REVENUE TRUST
FUND 33,613

953 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 6,827

954 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 9,580

955 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY
AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST
FUND 405,234

TOTAL: PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL
CIRCUIT
FROM GENERAL REVENUE FUND 18,550,375
FROM TRUST FUNDS 3,654,253

TOTAL POSITIONS 357.00
TOTAL ALL FUNDS 22,204,628

PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL
CIRCUIT

APPROVED SALARY RATE 5,743,893

956 SALARIES AND BENEFITS POSITIONS 123.00
FROM GENERAL REVENUE FUND 6,427,871
FROM STATE ATTORNEYS REVENUE TRUST
FUND 491,572
FROM GRANTS AND DONATIONS TRUST
FUND 381,890

957 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 9,899
FROM STATE ATTORNEYS REVENUE TRUST
FUND 29,899
FROM GRANTS AND DONATIONS TRUST
FUND 1

958 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE ATTORNEYS REVENUE TRUST
FUND 80,000

959 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 238,320
FROM STATE ATTORNEYS REVENUE TRUST
FUND 6,676

960 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 45,078
FROM STATE ATTORNEYS REVENUE TRUST
FUND 207,115

961 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 7,697

962 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 2,295

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TOTAL: PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL
CIRCUIT
FROM GENERAL REVENUE FUND 6,731,160
FROM TRUST FUNDS 1,197,153

TOTAL POSITIONS 123.00
TOTAL ALL FUNDS 7,928,313

PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL
CIRCUIT

APPROVED SALARY RATE 16,238,329

963 SALARIES AND BENEFITS POSITIONS 331.00
FROM GENERAL REVENUE FUND 17,018,961
FROM STATE ATTORNEYS REVENUE TRUST
FUND 2,072,994
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 446,085
FROM GRANTS AND DONATIONS TRUST
FUND 1,043,386

From the positions and funds provided in Specific Appropriation 963, two full-time equivalent positions with associated salary rate of 90,283 and $130,845 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

964 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 74,365
FROM STATE ATTORNEYS REVENUE TRUST
FUND 61,018
FROM GRANTS AND DONATIONS TRUST
FUND 5,000

965 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 74,000

966 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 601,694
FROM STATE ATTORNEYS REVENUE TRUST
FUND 198,129
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 414,459
FROM GRANTS AND DONATIONS TRUST
FUND 26,000

967 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 54,779
FROM STATE ATTORNEYS REVENUE TRUST
FUND 70,782
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 40,498

968 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 10,569
FROM STATE ATTORNEYS REVENUE TRUST
FUND 950
FROM GRANTS AND DONATIONS TRUST
FUND 50

969 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 10,000
FROM STATE ATTORNEYS REVENUE TRUST
FUND 60,000

TOTAL: PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL
CIRCUIT
FROM GENERAL REVENUE FUND 17,770,368

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
FROM TRUST FUNDS 4,513,351

TOTAL POSITIONS 331.00
TOTAL ALL FUNDS 22,283,719

PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,051,173

970 SALARIES AND BENEFITS POSITIONS 62.00
FROM GENERAL REVENUE FUND 3,282,962
FROM STATE ATTORNEYS REVENUE TRUST FUND 362,934
FROM GRANTS AND DONATIONS TRUST FUND 183,943

971 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,490
FROM GRANTS AND DONATIONS TRUST FUND 76,054

972 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE ATTORNEYS REVENUE TRUST FUND 42,530

973 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 135,049
FROM STATE ATTORNEYS REVENUE TRUST FUND 54,509
FROM GRANTS AND DONATIONS TRUST FUND 106,514

974 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 23,890
FROM STATE ATTORNEYS REVENUE TRUST FUND 26,838
FROM GRANTS AND DONATIONS TRUST FUND 9,185

975 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 7,041

976 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 3,615

TOTAL: PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 3,468,047
FROM TRUST FUNDS 862,507

TOTAL POSITIONS 62.00
TOTAL ALL FUNDS 4,330,554

PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 23,535,799

977 SALARIES AND BENEFITS POSITIONS 509.00
FROM GENERAL REVENUE FUND 26,144,889
FROM STATE ATTORNEYS REVENUE TRUST FUND 3,148,795
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 170,000
FROM GRANTS AND DONATIONS TRUST FUND 446,886

From the positions and funds provided in Specific Appropriation 977, two full-time equivalent positions with associated salary rate of 92,905 and $134,646 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

978 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 114,991
FROM GRANTS AND DONATIONS TRUST FUND 122,864

979 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 1,064,116
FROM STATE ATTORNEYS REVENUE TRUST FUND 166,042
FROM GRANTS AND DONATIONS TRUST FUND 34,601

980 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 206,653
FROM STATE ATTORNEYS REVENUE TRUST FUND 173,355

981 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 23,491

982 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 96,483

983 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM STATE ATTORNEYS REVENUE TRUST FUND 200
FROM GRANTS AND DONATIONS TRUST FUND 53

984 SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 30,993

985 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 128,381

TOTAL: PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 27,650,623
FROM TRUST FUNDS 4,422,170

TOTAL POSITIONS 509.00
TOTAL ALL FUNDS 32,072,793

PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 13,633,064

986 SALARIES AND BENEFITS POSITIONS 294.00
FROM GENERAL REVENUE FUND 14,625,311
FROM STATE ATTORNEYS REVENUE TRUST FUND 1,759,732
FROM GRANTS AND DONATIONS TRUST FUND 895,613

987 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 25,100

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

FROM STATE ATTORNEYS REVENUE TRUST FUND		19,988
FROM GRANTS AND DONATIONS TRUST FUND		12,512
988 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM STATE ATTORNEYS REVENUE TRUST FUND		88,350
989 SPECIAL CATEGORIES		
STATE ATTORNEY OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	610,738	
FROM STATE ATTORNEYS REVENUE TRUST FUND		38,459
FROM GRANTS AND DONATIONS TRUST FUND		64,924
990 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	52,967	
FROM STATE ATTORNEYS REVENUE TRUST FUND		18,806
FROM GRANTS AND DONATIONS TRUST FUND		6,231
991 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	9,587	
992 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	5,130	
TOTAL: PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	15,328,833	
FROM TRUST FUNDS		2,904,615
TOTAL POSITIONS	294.00	
TOTAL ALL FUNDS		18,233,448

PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 7,644,966

993 SALARIES AND BENEFITS POSITIONS 166.00		
FROM GENERAL REVENUE FUND	7,812,317	
FROM STATE ATTORNEYS REVENUE TRUST FUND		1,117,974
FROM GRANTS AND DONATIONS TRUST FUND		608,119
994 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	19,414	
FROM GRANTS AND DONATIONS TRUST FUND		76,678
995 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM STATE ATTORNEYS REVENUE TRUST FUND		23,142
996 SPECIAL CATEGORIES		
STATE ATTORNEY OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	517,700	
FROM STATE ATTORNEYS REVENUE TRUST FUND		9,502
FROM GRANTS AND DONATIONS TRUST FUND		36,372
997 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	18,060	
FROM STATE ATTORNEYS REVENUE TRUST FUND		12,276
998 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	8,764	
999 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	2,798	
1000 SPECIAL CATEGORIES		
LEAVE LIABILITY		
FROM STATE ATTORNEYS REVENUE TRUST FUND		189,754
FROM GRANTS AND DONATIONS TRUST FUND		10,581
TOTAL: PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	8,379,053	
FROM TRUST FUNDS		2,084,398
TOTAL POSITIONS	166.00	
TOTAL ALL FUNDS		10,463,451

PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL CIRCUIT

APPROVED SALARY RATE 13,823,620

1001 SALARIES AND BENEFITS POSITIONS 310.00		
FROM GENERAL REVENUE FUND	14,805,380	
FROM STATE ATTORNEYS REVENUE TRUST FUND		1,262,137
FROM CIVIL RICO TRUST FUND		112,019
FROM GRANTS AND DONATIONS TRUST FUND		1,305,249
1002 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	32,100	
FROM STATE ATTORNEYS REVENUE TRUST FUND		85,767
FROM GRANTS AND DONATIONS TRUST FUND		10,925
1003 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM STATE ATTORNEYS REVENUE TRUST FUND		340,000
1004 SPECIAL CATEGORIES		
STATE ATTORNEY OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	816,802	
FROM STATE ATTORNEYS REVENUE TRUST FUND		94,087
FROM CIVIL RICO TRUST FUND		27,102
FROM GRANTS AND DONATIONS TRUST FUND		38,923
1005 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	57,277	
FROM STATE ATTORNEYS REVENUE TRUST FUND		23,663
1006 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	21,024	
FROM STATE ATTORNEYS REVENUE TRUST FUND		480
1007 SPECIAL CATEGORIES		

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 10,068

1008 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 138,804

TOTAL: PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 15,732,583
FROM TRUST FUNDS 3,449,224

TOTAL POSITIONS 310.00
TOTAL ALL FUNDS 19,181,807

PUBLIC DEFENDERS

The Public Defenders Coordination Office's budgeting, legal, training and education needs may be funded by each Public Defender's office within the funds provided in Specific Appropriations 1009 through 1120. Funding for this office shall not exceed $400,000 from the Indigent Criminal Defense Trust Fund. In addition, each Public Defender Office must submit on a monthly basis the caseload report developed by the FPDA.

PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,580,732

1009 SALARIES AND BENEFITS POSITIONS 119.00
FROM GENERAL REVENUE FUND 6,367,367
FROM PUBLIC DEFENDERS REVENUE TRUST FUND 202,528
FROM GRANTS AND DONATIONS TRUST FUND 115,628
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 761,412

1010 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,604
FROM GRANTS AND DONATIONS TRUST FUND 6,977
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 222,860

1011 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 93,026

1012 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 191,206
FROM GRANTS AND DONATIONS TRUST FUND 5,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 142,129

1013 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 15,795
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 13,003

1014 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 4,770

TOTAL: PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 6,601,742

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
FROM TRUST FUNDS 1,562,563

TOTAL POSITIONS 119.00
TOTAL ALL FUNDS 8,164,305

PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,980,532

1015 SALARIES AND BENEFITS POSITIONS 85.00
FROM GENERAL REVENUE FUND 4,395,437
FROM PUBLIC DEFENDERS REVENUE TRUST FUND 164,986
FROM GRANTS AND DONATIONS TRUST FUND 69,946
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 380,743

1016 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 20,487
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 99,172

1017 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 153,981
FROM GRANTS AND DONATIONS TRUST FUND 1,677
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 114,267

1018 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 13,991
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 10,861

1019 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 7,617

TOTAL: PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 4,591,513
FROM TRUST FUNDS 841,652

TOTAL POSITIONS 85.00
TOTAL ALL FUNDS 5,433,165

PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,840,219

1020 SALARIES AND BENEFITS POSITIONS 30.00
FROM GENERAL REVENUE FUND 2,033,168
FROM PUBLIC DEFENDERS REVENUE TRUST FUND 64,873
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 180,722

1021 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 251
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 79,216

1022 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 38,000

1023 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 83,961

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 32,531

1024 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 3,206
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 14,645

1025 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 1,991

TOTAL: PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 2,122,577
FROM TRUST FUNDS 409,987

TOTAL POSITIONS 30.00
TOTAL ALL FUNDS 2,532,564

PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 7,807,358

1026 SALARIES AND BENEFITS POSITIONS 147.00
FROM GENERAL REVENUE FUND 8,597,186
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 274,008
FROM GRANTS AND DONATIONS TRUST
FUND 192,587
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 582,550

1027 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,001
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 132,308

1027A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 80,000

1028 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 262,193
FROM GRANTS AND DONATIONS TRUST
FUND 50,000
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 147,636

1029 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 53,764
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 25,608

1030 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 2,305

1031 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY
AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST
FUND 37,500

TOTAL: PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 8,937,449
FROM TRUST FUNDS 1,522,197

TOTAL POSITIONS 147.00

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

TOTAL ALL FUNDS 10,459,646

PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 4,981,371

1032 SALARIES AND BENEFITS POSITIONS 108.00
FROM GENERAL REVENUE FUND 5,698,550
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 169,937
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 651,140

1033 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 21,727
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 396,830

1033A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 17,000

1034 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 109,560
FROM GRANTS AND DONATIONS TRUST
FUND 2,000
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 191,830

1035 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 16,261
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 4,299

TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 5,846,098
FROM TRUST FUNDS 1,433,036

TOTAL POSITIONS 108.00
TOTAL ALL FUNDS 7,279,134

PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 10,980,639

1036 SALARIES AND BENEFITS POSITIONS 229.00
FROM GENERAL REVENUE FUND 11,977,518
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 369,175
FROM GRANTS AND DONATIONS TRUST
FUND 496,996
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 1,034,352

1037 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 78,566
FROM GRANTS AND DONATIONS TRUST
FUND 4,836
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 149,532

1038 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 31,000

1039 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 677,076
FROM GRANTS AND DONATIONS TRUST
FUND 8,000

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 250,822

1040 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 38,295
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 2,440

1041 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 51,000

1042 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY
AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST
FUND 56,250

TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 12,771,455
FROM TRUST FUNDS 2,454,403

TOTAL POSITIONS 229.00
TOTAL ALL FUNDS 15,225,858

PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL
CIRCUIT

APPROVED SALARY RATE 5,398,949

1043 SALARIES AND BENEFITS POSITIONS 114.00
FROM GENERAL REVENUE FUND 6,285,333
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 199,837
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 334,883

1044 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 30
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 3,230

1045 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 136,448
FROM GRANTS AND DONATIONS TRUST
FUND 6,000
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 121,860

1046 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 29,929

1047 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 1,080

1048 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY
AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST
FUND 11,251

TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL
CIRCUIT
FROM GENERAL REVENUE FUND 6,452,820
FROM TRUST FUNDS 677,061

TOTAL POSITIONS 114.00
TOTAL ALL FUNDS 7,129,881

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL
CIRCUIT

APPROVED SALARY RATE 3,557,272

1049 SALARIES AND BENEFITS POSITIONS 74.00
FROM GENERAL REVENUE FUND 4,164,212
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 132,390
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 335,748

1050 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 12,759
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 36,600

1051 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 23,000

1052 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 98,884
FROM GRANTS AND DONATIONS TRUST
FUND 5,000
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 73,905

1053 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 12,276
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 8,823

1054 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 3,651

TOTAL: PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL
CIRCUIT
FROM GENERAL REVENUE FUND 4,288,131
FROM TRUST FUNDS 619,117

TOTAL POSITIONS 74.00
TOTAL ALL FUNDS 4,907,248

PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 9,764,813

1055 SALARIES AND BENEFITS POSITIONS 221.00
FROM GENERAL REVENUE FUND 9,126,331
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 265,400
FROM GRANTS AND DONATIONS TRUST
FUND 803,976
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 1,489,846

1056 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 25,000
FROM GRANTS AND DONATIONS TRUST
FUND 7,500
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 141,520

1057 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 706,253
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 120,440

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

1058 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 33,669
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 28,517

1059 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 23,000

1060 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY
AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST
FUND 45,000

TOTAL: PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 9,914,253
FROM TRUST FUNDS 2,902,199

TOTAL POSITIONS 221.00
TOTAL ALL FUNDS 12,816,452

PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,357,730

1061 SALARIES AND BENEFITS POSITIONS 114.00
FROM GENERAL REVENUE FUND 5,860,346
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 186,499
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 565,669

1062 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 12,424
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 57,430

1063 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 174,642
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 164,621

1064 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 26,568
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 5,626

1065 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 3,132

1066 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY
AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST
FUND 37,500

TOTAL: PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 6,073,980
FROM TRUST FUNDS 1,020,477

TOTAL POSITIONS 114.00
TOTAL ALL FUNDS 7,094,457

PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 20,242,327

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

1067 SALARIES AND BENEFITS POSITIONS 384.00
FROM GENERAL REVENUE FUND 21,782,520
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 693,546
FROM GRANTS AND DONATIONS TRUST
FUND 1,331,311
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 642,954

1068 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 101,863
FROM GRANTS AND DONATIONS TRUST
FUND 70,000
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 169,016

1069 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 3,233

1070 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 455,852
FROM GRANTS AND DONATIONS TRUST
FUND 10,000
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 84,580

1071 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 130,150
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 67,334

1072 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 1,333

TOTAL: PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 22,474,951
FROM TRUST FUNDS 3,068,741

TOTAL POSITIONS 384.00
TOTAL ALL FUNDS 25,543,692

PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 4,627,508

1073 SALARIES AND BENEFITS POSITIONS 95.50
FROM GENERAL REVENUE FUND 4,909,289
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 156,315
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 467,063

1074 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 19,836
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 20,000

1075 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 222,605
FROM GRANTS AND DONATIONS TRUST
FUND 58,400
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 41,449

1076 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 12,878

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 33,648

TOTAL: PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 5,164,608
FROM TRUST FUNDS 776,875

TOTAL POSITIONS 95.50
TOTAL ALL FUNDS 5,941,483

PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 10,665,493

1077 SALARIES AND BENEFITS POSITIONS 221.50
FROM GENERAL REVENUE FUND 10,689,669
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 340,632
FROM GRANTS AND DONATIONS TRUST
FUND 1,217,947
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 1,238,909

1078 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 46,413
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 100,000
FROM GRANTS AND DONATIONS TRUST
FUND 100,000
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 11,201

1079 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 44,000

1080 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 524,379
FROM GRANTS AND DONATIONS TRUST
FUND 107,844
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 107,983

1081 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 41,774
FROM GRANTS AND DONATIONS TRUST
FUND 14,483
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 7,554

1082 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 516

1083 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST
FUND 94,687

TOTAL: PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 11,302,751
FROM TRUST FUNDS 3,385,240

TOTAL POSITIONS 221.50
TOTAL ALL FUNDS 14,687,991

PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
CIRCUIT

APPROVED SALARY RATE 3,147,153

1084 SALARIES AND BENEFITS POSITIONS 61.00
FROM GENERAL REVENUE FUND 3,449,053
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 109,673
FROM GRANTS AND DONATIONS TRUST
FUND 49,752
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 420,567

1085 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 7,101
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 196,684

1086 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 127,551
FROM GRANTS AND DONATIONS TRUST
FUND 15,000
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 141,811

1087 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 9,798

1088 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 2,405

TOTAL: PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 3,593,503
FROM TRUST FUNDS 935,892

TOTAL POSITIONS 61.00
TOTAL ALL FUNDS 4,529,395

PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 9,191,064

1089 SALARIES AND BENEFITS POSITIONS 194.00
FROM GENERAL REVENUE FUND 10,116,165
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 322,153
FROM GRANTS AND DONATIONS TRUST
FUND 18,090
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 574,552

1090 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 47,601
FROM GRANTS AND DONATIONS TRUST
FUND 116,066
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 27,708

1091 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 23,000

1092 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 149,103
FROM GRANTS AND DONATIONS TRUST
FUND 78,670

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		277,369
1093 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	49,673	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		8,047
1094 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		9,375
TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	10,362,542	
FROM TRUST FUNDS		1,455,030
TOTAL POSITIONS	194.00	
TOTAL ALL FUNDS		11,817,572

PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,101,626

1095 SALARIES AND BENEFITS POSITIONS 42.00		
FROM GENERAL REVENUE FUND	2,303,785	
FROM PUBLIC DEFENDERS REVENUE TRUST FUND		73,450
FROM GRANTS AND DONATIONS TRUST FUND		38,489
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		118,941
1096 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	6,968	
FROM GRANTS AND DONATIONS TRUST FUND		5,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,347
1097 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	65,086	
FROM GRANTS AND DONATIONS TRUST FUND		10,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		17,760
1098 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	6,891	
FROM GRANTS AND DONATIONS TRUST FUND		2,279
1099 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	930	
TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	2,383,660	
FROM TRUST FUNDS		267,266
TOTAL POSITIONS	42.00	
TOTAL ALL FUNDS		2,650,926

PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 12,044,736

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

1100 SALARIES AND BENEFITS POSITIONS 223.00		
FROM GENERAL REVENUE FUND	12,533,750	
FROM PUBLIC DEFENDERS REVENUE TRUST FUND		399,596
FROM GRANTS AND DONATIONS TRUST FUND		832,937
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,610,262
1101 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	82,254	
FROM GRANTS AND DONATIONS TRUST FUND		150,708
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		36,000
1102 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	424,593	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		208,165
1103 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	47,036	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,705
1104 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	3,812	
1105 SPECIAL CATEGORIES		
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
FROM GRANTS AND DONATIONS TRUST FUND		65,625
TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	13,091,445	
FROM TRUST FUNDS		3,304,998
TOTAL POSITIONS	223.00	
TOTAL ALL FUNDS		16,396,443

PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,969,524

1106 SALARIES AND BENEFITS POSITIONS 119.00		
FROM GENERAL REVENUE FUND	5,544,792	
FROM PUBLIC DEFENDERS REVENUE TRUST FUND		176,505
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,246,374
1107 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	12,792	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		28,160
1107A SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		38,100
1108 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	337,745	
FROM GRANTS AND DONATIONS TRUST FUND		5,000
FROM INDIGENT CRIMINAL DEFENSE		

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
TRUST FUND 297,178

1109 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 39,517

1110 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 5,236

TOTAL: PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 5,934,846
FROM TRUST FUNDS 1,796,553

TOTAL POSITIONS 119.00
TOTAL ALL FUNDS 7,731,399

PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 4,020,433

1111 SALARIES AND BENEFITS POSITIONS 78.00
FROM GENERAL REVENUE FUND 3,914,371
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 124,722
FROM GRANTS AND DONATIONS TRUST
FUND 245,716
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 713,765

1112 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 19,893
FROM GRANTS AND DONATIONS TRUST
FUND 40,000
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 135,550

1113 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 105,428
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 194,650

1114 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 20,063
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 8,752

1115 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 1,440

TOTAL: PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 4,059,755
FROM TRUST FUNDS 1,464,595

TOTAL POSITIONS 78.00
TOTAL ALL FUNDS 5,524,350

PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL CIRCUIT

APPROVED SALARY RATE 6,421,399

1116 SALARIES AND BENEFITS POSITIONS 137.00
FROM GENERAL REVENUE FUND 6,514,067
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 196,074

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
FROM GRANTS AND DONATIONS TRUST
FUND 671,952
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 542,041

1117 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,098
FROM GRANTS AND DONATIONS TRUST
FUND 20,000
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 80,000

1118 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 336,894
FROM GRANTS AND DONATIONS TRUST
FUND 64,260
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 142,102

1119 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 27,594
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 40,122

1120 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 4,730

TOTAL: PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 6,898,383
FROM TRUST FUNDS 1,756,551

TOTAL POSITIONS 137.00
TOTAL ALL FUNDS 8,654,934

PUBLIC DEFENDERS APPELLATE DIVISION

PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,780,461

1121 SALARIES AND BENEFITS POSITIONS 34.00
FROM GENERAL REVENUE FUND 2,062,074

1122 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 21,114

1123 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 121,406

1124 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 2,535

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 2,207,129

TOTAL POSITIONS 34.00
TOTAL ALL FUNDS 2,207,129

PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,757,773

1125 SALARIES AND BENEFITS POSITIONS 33.00
FROM GENERAL REVENUE FUND 2,001,602

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
1126 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 2,370

1127 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 136,901

1128 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 1,152

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH
JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 2,142,025

TOTAL POSITIONS 33.00
TOTAL ALL FUNDS 2,142,025

PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH
JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,461,956

1129 SALARIES AND BENEFITS POSITIONS 50.00
FROM GENERAL REVENUE FUND 2,859,652

1130 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 727,390

1131 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 137,289

1132 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 2,568

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH
JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 3,726,899

TOTAL POSITIONS 50.00
TOTAL ALL FUNDS 3,726,899

PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH
JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,573,325

1133 SALARIES AND BENEFITS POSITIONS 24.00
FROM GENERAL REVENUE FUND 1,772,671

1134 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 33,731

1135 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 37,161

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH
JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 1,843,563

TOTAL POSITIONS 24.00
TOTAL ALL FUNDS 1,843,563

PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH
JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,513,258

1136 SALARIES AND BENEFITS POSITIONS 37.00
FROM GENERAL REVENUE FUND 2,867,291
FROM INDIGENT CRIMINAL DEFENSE

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
TRUST FUND 100,000

1137 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 37,677
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 50,000

1138 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 2,344

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH
JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 2,907,312
FROM TRUST FUNDS 150,000

TOTAL POSITIONS 37.00
TOTAL ALL FUNDS 3,057,312

CAPITAL COLLATERAL REGIONAL COUNSELS

PROGRAM: MIDDLE REGIONAL COUNSEL

PROVIDE STATE REQUIRED POST CONVICTION LEGAL
REPRESENTATION TO DEATH-ROW INMATES

APPROVED SALARY RATE 2,245,214

1139 SALARIES AND BENEFITS POSITIONS 41.00
FROM GENERAL REVENUE FUND 2,805,407

1140 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 28,911

1141 SPECIAL CATEGORIES
CASE RELATED COSTS
FROM GENERAL REVENUE FUND 363,004
FROM CAPITAL COLLATERAL REGIONAL
COUNSEL TRUST FUND 150,000

1142 SPECIAL CATEGORIES
OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 372,937
FROM CAPITAL COLLATERAL REGIONAL
COUNSEL TRUST FUND 50,000

1143 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 6,524

1144 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 275

TOTAL: PROVIDE STATE REQUIRED POST CONVICTION LEGAL
REPRESENTATION TO DEATH-ROW INMATES
FROM GENERAL REVENUE FUND 3,577,058
FROM TRUST FUNDS 200,000

TOTAL POSITIONS 41.00
TOTAL ALL FUNDS 3,777,058

PROGRAM: SOUTHERN REGIONAL COUNSEL

PROVIDE STATE REQUIRED POST CONVICTION LEGAL
REPRESENTATION TO DEATH-ROW INMATES

APPROVED SALARY RATE 1,779,290

1145 SALARIES AND BENEFITS POSITIONS 32.00
FROM GENERAL REVENUE FUND 2,153,328

1146 OTHER PERSONAL SERVICES

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
FROM GENERAL REVENUE FUND 8

1147 SPECIAL CATEGORIES
CASE RELATED COSTS
FROM GENERAL REVENUE FUND 473,367
FROM CAPITAL COLLATERAL REGIONAL
COUNSEL TRUST FUND 115,000

1148 SPECIAL CATEGORIES
OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 347,563
FROM CAPITAL COLLATERAL REGIONAL
COUNSEL TRUST FUND 85,000

1149 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 7,044

1150 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 702

TOTAL: PROVIDE STATE REQUIRED POST CONVICTION LEGAL
REPRESENTATION TO DEATH-ROW INMATES
FROM GENERAL REVENUE FUND 2,982,012
FROM TRUST FUNDS 200,000

TOTAL POSITIONS 32.00
TOTAL ALL FUNDS 3,182,012

CRIMINAL CONFLICT AND CIVIL REGIONAL COUNSELS

PROGRAM: REGIONAL CONFLICT COUNSEL - FIRST

APPROVED SALARY RATE 5,537,083

1151 SALARIES AND BENEFITS POSITIONS 111.00
FROM GENERAL REVENUE FUND 7,058,649

1152 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 154,055

1153 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 795,349
FROM INDIGENT CIVIL DEFENSE TRUST
FUND 233,446

1154 SPECIAL CATEGORIES
REGIONAL CONFLICT COUNCIL OPERATIONS
FROM GENERAL REVENUE FUND 902,982

1155 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 23,411

1156 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 9,984

1157 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 25,549

TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - FIRST
FROM GENERAL REVENUE FUND 8,969,979
FROM TRUST FUNDS 233,446

TOTAL POSITIONS 111.00
TOTAL ALL FUNDS 9,203,425

PROGRAM: REGIONAL CONFLICT COUNSEL - SECOND

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
APPROVED SALARY RATE 4,850,479

1158 SALARIES AND BENEFITS POSITIONS 101.00
FROM GENERAL REVENUE FUND 6,050,404
FROM GRANTS AND DONATIONS TRUST
FUND 65,023

1159 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 270,041

1160 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,021,113
FROM INDIGENT CIVIL DEFENSE TRUST
FUND 234,488

1161 SPECIAL CATEGORIES
REGIONAL CONFLICT COUNCIL OPERATIONS
FROM GENERAL REVENUE FUND 820,904
FROM GRANTS AND DONATIONS TRUST
FUND 165,425

1162 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 43,594

1163 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 25,000

1164 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 24,807

TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - SECOND
FROM GENERAL REVENUE FUND 8,255,863
FROM TRUST FUNDS 464,936

TOTAL POSITIONS 101.00
TOTAL ALL FUNDS 8,720,799

PROGRAM: REGIONAL CONFLICT COUNSEL - THIRD

APPROVED SALARY RATE 2,243,882

1165 SALARIES AND BENEFITS POSITIONS 47.00
FROM GENERAL REVENUE FUND 2,875,040

1166 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 156,474

1167 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,476,836
FROM INDIGENT CIVIL DEFENSE TRUST
FUND 86,956

1168 SPECIAL CATEGORIES
REGIONAL CONFLICT COUNCIL OPERATIONS
FROM GENERAL REVENUE FUND 375,444

1169 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 7,456

1170 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 1,100

1171 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 11,897

TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - THIRD
FROM GENERAL REVENUE FUND 4,904,247
FROM TRUST FUNDS 86,956

TOTAL POSITIONS 47.00
TOTAL ALL FUNDS 4,991,203

PROGRAM: REGIONAL CONFLICT COUNSEL - FOURTH

APPROVED SALARY RATE 3,021,418

1172 SALARIES AND BENEFITS POSITIONS 63.00
FROM GENERAL REVENUE FUND 4,091,318

1173 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 810,763

1174 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,564,200
FROM INDIGENT CIVIL DEFENSE TRUST
FUND 121,892

1175 SPECIAL CATEGORIES
REGIONAL CONFLICT COUNCIL OPERATIONS
FROM GENERAL REVENUE FUND 1,076,228

1176 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 15,870

1177 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 1,064

1178 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 15,948

TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - FOURTH
FROM GENERAL REVENUE FUND 7,575,391
FROM TRUST FUNDS 121,892

TOTAL POSITIONS 63.00
TOTAL ALL FUNDS 7,697,283

PROGRAM: REGIONAL CONFLICT COUNSEL - FIFTH

APPROVED SALARY RATE 3,052,150

1179 SALARIES AND BENEFITS POSITIONS 67.00
FROM GENERAL REVENUE FUND 4,166,464

1180 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 208,569

1181 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 964,645
FROM GRANTS AND DONATIONS TRUST
FUND 5,800
FROM INDIGENT CIVIL DEFENSE TRUST
FUND 195,193

1182 SPECIAL CATEGORIES
REGIONAL CONFLICT COUNCIL OPERATIONS
FROM GENERAL REVENUE FUND 711,473
FROM GRANTS AND DONATIONS TRUST
FUND 13,890

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
1183 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 15,229

1184 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 12,000

1185 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 16,960

TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - FIFTH
FROM GENERAL REVENUE FUND 6,095,340
FROM TRUST FUNDS 214,883

TOTAL POSITIONS 67.00
TOTAL ALL FUNDS 6,310,223

TOTAL: JUSTICE ADMINISTRATION
FROM GENERAL REVENUE FUND 646,940,287
FROM TRUST FUNDS 515,088,568

TOTAL POSITIONS 10,135.25
TOTAL ALL FUNDS 1,162,028,855
TOTAL APPROVED SALARY RATE 472,598,603

JUVENILE JUSTICE, DEPARTMENT OF

From the funds in Specific Appropriations 1186 through 1274A, each provider who contracts with the Department of Juvenile Justice shall provide the department with a proposal prior to the release of funds that details the services that will be delivered, the expected results, and recommended performance measures. The department and each provider must execute a contract before the release of any funds, and the contract documents shall include mutually agreed upon performance measures. Each provider must provide quarterly performance reports to the department. Funds shall only be released to providers whose performance reports indicate successful compliance with the performance measures described in the contract.

From the funds in Specific Appropriations 1186 through 1274A, the Department of Juvenile Justice shall establish a performance accountability system for each provider who contracts with the department for the delivery of services to children at-risk of future involvement in the criminal justice system, as determined by the department. The contract shall include both output measures, such as the number of children served, and outcome measures, such as program completion. The contractor shall report performance results annually to the department. The department's Office of Program Accountability shall summarize performance results from all contracts and report the information annually to the Legislature.

From the funds in Specific Appropriations 1186 through 1274A, the Department of Juvenile Justice is directed to withhold funds from contract payments to any provider if that provider failed to comply with contract requirements that it maintain property insurance and if the failure to do so resulted in uninsured losses. The amount withheld shall not exceed the amount of the uninsured loss and may be reduced by other remedial actions agreed upon by the department and the provider.

From the funds in Specific Appropriations 1186 through 1274A, the Department of Juvenile Justice must, before implementing any departmental reorganization plans, submit its proposal to the Governor's Office of Policy and Budget and to the Legislative Budget Commission for approval.

Funds in Specific Appropriations 1186 through 1274A shall not be used to pay for unoccupied space currently being leased by the Department of Juvenile Justice in the event the leases are vacant on or after July 1, 2012, and for which it has been determined by the Secretary of the department that there is no longer a need.

SECTION 3 - HUMAN SERVICES
SPECIFIC
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PROGRAM: JUVENILE DETENTION PROGRAM

DETENTION CENTERS

From the funds in Specific Appropriations 1186 through 1198, the department may contract for services consistent with the department's Juvenile Detention Alternative Initiative (JDAI) and the Annie E. Casey Foundation to divert youth from secure detention to alternative community based services. These services should be designed using in-home and community advocacy to reduce the need for more expensive restrictive placements, build community capacity to reduce recidivism, create supported work opportunities for youth, and improve community safety.

APPROVED SALARY RATE 47,626,458

1186 SALARIES AND BENEFITS POSITIONS 1,479.00
FROM GENERAL REVENUE FUND 11,083,312
FROM FEDERAL GRANTS TRUST FUND . . . 730,187
FROM GRANTS AND DONATIONS TRUST FUND 317,214
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND 55,277,086

1187 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 269,707
FROM GRANTS AND DONATIONS TRUST FUND 625,552
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND 1,736,186

1188 EXPENSES
FROM GENERAL REVENUE FUND 1,614,497
FROM FEDERAL GRANTS TRUST FUND . . . 763,886
FROM GRANTS AND DONATIONS TRUST FUND 937,760
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND 4,425,220

1189 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 10,771
FROM FEDERAL GRANTS TRUST FUND . . . 7,293
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND 210,684

1190 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 335,753
FROM FEDERAL GRANTS TRUST FUND . . . 834,388
FROM GRANTS AND DONATIONS TRUST FUND 127,472
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND 1,439,122

1191 SPECIAL CATEGORIES
LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME
FROM GENERAL REVENUE FUND 179,110

1192 SPECIAL CATEGORIES
GRANTS AND AIDS - GRANTS TO FISCALLY CONSTRAINED COUNTIES FOR DETENTION CENTER COSTS
FROM GENERAL REVENUE FUND 3,883,853

1193 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 564,783
FROM FEDERAL GRANTS TRUST FUND . . . 20,392
FROM GRANTS AND DONATIONS TRUST FUND 3,116
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND 1,654,316

1194 SPECIAL CATEGORIES

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GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 4,790,024
FROM GRANTS AND DONATIONS TRUST FUND 25,000
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND 4,354,573

1195 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 629,321
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND 4,230,293

1196 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 12,457
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND 220,536

1197 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 98,015
FROM FEDERAL GRANTS TRUST FUND . . . 8,185
FROM GRANTS AND DONATIONS TRUST FUND 1,190
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND 461,387

1198 FIXED CAPITAL OUTLAY
DEPARTMENT OF JUVENILE JUSTICE MAINTENANCE AND REPAIR - STATE OWNED BUILDINGS
FROM GENERAL REVENUE FUND 800,000

TOTAL: DETENTION CENTERS
FROM GENERAL REVENUE FUND 24,271,603
FROM TRUST FUNDS 78,411,038

TOTAL POSITIONS 1,479.00
TOTAL ALL FUNDS 102,682,641

PROGRAM: PROBATION AND COMMUNITY CORRECTIONS PROGRAM

AFTERCARE SERVICES - CONDITIONAL RELEASE

APPROVED SALARY RATE 807,915

1199 SALARIES AND BENEFITS POSITIONS 24.00
FROM GENERAL REVENUE FUND 1,059,040
FROM GRANTS AND DONATIONS TRUST FUND 2,687

1200 EXPENSES
FROM GENERAL REVENUE FUND 119,148

1201 SPECIAL CATEGORIES
LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME
FROM GENERAL REVENUE FUND 451,630

1202 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,714

1203 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 20,735,232
FROM GRANTS AND DONATIONS TRUST FUND 1,519,035
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 992

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From the funds in Specific Appropriation 1203, $2,450,000 in nonrecurring general revenue funds shall be used to issue an Invitation to Negotiate (ITN) to implement a comprehensive transition planning process that engages the community stakeholders within 30 days of the youth's admission to the facility and provide transition focused case management services to the youth and their family while the youth is in commitment and continuing six months upon returning to the community. A minimum of 10 percent, but not to exceed 12.5 percent, shall be used to produce public information and parental education information.

1203A SPECIAL CATEGORIES
PRODIGY
FROM GENERAL REVENUE FUND 4,400,000

From the funds in Specific Appropriation 1203A, the Prodigy Program shall include at least two of the four at-risk domains of the Department of Juvenile Justice's risk factors when placing a youth into a prevention, intervention or diversion program. In addition, each youth who enters the program shall be tracked by the department's Juvenile Justice Information System (JJIS) or Prevention Web system. In addition, the Prodigy Program shall contract with a consultant to track arrests or re-arrests for prevention, intervention, and diversion youth for 12 months after completing the program and submit the results to the department semi-annually.

1204 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 7,807
FROM GRANTS AND DONATIONS TRUST FUND 17

TOTAL: AFTERCARE SERVICES - CONDITIONAL RELEASE
FROM GENERAL REVENUE FUND 26,774,571
FROM TRUST FUNDS 1,522,731

TOTAL POSITIONS 24.00
TOTAL ALL FUNDS 28,297,302

JUVENILE PROBATION

APPROVED SALARY RATE 46,854,375

1205 SALARIES AND BENEFITS POSITIONS 1,335.50
FROM GENERAL REVENUE FUND 52,879,862
FROM GRANTS AND DONATIONS TRUST FUND 64,259
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 7,629,663

1206 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,428,896

1207 EXPENSES
FROM GENERAL REVENUE FUND 7,665,187
FROM FEDERAL GRANTS TRUST FUND . . . 35,866
FROM GRANTS AND DONATIONS TRUST FUND 7,407
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 494,362

1208 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 68,687

1209 SPECIAL CATEGORIES
JUVENILE REDIRECTIONS PROGRAM
FROM GENERAL REVENUE FUND 15,364,831

Funds in Specific Appropriation 1209, are provided for services to youth at risk of commitment, which are eligible to be placed in evidence-based and other alternative programs for family therapy services. These services shall be provided as an alternative to commitment. The Department of Juvenile Justice and each participating court may jointly develop criteria to identify youth appropriate for diversion into the Redirections Program.

From the funds in Specific Appropriation 1209, the Department of Juvenile Justice may transfer up to $2,000,000 from the General Revenue Fund to the Agency for Health Care Administration to provide Medicaid coverage for children eligible for specialized mental health services.

1210 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 995,862
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 70,346

1211 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 13,298,354
FROM GRANTS AND DONATIONS TRUST FUND 14,813

1212 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 899,874

1213 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 391,076

1214 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 418,399
FROM GRANTS AND DONATIONS TRUST FUND 21,807

TOTAL: JUVENILE PROBATION
FROM GENERAL REVENUE FUND 93,411,028
FROM TRUST FUNDS 8,338,523

TOTAL POSITIONS 1,335.50
TOTAL ALL FUNDS 101,749,551

NON-RESIDENTIAL DELINQUENCY REHABILITATION

1215 SPECIAL CATEGORIES
LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME
FROM GENERAL REVENUE FUND 184,317

1216 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 18,393,545
FROM GRANTS AND DONATIONS TRUST FUND 18,462
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 81,003

TOTAL: NON-RESIDENTIAL DELINQUENCY REHABILITATION
FROM GENERAL REVENUE FUND 18,577,862
FROM TRUST FUNDS 99,465

TOTAL ALL FUNDS 18,677,327

PROGRAM: OFFICE OF THE SECRETARY/ASSISTANT SECRETARY FOR ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 9,670,616

1217 SALARIES AND BENEFITS POSITIONS 226.50
FROM GENERAL REVENUE FUND 12,350,421

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FROM FEDERAL GRANTS TRUST FUND . . .		127,065
FROM GRANTS AND DONATIONS TRUST FUND		283,838
1218 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	161,156	
FROM ADMINISTRATIVE TRUST FUND . . .		72,341
FROM JUVENILE JUSTICE TRAINING TRUST FUND		11,712
1219 EXPENSES		
FROM GENERAL REVENUE FUND	2,393,444	
FROM ADMINISTRATIVE TRUST FUND . . .		215,000
FROM FEDERAL GRANTS TRUST FUND . . .		14,396
FROM GRANTS AND DONATIONS TRUST FUND		149,305
FROM JUVENILE JUSTICE TRAINING TRUST FUND		605,353
1220 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	32,841	
1221 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL REVENUE FUND	414,714	
1222 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	19,725	
1223 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	547,208	
FROM ADMINISTRATIVE TRUST FUND . . .		430,930
FROM GRANTS AND DONATIONS TRUST FUND		208,537
1224 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	241,169	
FROM JUVENILE JUSTICE TRAINING TRUST FUND		2,139,189
1225 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	178,546	
1226 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	67,149	
FROM JUVENILE JUSTICE TRAINING TRUST FUND		3,973
1227 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	79,551	
FROM FEDERAL GRANTS TRUST FUND . . .		546
FROM GRANTS AND DONATIONS TRUST FUND		1,643
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	16,485,924	
FROM TRUST FUNDS		4,263,828
TOTAL POSITIONS	226.50	
TOTAL ALL FUNDS		20,749,752

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 2,807,128

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1228 SALARIES AND BENEFITS POSITIONS 59.50		
FROM GENERAL REVENUE FUND	3,290,180	
1229 EXPENSES		
FROM GENERAL REVENUE FUND	1,783,527	
1230 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	48,866	
1231 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	313,377	
1232 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	11,015	
1233 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	13,315	
1234 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	20,190	
1235 DATA PROCESSING SERVICES		
SOUTHWOOD SHARED RESOURCE CENTER		
FROM GENERAL REVENUE FUND	8,169	
1236 DATA PROCESSING SERVICES		
NORTHWOOD SHARED RESOURCE CENTER		
FROM GENERAL REVENUE FUND	350,556	
1236A DATA PROCESSING SERVICES		
NORTHWEST REGIONAL DATA CENTER (NWRDC)		
FROM GENERAL REVENUE FUND	50,116	

The funds provided in Specific Appropriation 1236A, shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: INFORMATION TECHNOLOGY		
FROM GENERAL REVENUE FUND	5,889,311	
TOTAL POSITIONS	59.50	
TOTAL ALL FUNDS		5,889,311

PROGRAM: RESIDENTIAL CORRECTIONS PROGRAM

From the funds in Specific Appropriations 1238 through 1261, the department shall provide a weekly residential resource utilization report that identifies operating capacity, current placements, vacant placements, number of youth waiting placement and the percent of use for all residential commitment beds. The department may increase or decrease beds or overlay services provided that the change will better serve taxpayers and the youth under its care. Notification and justification of changes will be provided to the Governor's Office of Policy and Budget, the chair of the Senate Budget Committee and the chair of the House Appropriations Committee prior to implementing any change.

From the funds in Specific Appropriations 1238 through 1261, the Department of Juvenile Justice shall first make residential bed reductions in both non-secure and secure beds that are operated by the department before reducing privately operated non-secure or secure residential beds. Should the department need to make additional residential bed reductions in order to meet the reduction in Specific Appropriations 1238 through 1261, per diem cost shall be given primary consideration.

NON-SECURE RESIDENTIAL COMMITMENT

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
APPROVED SALARY RATE 4,393,425

1238 SALARIES AND BENEFITS POSITIONS 122.00
FROM GENERAL REVENUE FUND 6,018,115
FROM FEDERAL GRANTS TRUST FUND . . . 47,705
FROM GRANTS AND DONATIONS TRUST FUND 70,190
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 2,916,754

1239 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 103,278
FROM GRANTS AND DONATIONS TRUST FUND 31,862

1240 EXPENSES
FROM GENERAL REVENUE FUND 982,443
FROM FEDERAL GRANTS TRUST FUND . . . 320,563
FROM GRANTS AND DONATIONS TRUST FUND 26,656
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 264,925

1241 OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST FUND 21,231

1242 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 379,936
FROM FEDERAL GRANTS TRUST FUND . . . 198,861
FROM GRANTS AND DONATIONS TRUST FUND 88,871

1243 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 44,571

1244 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 571,025
FROM FEDERAL GRANTS TRUST FUND . . . 1,476
FROM GRANTS AND DONATIONS TRUST FUND 2,172

1245 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 91,620,239
FROM FEDERAL GRANTS TRUST FUND . . . 45,066
FROM GRANTS AND DONATIONS TRUST FUND 372,759
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 2,318,436

1246 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,120,906
FROM GRANTS AND DONATIONS TRUST FUND 65,503

1247 SPECIAL CATEGORIES
GRANTS AND AIDS - WILDERNESS THERAPEUTIC SERVICES
FROM GENERAL REVENUE FUND 2,405,536

1248 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 8,752

1249 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 93,139
FROM FEDERAL GRANTS TRUST FUND . . . 496

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SPECIFIC
APPROPRIATION
FROM GRANTS AND DONATIONS TRUST FUND 731

1249A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FACILITY REPAIRS MAINTENANCE AND CONSTRUCTION
FROM GENERAL REVENUE FUND 200,000

The funds in Specific Appropriation 1249A are appropriated as nonrecurring for maintenance and repairs to the Here's Help Residential Facility in Miami-Dade County.

TOTAL: NON-SECURE RESIDENTIAL COMMITMENT
FROM GENERAL REVENUE FUND 103,547,940
FROM TRUST FUNDS 6,794,257

TOTAL POSITIONS 122.00
TOTAL ALL FUNDS 110,342,197

SECURE RESIDENTIAL COMMITMENT

APPROVED SALARY RATE 12,538,990

1250 SALARIES AND BENEFITS POSITIONS 237.00
FROM GENERAL REVENUE FUND 13,281,001
FROM FEDERAL GRANTS TRUST FUND . . . 110,225
FROM GRANTS AND DONATIONS TRUST FUND 447,771
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 2,267,459

1251 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 137,431
FROM GRANTS AND DONATIONS TRUST FUND 13,840

1252 EXPENSES
FROM GENERAL REVENUE FUND 1,855,719
FROM FEDERAL GRANTS TRUST FUND . . . 6,279
FROM GRANTS AND DONATIONS TRUST FUND 11,893

1253 OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST FUND 33,861

1254 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 159,687
FROM FEDERAL GRANTS TRUST FUND . . . 160,400
FROM GRANTS AND DONATIONS TRUST FUND 194,644

1255 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTUAL SERVICES-OKEECHOBEE TRAINING SCHOOL
FROM GENERAL REVENUE FUND 6,385,963
FROM GRANTS AND DONATIONS TRUST FUND 32,088
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 2,546,273

1256 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 596,426
FROM FEDERAL GRANTS TRUST FUND . . . 2,512
FROM GRANTS AND DONATIONS TRUST FUND 4,757

1257 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 11,984,674
FROM FEDERAL GRANTS TRUST FUND . . . 4,003
FROM GRANTS AND DONATIONS TRUST

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FUND		274,785
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		30,913,498
1258 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	1,360,031	
1259 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	44,966	
1260 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	201,160	
FROM FEDERAL GRANTS TRUST FUND . . .		5,844
FROM GRANTS AND DONATIONS TRUST FUND		14,089
1261 FIXED CAPITAL OUTLAY JUVENILE FACILITIES - LEASE PURCHASE FROM GENERAL REVENUE FUND	1,806,244	
TOTAL: SECURE RESIDENTIAL COMMITMENT		
FROM GENERAL REVENUE FUND	37,813,302	
FROM TRUST FUNDS		37,044,221
TOTAL POSITIONS	237.00	
TOTAL ALL FUNDS		74,857,523

PROGRAM: PREVENTION AND VICTIM SERVICES

DELINQUENCY PREVENTION AND DIVERSION

APPROVED SALARY RATE 841,307

1262 SALARIES AND BENEFITS POSITIONS 17.00		
FROM GENERAL REVENUE FUND	618,011	
FROM FEDERAL GRANTS TRUST FUND . . .		55,138
FROM GRANTS AND DONATIONS TRUST FUND		450,024
1263 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	287,192	
FROM FEDERAL GRANTS TRUST FUND . . .		187,513
FROM GRANTS AND DONATIONS TRUST FUND		141,126
1264 EXPENSES		
FROM GENERAL REVENUE FUND	233,083	
FROM FEDERAL GRANTS TRUST FUND . . .		68,300
FROM GRANTS AND DONATIONS TRUST FUND		282,180
1265 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - INVEST IN CHILDREN FROM JUVENILE CRIME PREVENTION AND EARLY INTERVENTION TRUST FUND . . .		412,903
1266 OPERATING CAPITAL OUTLAY		
FROM FEDERAL GRANTS TRUST FUND . . .		12,450
FROM GRANTS AND DONATIONS TRUST FUND		12,450
1267 SPECIAL CATEGORIES PACE CENTERS		
FROM GENERAL REVENUE FUND	7,666,517	
FROM GRANTS AND DONATIONS TRUST FUND		3,290,514
1268 SPECIAL CATEGORIES LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME		
FROM GENERAL REVENUE FUND	827,920	

From the funds in Specific Appropriation 1268, $650,415 from recurring general revenue funds is provided to the PAR Adolescent Intervention Center (PAIC) Pasco.

1269 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	33,720	
1270 SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	3,047,989	
FROM FEDERAL GRANTS TRUST FUND . . .		10,609,653
FROM GRANTS AND DONATIONS TRUST FUND		2,320,115
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,639

From the funds in Specific Appropriation 1270, $2,000,000 in nonrecurring general revenue funds is provided for the Florida Alliance of Boys and Girls Clubs.

From the funds in Specific Appropriation 1270, $450,000 in nonrecurring general revenue funds is provided to fund a virtual (web-based) system that addresses life, educational and workforce needs of the students housed in residential and non-residential facilities. The system may be assessment driven, but will lead to mastery, competency and certification in counseling domains including life adjustment, educational, career or employability and optimal mental health.

1271 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	29,581	
1272 SPECIAL CATEGORIES GRANTS AND AIDS - CHILDREN/FAMILIES IN NEED OF SERVICES		
FROM GENERAL REVENUE FUND	19,127,748	
FROM FEDERAL GRANTS TRUST FUND . . .		1,000,000
FROM GRANTS AND DONATIONS TRUST FUND		10,277,763
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		383,858

From the funds in Specific Appropriation 1272, the Department of Juvenile Justice shall not expend more than $150,000 in recurring general revenue funds for physically secure placements for youths being served by the Children-In-Need of Services/Families-In-Need of Services (CINS/FINS) program.

Additionally, the CINS/FINS provider shall demonstrate that it has considered local, non-traditional, non-residential delinquency prevention service providers including, but not limited to, grassroots organizations, community, and faith-based organizations, to subcontract and deliver non-residential CINS/FINS services to eligible youth as defined in chapter 984 and section 1003.27, Florida Statutes, to include areas with high ratios of juvenile arrests per youth 10 to 17 years of age. Such services may be offered throughout the judicial circuit served by the CINS/FINS provider.

1273 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	3,000	
FROM FEDERAL GRANTS TRUST FUND . . .		1,200
1274 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	2,795	
FROM FEDERAL GRANTS TRUST FUND . . .		308

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SPECIFIC
APPROPRIATION
FROM GRANTS AND DONATIONS TRUST FUND 2,471

1274A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FACILITY REPAIRS MAINTENANCE AND CONSTRUCTION
FROM GENERAL REVENUE FUND 1,000,000

The funds in Specific Appropriation 1274A are appropriated as nonrecurring for the construction of a Boys and Girls Club facility in Lacoochee, Florida to provide a location for the delivery of programs and activities that prevent juvenile crime.

TOTAL: DELINQUENCY PREVENTION AND DIVERSION
FROM GENERAL REVENUE FUND 32,877,556
FROM TRUST FUNDS 29,510,605

TOTAL POSITIONS 17.00
TOTAL ALL FUNDS 62,388,161

TOTAL: JUVENILE JUSTICE, DEPARTMENT OF
FROM GENERAL REVENUE FUND 359,649,097
FROM TRUST FUNDS 165,984,668

TOTAL POSITIONS 3,500.50
TOTAL ALL FUNDS 525,633,765
TOTAL APPROVED SALARY RATE 125,540,214

LAW ENFORCEMENT, DEPARTMENT OF

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT

PROVIDE EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 6,059,472

1274B SALARIES AND BENEFITS POSITIONS 119.50
FROM GENERAL REVENUE FUND 1,967,112
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND 308,451
FROM FEDERAL GRANTS TRUST FUND . . . 753,289
FROM OPERATING TRUST FUND 4,846,137

1275A OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 26,838
FROM ADMINISTRATIVE TRUST FUND . . . 5,000
FROM FEDERAL GRANTS TRUST FUND . . . 198,602
FROM OPERATING TRUST FUND 56,138

1275B EXPENSES
FROM GENERAL REVENUE FUND 765,343
FROM ADMINISTRATIVE TRUST FUND . . . 64,548
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND 9,557
FROM FEDERAL GRANTS TRUST FUND . . . 163,111
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 286,666
FROM OPERATING TRUST FUND 535,600

1276 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM (NCHIP) - STATE AGENCIES
FROM FEDERAL GRANTS TRUST FUND . . . 4,910,162

1277 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM (NCHIP) - LOCAL GOVERNMENTS
FROM FEDERAL GRANTS TRUST FUND . . . 1,529,434

1278 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - PROJECT SAFE NEIGHBORHOODS
FROM FEDERAL GRANTS TRUST FUND . . . 1,263,483

1279 AID TO LOCAL GOVERNMENTS
BYRNE MEMORIAL LOCAL LAW ENFORCEMENT ASSISTANCE PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 18,868,106

1279A OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 12,616
FROM FEDERAL GRANTS TRUST FUND . . . 3,242
FROM OPERATING TRUST FUND 337

1279B SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 9,650
FROM OPERATING TRUST FUND 402

1279C SPECIAL CATEGORIES
GRANTS AND AIDS - COMMUNITY AND STATEWIDE DRUG ABUSE PREVENTION PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 4,497,908

1279D SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 67,480
FROM ADMINISTRATIVE TRUST FUND . . . 15,000
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND 3,203
FROM FEDERAL GRANTS TRUST FUND . . . 218,573
FROM OPERATING TRUST FUND 152,372

1280 SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM OPERATING TRUST FUND 500

1280A SPECIAL CATEGORIES
OVERTIME
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 748

1281 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 13,395
FROM ADMINISTRATIVE TRUST FUND . . . 3,204
FROM OPERATING TRUST FUND 15,295

1281A SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 667

1282 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 86,000
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND 6,000
FROM FEDERAL GRANTS TRUST FUND . . . 3,000
FROM OPERATING TRUST FUND 200

1283 SPECIAL CATEGORIES
BYRNE MEMORIAL STATE LAW ENFORCEMENT ASSISTANCE PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 10,412,678

1284 SPECIAL CATEGORIES
GRANTS AND AID - RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM - LOCAL UNITS OF GOVERNMENT
FROM FEDERAL GRANTS TRUST FUND . . . 1,247,724

1285 SPECIAL CATEGORIES
GRANTS AND AID - RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM - STATE AGENCY
FROM FEDERAL GRANTS TRUST FUND . . . 3,675,511

SECTION 3 - HUMAN SERVICES
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1286 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 20,783
FROM ADMINISTRATIVE TRUST FUND . . . 2,780
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 2,742
FROM OPERATING TRUST FUND 14,630

TOTAL: PROVIDE EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 2,969,884
FROM TRUST FUNDS 54,074,333

TOTAL POSITIONS 119.50
TOTAL ALL FUNDS 57,044,217

PROGRAM: FLORIDA CAPITOL POLICE PROGRAM

CAPITOL POLICE SERVICES

APPROVED SALARY RATE 3,526,886

1286A SALARIES AND BENEFITS POSITIONS 90.00
FROM GENERAL REVENUE FUND 2,114
FROM OPERATING TRUST FUND 4,966,415

1287A OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 28,778

1287B EXPENSES
FROM OPERATING TRUST FUND 532,837

1287C OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 85,369

1287D SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM OPERATING TRUST FUND 30,500

1287E SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 70,084

1287F SPECIAL CATEGORIES
CAPITOL COMPLEX SECURITY
FROM GENERAL REVENUE FUND 7,360
FROM OPERATING TRUST FUND 20,000

1288 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 83,559

1288A SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM OPERATING TRUST FUND 68,064

1289 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM OPERATING TRUST FUND 5,000

1290 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 345
FROM OPERATING TRUST FUND 26,628

1291 DATA PROCESSING SERVICES
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF
MANAGEMENT SERVICES
FROM OPERATING TRUST FUND 6,969

TOTAL: CAPITOL POLICE SERVICES

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

FROM GENERAL REVENUE FUND 9,819
FROM TRUST FUNDS 5,924,203

TOTAL POSITIONS 90.00
TOTAL ALL FUNDS 5,934,022

PROGRAM: INVESTIGATIONS AND FORENSIC SCIENCE
PROGRAM

PROVIDE CRIME LAB SERVICES

APPROVED SALARY RATE 19,183,485

1291A SALARIES AND BENEFITS POSITIONS 404.00
FROM GENERAL REVENUE FUND 25,657,498
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 39,121
FROM FEDERAL GRANTS TRUST FUND . . . 10,000
FROM OPERATING TRUST FUND 251,534

1292A OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 57,211
FROM FEDERAL GRANTS TRUST FUND . . . 156,280

1292B EXPENSES
FROM GENERAL REVENUE FUND 6,010,653
FROM FEDERAL GRANTS TRUST FUND . . . 2,952,624
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 510,531
FROM OPERATING TRUST FUND 355,596

From the funds in Specific Appropriation 1292B, the Department of Law Enforcement is authorized to distribute 10,000 rape kits to local law enforcement agencies and rape crisis centers statewide at no cost. In addition, the department is authorized to use additional federal funds and any other available funds contained in Specific Appropriation 1292B for the purpose of processing rape kits, including the backlog of non-suspect rape cases.

1293 AID TO LOCAL GOVERNMENTS
CRIMINAL INVESTIGATIONS
FROM FEDERAL GRANTS TRUST FUND . . . 741,091
FROM OPERATING TRUST FUND 2,379,702

1293A OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 364,099
FROM ADMINISTRATIVE TRUST FUND . . . 5,000
FROM FEDERAL GRANTS TRUST FUND . . . 1,327,000

1293B SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 168,960

1293C SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 798,628
FROM FEDERAL GRANTS TRUST FUND . . . 1,690,200

1293D SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 351,900
FROM FEDERAL GRANTS TRUST FUND . . . 404,976

1294 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 158,188

1295 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 50,000

1296 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES

SECTION 3 - HUMAN SERVICES
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PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	131,296	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		185
FROM FEDERAL GRANTS TRUST FUND . . .		1,741
TOTAL: PROVIDE CRIME LAB SERVICES		
FROM GENERAL REVENUE FUND	33,590,245	
FROM TRUST FUNDS		10,983,769
TOTAL POSITIONS	404.00	
TOTAL ALL FUNDS		44,574,014

PROVIDE INVESTIGATIVE SERVICES

APPROVED SALARY RATE 32,632,616

1296A SALARIES AND BENEFITS POSITIONS	555.00	
FROM GENERAL REVENUE FUND	33,987,021	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		955,829
FROM FEDERAL GRANTS TRUST FUND . . .		581,637
FROM GRANTS AND DONATIONS TRUST FUND		69
FROM OPERATING TRUST FUND		7,984,455
1297A OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	293,593	
FROM ADMINISTRATIVE TRUST FUND . . .		25,276
FROM FEDERAL GRANTS TRUST FUND . . .		194,832
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		42,360
FROM GRANTS AND DONATIONS TRUST FUND		50
FROM OPERATING TRUST FUND		38,070
1297B EXPENSES		
FROM GENERAL REVENUE FUND	8,006,844	
FROM ADMINISTRATIVE TRUST FUND . . .		132,670
FROM FEDERAL GRANTS TRUST FUND . . .		648,327
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		833,472
FROM GRANTS AND DONATIONS TRUST FUND		4,500
FROM OPERATING TRUST FUND		2,776,152
FROM REVOLVING TRUST FUND		1,000,000

From the funds provided in Specific Appropriation 1297B from the Forfeiture and Investigative Support Trust Fund, up to $25,000 per case, but not exceeding $150,000 in total for all cases, may be expended for rewards leading to the capture of fugitives, if such funds are available.

1297C OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	54,144	
FROM ADMINISTRATIVE TRUST FUND . . .		5,000
FROM FEDERAL GRANTS TRUST FUND . . .		159,509
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		190,574
1297D SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL REVENUE FUND	90,091	
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		580,000
1297E SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	534,741	
FROM ADMINISTRATIVE TRUST FUND . . .		5,000
FROM FEDERAL GRANTS TRUST FUND . . .		147,441
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		34,624
FROM OPERATING TRUST FUND		121,896

SECTION 3 - HUMAN SERVICES
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1298 SPECIAL CATEGORIES		
DOMESTIC SECURITY		
FROM GENERAL REVENUE FUND	1,350,267	
FROM FEDERAL GRANTS TRUST FUND . . .		1,522,672
1299 SPECIAL CATEGORIES		
GRANTS AND AIDS - SPECIAL PROJECTS		
FROM GENERAL REVENUE FUND	732,461	

From the funds in Specific Appropriation 1299, $232,461 in recurring general revenue funds is provided for A Child Is Missing Program.

From the funds in Specific Appropriation 1299, $250,000 in nonrecurring general revenue funds is provided for planning funds for the construction of a new 400 bed Flagler County jail.

From the funds in Specific Appropriation 1299, $250,000 in nonrecurring general revenue funds is provided to the City of Boca Raton for security for a presidential debate at Lynn University.

1299A SPECIAL CATEGORIES		
OVERTIME		
FROM ADMINISTRATIVE TRUST FUND . . .		3,013
FROM FEDERAL GRANTS TRUST FUND . . .		894,705
FROM GRANTS AND DONATIONS TRUST FUND		4,250
FROM FEDERAL LAW ENFORCEMENT TRUST FUND		1,018,486
1300 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	369,689	
FROM ADMINISTRATIVE TRUST FUND . . .		407,097
FROM OPERATING TRUST FUND		15,751
1300A SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	487,991	
FROM OPERATING TRUST FUND		21,312
1301 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	72,000	
1302 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	217,284	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		1,099
FROM FEDERAL GRANTS TRUST FUND . . .		3,358
FROM OPERATING TRUST FUND		4,480
TOTAL: PROVIDE INVESTIGATIVE SERVICES		
FROM GENERAL REVENUE FUND	46,196,126	
FROM TRUST FUNDS		20,357,966
TOTAL POSITIONS	555.00	
TOTAL ALL FUNDS		66,554,092

MUTUAL AID AND PREVENTION SERVICES

APPROVED SALARY RATE 1,051,936

1302A SALARIES AND BENEFITS POSITIONS	17.00	
FROM GENERAL REVENUE FUND	1,349,706	
FROM OPERATING TRUST FUND		30,805
1303A EXPENSES		
FROM GENERAL REVENUE FUND	127,251	
1303B SPECIAL CATEGORIES		
CONTRACTED SERVICES		

SECTION 3 - HUMAN SERVICES
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FROM GENERAL REVENUE FUND 9,441

1304 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,713

1305 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 6,511
FROM OPERATING TRUST FUND 127

TOTAL: MUTUAL AID AND PREVENTION SERVICES
FROM GENERAL REVENUE FUND 1,495,622
FROM TRUST FUNDS 30,932

TOTAL POSITIONS 17.00
TOTAL ALL FUNDS 1,526,554

PROGRAM: CRIMINAL JUSTICE INFORMATION PROGRAM

PROVIDE INFORMATION NETWORK SERVICES TO THE LAW
ENFORCEMENT COMMUNITY

APPROVED SALARY RATE 6,252,157

1305A SALARIES AND BENEFITS POSITIONS 119.00
FROM GENERAL REVENUE FUND 241,781
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 137,241
FROM FEDERAL GRANTS TRUST FUND . . . 61,526
FROM OPERATING TRUST FUND 7,593,661

1306A OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 5,838
FROM FEDERAL GRANTS TRUST FUND . . . 176,735
FROM OPERATING TRUST FUND 183,500

1306B EXPENSES
FROM GENERAL REVENUE FUND 32,750
FROM ADMINISTRATIVE TRUST FUND . . . 2,202
FROM FEDERAL GRANTS TRUST FUND . . . 370,423
FROM OPERATING TRUST FUND 7,486,343

1306C OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 5,000
FROM FEDERAL GRANTS TRUST FUND . . . 489,099
FROM OPERATING TRUST FUND 1,666,018

1306D SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 599
FROM ADMINISTRATIVE TRUST FUND . . . 113,100
FROM FEDERAL GRANTS TRUST FUND . . . 1,965,523
FROM OPERATING TRUST FUND 5,725,504

1306E SPECIAL CATEGORIES
OVERTIME
FROM OPERATING TRUST FUND 46,200

1307 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 11,959
FROM OPERATING TRUST FUND 19,310

1308 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM OPERATING TRUST FUND 692,110

1309 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM OPERATING TRUST FUND 4,500

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1310 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 6,581
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 1,457
FROM FEDERAL GRANTS TRUST FUND . . . 328
FROM OPERATING TRUST FUND 32,131

1311 DATA PROCESSING SERVICES
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF
MANAGEMENT SERVICES
FROM OPERATING TRUST FUND 26,740

TOTAL: PROVIDE INFORMATION NETWORK SERVICES TO THE LAW
ENFORCEMENT COMMUNITY
FROM GENERAL REVENUE FUND 281,711
FROM TRUST FUNDS 26,816,448

TOTAL POSITIONS 119.00
TOTAL ALL FUNDS 27,098,159

PROVIDE PREVENTION AND CRIME INFORMATION SERVICES

APPROVED SALARY RATE 10,104,562

1312A SALARIES AND BENEFITS POSITIONS 279.00
FROM GENERAL REVENUE FUND 552,477
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 205,144
FROM FEDERAL GRANTS TRUST FUND . . . 456,208
FROM OPERATING TRUST FUND 12,557,518

1313A OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 10,000
FROM ADMINISTRATIVE TRUST FUND . . . 5,000
FROM FEDERAL GRANTS TRUST FUND . . . 616,733
FROM OPERATING TRUST FUND 241,182

1313B EXPENSES
FROM GENERAL REVENUE FUND 167,528
FROM ADMINISTRATIVE TRUST FUND . . . 85,781
FROM FEDERAL GRANTS TRUST FUND . . . 358,539
FROM OPERATING TRUST FUND 1,862,378

1313C OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 2,600
FROM OPERATING TRUST FUND 309,792

1313D SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 402
FROM OPERATING TRUST FUND 93,168

1313E SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 202,478
FROM ADMINISTRATIVE TRUST FUND . . . 2,000
FROM FEDERAL GRANTS TRUST FUND . . . 145,340
FROM OPERATING TRUST FUND 1,814,360

1313F SPECIAL CATEGORIES
OVERTIME
FROM OPERATING TRUST FUND 218,946

1314 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 33,321
FROM OPERATING TRUST FUND 23,957

1314A SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM OPERATING TRUST FUND 5,160

SECTION 3 - HUMAN SERVICES
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1315 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 2,000
FROM OPERATING TRUST FUND 18,000

1316 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 5,645
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 1,327
FROM FEDERAL GRANTS TRUST FUND . . . 3,023
FROM OPERATING TRUST FUND 85,552

TOTAL: PROVIDE PREVENTION AND CRIME INFORMATION SERVICES
FROM GENERAL REVENUE FUND 943,130
FROM TRUST FUNDS 19,142,429

TOTAL POSITIONS 279.00
TOTAL ALL FUNDS 20,085,559

PROGRAM: CRIMINAL JUSTICE PROFESSIONALISM

LAW ENFORCEMENT STANDARDS COMPLIANCE

APPROVED SALARY RATE 2,435,650

1316A SALARIES AND BENEFITS POSITIONS 47.00
FROM GENERAL REVENUE FUND 288,369
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 3,087,209

1317A OTHER PERSONAL SERVICES
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 205,380

1317B EXPENSES
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 418,662

1318 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 23,556
FROM OPERATING TRUST FUND 38,530

1318A SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 175,741
FROM OPERATING TRUST FUND 100,000

1319 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 15,698

1320 SPECIAL CATEGORIES
GRANTS AND AIDS - SPECIAL EDUCATION AND
TECHNICAL TRAINING
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 6,001,252

1321 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 8,800

1322 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT

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FROM GENERAL REVENUE FUND 195
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 17,429

TOTAL: LAW ENFORCEMENT STANDARDS COMPLIANCE
FROM GENERAL REVENUE FUND 288,564
FROM TRUST FUNDS 10,092,257

TOTAL POSITIONS 47.00
TOTAL ALL FUNDS 10,380,821

LAW ENFORCEMENT TRAINING AND CERTIFICATION
SERVICES

APPROVED SALARY RATE 2,708,661

1322A SALARIES AND BENEFITS POSITIONS 53.50
FROM GENERAL REVENUE FUND 194,076
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 3,219,543
FROM OPERATING TRUST FUND 325,013

1323A OTHER PERSONAL SERVICES
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 660,798
FROM OPERATING TRUST FUND 3,000

1323B EXPENSES
FROM GENERAL REVENUE FUND 18,174
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 1,813,640
FROM OPERATING TRUST FUND 61,178

1323C OPERATING CAPITAL OUTLAY
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 203,819

1323D SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,000
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 218,202
FROM OPERATING TRUST FUND 36,579

1324 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 7,175
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 8,951

1324A SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 4,290
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 5,070

1325 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 7,000

1326 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 1,769
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 15,551
FROM OPERATING TRUST FUND 1,076

TOTAL: LAW ENFORCEMENT TRAINING AND CERTIFICATION
SERVICES
FROM GENERAL REVENUE FUND 219,309
FROM TRUST FUNDS 6,586,595

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TOTAL POSITIONS	53.50	
TOTAL ALL FUNDS		6,805,904

TOTAL: LAW ENFORCEMENT, DEPARTMENT OF

FROM GENERAL REVENUE FUND	85,994,410	
FROM TRUST FUNDS		154,008,932
TOTAL POSITIONS	1,684.00	
TOTAL ALL FUNDS		240,003,342
TOTAL APPROVED SALARY RATE	83,955,425	

LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL

Funds in Specific Appropriations 1326A through 1379 shall not be used to pay for the use of property leased by the Department of Legal Affairs or the Office of the Attorney General pursuant to Lease Number 410:0114, relating to 700 Central Office Building in St. Petersburg, after October 31, 2012.

PROGRAM: OFFICE OF ATTORNEY GENERAL

VICTIM SERVICES

APPROVED SALARY RATE 4,162,013

1327 SALARIES AND BENEFITS POSITIONS 99.00		
FROM CRIMES COMPENSATION TRUST FUND		4,249,841
FROM CRIME STOPPERS TRUST FUND . . .		87,179
FROM FEDERAL GRANTS TRUST FUND . . .		872,579
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND		314,372
1328 OTHER PERSONAL SERVICES		
FROM CRIMES COMPENSATION TRUST FUND		55,060
FROM CRIME STOPPERS TRUST FUND . . .		5,100
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND		155,796
1329 EXPENSES		
FROM CRIMES COMPENSATION TRUST FUND		780,574
FROM CRIME STOPPERS TRUST FUND . . .		63,386
FROM FEDERAL GRANTS TRUST FUND . . .		96,788
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND		95,548
1330 OPERATING CAPITAL OUTLAY		
FROM CRIMES COMPENSATION TRUST FUND		123,407
FROM CRIME STOPPERS TRUST FUND . . .		2,380
FROM FEDERAL GRANTS TRUST FUND . . .		2,286
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND		7,695
1331 SPECIAL CATEGORIES AWARDS TO CLAIMANTS		
FROM CRIMES COMPENSATION TRUST FUND		24,842,082
FROM FEDERAL GRANTS TRUST FUND . . .		13,192,000
1332 SPECIAL CATEGORIES VICTIM SERVICES		
FROM GENERAL REVENUE FUND	500,000	

The recurring funds in Specific Appropriation 1332 are provided to the Florida Council Against Sexual Violence. At least 95 percent of the funds provided shall be distributed to certified rape crisis centers to provide services statewide for victims of sexual assault.

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

1333 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	581,192	
FROM CRIMES COMPENSATION TRUST FUND		45,243
FROM FEDERAL GRANTS TRUST FUND . . .		30,000
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND		108,408

From the funds in Specific Appropriation 1333, $100,000 from recurring general revenue funds is provided to the Family Justice Center in Hillsborough County for assistance to victims of domestic violence.

From the funds in Specific Appropriation 1333, $100,000 from nonrecurring general revenue funds is provided to the Council on the Social Status of Black Men and Boys.

1334 SPECIAL CATEGORIES GRANTS AND AIDS - MINORITY COMMUNITIES CRIME PREVENTION PROGRAMS		
FROM GENERAL REVENUE FUND	4,389,055	
1335 SPECIAL CATEGORIES GRANTS AND AIDS - CRIME STOPPERS		
FROM CRIME STOPPERS TRUST FUND . . .		4,500,000
1336 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM CRIMES COMPENSATION TRUST FUND		55,304
FROM CRIME STOPPERS TRUST FUND . . .		1,183
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND		1,353
1337 SPECIAL CATEGORIES GRANTS AND AIDS - VICTIM ASSISTANCE SERVICES		
FROM FEDERAL GRANTS TRUST FUND . . .		25,000,000
1338 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM CRIMES COMPENSATION TRUST FUND		641
FROM FEDERAL GRANTS TRUST FUND . . .		11,901
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND		3,999
1339 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM CRIMES COMPENSATION TRUST FUND		28,886
FROM CRIME STOPPERS TRUST FUND . . .		256
FROM FEDERAL GRANTS TRUST FUND . . .		3,009
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND		1,958
1339A SPECIAL CATEGORIES CIVIL LEGAL ASSISTANCE		
FROM GENERAL REVENUE FUND	2,000,000	

From the funds in Specific Appropriation 1339A, $1,000,000 in recurring general revenue funds and $1,000,000 in nonrecurring general revenue funds is appropriated for the "Florida Access to Civil Legal Assistance Act" to promote the availability of civil legal assistance to the poor and improve access to justice.

TOTAL: VICTIM SERVICES

FROM GENERAL REVENUE FUND	7,470,247	

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
FROM TRUST FUNDS 74,738,214

TOTAL POSITIONS 99.00
TOTAL ALL FUNDS 82,208,461

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 6,434,620

1340 SALARIES AND BENEFITS POSITIONS 133.00
FROM GENERAL REVENUE FUND 5,526,166
FROM ADMINISTRATIVE TRUST FUND . . . 3,083,102
FROM CRIMES COMPENSATION TRUST FUND 1,923
FROM LEGAL SERVICES TRUST FUND . . . 460
FROM OPERATING TRUST FUND 9,642

1341 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 50,000
FROM ADMINISTRATIVE TRUST FUND . . . 140,826

1342 EXPENSES
FROM GENERAL REVENUE FUND 286,713
FROM ADMINISTRATIVE TRUST FUND . . . 934,830

1343 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 62,461
FROM ADMINISTRATIVE TRUST FUND . . . 472,801

1344 SPECIAL CATEGORIES
ATTORNEY GENERAL'S LAW LIBRARY
FROM GENERAL REVENUE FUND 282,676

1345 SPECIAL CATEGORIES
COMMISSION ON THE STATUS OF WOMEN
FROM GENERAL REVENUE FUND 105,827

1346 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 175,528
FROM ADMINISTRATIVE TRUST FUND . . . 55,268

From the funds in Specific Appropriation 1346, $50,000 in nonrecurring general revenue funds is provided for the Cuban American Bar Association Pro Bono Project.

1347 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 62,801
FROM ADMINISTRATIVE TRUST FUND . . . 32,513

1348 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 292
FROM ADMINISTRATIVE TRUST FUND . . . 124

1349 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 36,538
FROM ADMINISTRATIVE TRUST FUND . . . 13,405

1350 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 135,441
FROM ADMINISTRATIVE TRUST FUND . . . 157,876

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 6,724,443
FROM TRUST FUNDS 4,902,770

TOTAL POSITIONS 133.00
TOTAL ALL FUNDS 11,627,213

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
CRIMINAL AND CIVIL LITIGATION

APPROVED SALARY RATE 45,207,448

1351 SALARIES AND BENEFITS POSITIONS 933.00
FROM GENERAL REVENUE FUND 17,378,235
FROM CRIMES COMPENSATION TRUST FUND 5,826
FROM FEDERAL GRANTS TRUST FUND . . . 11,177,319
FROM LEGAL SERVICES TRUST FUND . . . 21,075,194
FROM LEGAL AFFAIRS REVOLVING TRUST FUND 7,115,546
FROM MOTOR VEHICLE WARRANTY TRUST FUND 1,408,926
FROM OPERATING TRUST FUND 977,734

1352 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 157,215
FROM FEDERAL GRANTS TRUST FUND . . . 125,709
FROM GRANTS AND DONATIONS TRUST FUND 100,000
FROM LEGAL SERVICES TRUST FUND . . . 1,046,995
FROM MOTOR VEHICLE WARRANTY TRUST FUND 85,512

1353 EXPENSES
FROM GENERAL REVENUE FUND 1,693,045
FROM FEDERAL GRANTS TRUST FUND . . . 1,553,612
FROM GRANTS AND DONATIONS TRUST FUND 250,000
FROM LEGAL SERVICES TRUST FUND . . . 3,220,196
FROM LEGAL AFFAIRS REVOLVING TRUST FUND 5,539
FROM MOTOR VEHICLE WARRANTY TRUST FUND 427,056
FROM OPERATING TRUST FUND 7,830

1354 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 313,745
FROM FEDERAL GRANTS TRUST FUND . . . 303,530
FROM GRANTS AND DONATIONS TRUST FUND 150,000
FROM LEGAL SERVICES TRUST FUND . . . 883,391
FROM LEGAL AFFAIRS REVOLVING TRUST FUND 51,938
FROM MOTOR VEHICLE WARRANTY TRUST FUND 44,114

1355 LUMP SUM
ATTORNEY GENERAL RESERVE POSITIONS FOR AGENCY CONTRACTS
POSITIONS 50.00

The positions in Specific Appropriation 1355 shall be released as necessary to allow the Office of the Attorney General to contract with state agencies to provide legal representation.

1356 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 53,927
FROM FEDERAL GRANTS TRUST FUND . . . 203,551

1357 SPECIAL CATEGORIES
MEDICAID FRAUD INFORMANT REWARDS
FROM OPERATING TRUST FUND 2,000,000

1358 SPECIAL CATEGORIES
ANTITRUST INVESTIGATIONS
FROM LEGAL AFFAIRS REVOLVING TRUST FUND 1,478,249

1359 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 157,884

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

FROM FEDERAL GRANTS TRUST FUND . . .		144,731
FROM GRANTS AND DONATIONS TRUST FUND		1,500,000
FROM LEGAL SERVICES TRUST FUND . . .		1,993,399
FROM MOTOR VEHICLE WARRANTY TRUST FUND		74,281
1360 SPECIAL CATEGORIES		
ECONOMIC CRIME LITIGATION		
FROM LEGAL AFFAIRS REVOLVING TRUST FUND		5,192,673
1361 SPECIAL CATEGORIES		
LITIGATION EXPENSES		
FROM LEGAL SERVICES TRUST FUND . . .		46,500
1362 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	180,366	
FROM FEDERAL GRANTS TRUST FUND . . .		139,134
FROM LEGAL SERVICES TRUST FUND . . .		251,833
FROM LEGAL AFFAIRS REVOLVING TRUST FUND		100,712
FROM MOTOR VEHICLE WARRANTY TRUST FUND		8,568
1363 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	62,376	
FROM FEDERAL GRANTS TRUST FUND . . .		97,661
1364 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	5,321	
FROM FEDERAL GRANTS TRUST FUND . . .		1,005
FROM LEGAL SERVICES TRUST FUND . . .		5,601
FROM MOTOR VEHICLE WARRANTY TRUST FUND		30
1365 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	108,369	
FROM FEDERAL GRANTS TRUST FUND . . .		68,144
FROM LEGAL SERVICES TRUST FUND . . .		119,649
FROM LEGAL AFFAIRS REVOLVING TRUST FUND		32,915
FROM MOTOR VEHICLE WARRANTY TRUST FUND		8,521
FROM OPERATING TRUST FUND		412
1366 DATA PROCESSING SERVICES		
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES		
FROM LEGAL AFFAIRS REVOLVING TRUST FUND		7,448
1367 DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM GENERAL REVENUE FUND	12,483	
FROM FEDERAL GRANTS TRUST FUND . . .		35,000
FROM LEGAL SERVICES TRUST FUND . . .		223,053
1367A DATA PROCESSING SERVICES		
NORTHWEST REGIONAL DATA CENTER (NWRDC)		
FROM GENERAL REVENUE FUND	1,346	

The funds provided in Specific Appropriation 1367A, shall not be utilized for any costs related to the potential expansion of the floor space operated and managed by the Northwest Regional Data Center.

TOTAL: CRIMINAL AND CIVIL LITIGATION		
FROM GENERAL REVENUE FUND	20,124,312	

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

FROM TRUST FUNDS		63,749,037
TOTAL POSITIONS	983.00	
TOTAL ALL FUNDS		83,873,349

PROGRAM: OFFICE OF STATEWIDE PROSECUTION

PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME

APPROVED SALARY RATE 3,902,138

1368 SALARIES AND BENEFITS POSITIONS	63.50	
FROM GENERAL REVENUE FUND	4,037,905	
FROM CRIMES COMPENSATION TRUST FUND		1,195
FROM FEDERAL GRANTS TRUST FUND . . .		244,175
FROM OPERATING TRUST FUND		143,795
1369 SPECIAL CATEGORIES		
STATEWIDE PROSECUTION		
FROM GENERAL REVENUE FUND	824,095	
FROM FEDERAL GRANTS TRUST FUND . . .		39,602
FROM OPERATING TRUST FUND		367,204
1370 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	41,980	
FROM OPERATING TRUST FUND		902
1371 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	23,213	
FROM OPERATING TRUST FUND		2,032
TOTAL: PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME		
FROM GENERAL REVENUE FUND	4,927,193	
FROM TRUST FUNDS		798,905
TOTAL POSITIONS	63.50	
TOTAL ALL FUNDS		5,726,098

PROGRAM: FLORIDA ELECTIONS COMMISSION

CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT

APPROVED SALARY RATE 702,039

1372 SALARIES AND BENEFITS POSITIONS	14.00	
FROM ELECTIONS COMMISSION TRUST FUND		929,665
1373 OTHER PERSONAL SERVICES		
FROM ELECTIONS COMMISSION TRUST FUND		76,354
1374 EXPENSES		
FROM ELECTIONS COMMISSION TRUST FUND		267,735
1375 OPERATING CAPITAL OUTLAY		
FROM ELECTIONS COMMISSION TRUST FUND		10,000
1376 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM ELECTIONS COMMISSION TRUST FUND		7,114
1377 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM ELECTIONS COMMISSION TRUST		

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
FUND 17,533

1378 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ELECTIONS COMMISSION TRUST
FUND 26,860

1379 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ELECTIONS COMMISSION TRUST
FUND 5,541

TOTAL: CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT
FROM TRUST FUNDS 1,340,802

TOTAL POSITIONS 14.00
TOTAL ALL FUNDS 1,340,802

TOTAL: LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL
FROM GENERAL REVENUE FUND 39,246,195
FROM TRUST FUNDS 145,529,728

TOTAL POSITIONS 1,292.50
TOTAL ALL FUNDS 184,775,923
TOTAL APPROVED SALARY RATE 60,408,258

PAROLE COMMISSION

PROGRAM: POST-INCARCERATION ENFORCEMENT AND
VICTIMS RIGHTS

APPROVED SALARY RATE 5,390,954

1380 SALARIES AND BENEFITS POSITIONS 122.00
FROM GENERAL REVENUE FUND 6,650,866
FROM FEDERAL GRANTS TRUST FUND . . . 49,373

1381 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 427,514

1382 EXPENSES
FROM GENERAL REVENUE FUND 717,328

1383 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 16,771

1384 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 102,005

1385 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 19,800

1386 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 46,380

1387 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 194,450

TOTAL: PROGRAM: POST-INCARCERATION ENFORCEMENT AND
VICTIMS RIGHTS
FROM GENERAL REVENUE FUND 8,175,114
FROM TRUST FUNDS 49,373

TOTAL POSITIONS 122.00
TOTAL ALL FUNDS 8,224,487

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
TOTAL: PAROLE COMMISSION
FROM GENERAL REVENUE FUND 8,175,114
FROM TRUST FUNDS 49,373

TOTAL POSITIONS 122.00
TOTAL ALL FUNDS 8,224,487
TOTAL APPROVED SALARY RATE 5,390,954

TOTAL OF SECTION 4

FROM GENERAL REVENUE FUND 3,136,048,525

FROM TRUST FUNDS 1,055,180,660

TOTAL POSITIONS 42,158.25

TOTAL ALL FUNDS 4,191,229,185

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

The moneys contained herein are appropriated from the named funds to the Department of Agriculture and Consumer Services, Department of Environmental Protection, Fish and Wildlife Conservation Commission and the Department of Transportation as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF,
AND COMMISSIONER OF AGRICULTURE

PROGRAM: OFFICE OF THE COMMISSIONER AND
ADMINISTRATION

AGRICULTURAL LAW ENFORCEMENT

APPROVED SALARY RATE 11,802,821

1388 SALARIES AND BENEFITS POSITIONS 274.00
FROM GENERAL REVENUE FUND 13,760,540
FROM CITRUS INSPECTION TRUST FUND . 55,530
FROM GENERAL INSPECTION TRUST FUND . 1,115,686
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 787,319

1389 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,000

1390 EXPENSES
FROM GENERAL REVENUE FUND 1,190,927
FROM CITRUS INSPECTION TRUST FUND . 36,715
FROM FEDERAL GRANTS TRUST FUND . . . 60,000
FROM GENERAL INSPECTION TRUST FUND . 135,731
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 50,820

1391 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 5,747
FROM AGRICULTURAL LAW ENFORCEMENT
TRUST FUND 24,563

1392 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 131,408
FROM FEDERAL GRANTS TRUST FUND . . . 390,000
FROM GENERAL INSPECTION TRUST FUND . 25,000

1393 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 333,340

1394 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 110,947
FROM AGRICULTURAL LAW ENFORCEMENT

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

TRUST FUND		23,035
FROM GENERAL INSPECTION TRUST FUND .		881
1395 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	83,888	
FROM GENERAL INSPECTION TRUST FUND .		1,765
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		576
TOTAL: AGRICULTURAL LAW ENFORCEMENT		
FROM GENERAL REVENUE FUND	15,631,797	
FROM TRUST FUNDS		2,707,621
TOTAL POSITIONS	274.00	
TOTAL ALL FUNDS		18,339,418

AGRICULTURAL WATER POLICY COORDINATION

APPROVED SALARY RATE 1,890,413

1396 SALARIES AND BENEFITS POSITIONS	35.00	
FROM GENERAL REVENUE FUND	100,000	
FROM GENERAL INSPECTION TRUST FUND .		2,267,705
1397 EXPENSES		
FROM GENERAL INSPECTION TRUST FUND .		398,865
1398 SPECIAL CATEGORIES		
NITRATE RESEARCH AND REMEDIATION		
FROM GENERAL INSPECTION TRUST FUND .		930,000
1398A SPECIAL CATEGORIES		
AGRICULTURAL NONPOINT SOURCES BEST MANAGEMENT PRACTICES IMPLEMENTATION		
FROM GENERAL REVENUE FUND	9,000,000	
FROM GENERAL INSPECTION TRUST FUND .		4,051,000

From the funds in Specific Appropriation 1398A, $3,000,000 in recurring general revenue funds is provided for the operation and maintenance of existing hybrid wetland/chemical treatment projects and $2,000,000 in nonrecurring general revenue funds is provided for the completion of hybrid wetland/chemical treatment projects within the Northern Everglades pursuant to section 373.4595(3)(b), Florida Statutes.

From the funds in Specific Appropriation 1398A, $3,000,000 in nonrecurring funds from the General Inspection Trust Fund is provided for the implementation of agricultural nonpoint source controls in the Okeechobee, Caloosahatchee, and St. Lucie River watersheds.

1400 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL INSPECTION TRUST FUND .		10,809
TOTAL: AGRICULTURAL WATER POLICY COORDINATION		
FROM GENERAL REVENUE FUND	9,100,000	
FROM TRUST FUNDS		7,658,379
TOTAL POSITIONS	35.00	
TOTAL ALL FUNDS		16,758,379

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 9,170,681

1401 SALARIES AND BENEFITS POSITIONS	173.75	
FROM GENERAL REVENUE FUND	5,113,848	
FROM ADMINISTRATIVE TRUST FUND . . .		6,080,682
FROM FEDERAL GRANTS TRUST FUND . . .		3,362
FROM GENERAL INSPECTION TRUST FUND .		643,908

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		593
1402 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	70,524	
FROM ADMINISTRATIVE TRUST FUND . . .		10,352
1403 EXPENSES		
FROM ADMINISTRATIVE TRUST FUND . . .		1,433,666
FROM GENERAL INSPECTION TRUST FUND .		158,223
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		81,190
1404 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	3,614	
1406 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM ADMINISTRATIVE TRUST FUND . . .		10,994
1407 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,000	
FROM ADMINISTRATIVE TRUST FUND . . .		618,000
1408 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	35,556	
FROM ADMINISTRATIVE TRUST FUND . . .		143,054
1409 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	4,000	
1410 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	37,965	
FROM ADMINISTRATIVE TRUST FUND . . .		19,972
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		18
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	5,266,507	
FROM TRUST FUNDS		9,204,014
TOTAL POSITIONS	173.75	
TOTAL ALL FUNDS		14,470,521

DIVISION OF LICENSING

APPROVED SALARY RATE 7,255,782

1411 SALARIES AND BENEFITS POSITIONS	216.00	
FROM DIVISION OF LICENSING TRUST FUND		10,208,478
1412 OTHER PERSONAL SERVICES		
FROM DIVISION OF LICENSING TRUST FUND		309,832
1413 EXPENSES		
FROM DIVISION OF LICENSING TRUST FUND		3,355,103
1414 OPERATING CAPITAL OUTLAY		
FROM DIVISION OF LICENSING TRUST FUND		197,427
1415 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM DIVISION OF LICENSING TRUST		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FUND 6,344,519

1416 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM DIVISION OF LICENSING TRUST
FUND 88,682

1417 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM DIVISION OF LICENSING TRUST
FUND 67,907

TOTAL: DIVISION OF LICENSING
FROM TRUST FUNDS 20,571,948

TOTAL POSITIONS 216.00
TOTAL ALL FUNDS 20,571,948

OFFICE OF ENERGY

APPROVED SALARY RATE 837,758

1418 SALARIES AND BENEFITS POSITIONS 15.00
FROM FEDERAL GRANTS TRUST FUND . . . 1,309,950

1419 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 350,000

1420 EXPENSES
FROM FEDERAL GRANTS TRUST FUND . . . 427,212

1421 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 2,500

1422 SPECIAL CATEGORIES
SMART GRID TECHNOLOGIES - AMERICAN
RECOVERY AND REINVESTMENT ACT OF 2009
FROM FEDERAL GRANTS TRUST FUND . . . 658,586

1423 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 52,687

1424 SPECIAL CATEGORIES
GRANTS AND AIDS - ENERGY EFFICIENCY
CONSERVATION BLOCK GRANT - AMERICAN
RECOVERY AND REINVESTMENT ACT OF 2009
FROM FEDERAL GRANTS TRUST FUND . . . 391,241

1424A SPECIAL CATEGORIES
ENERGY CONSERVATION INCENTIVES
FROM FEDERAL GRANTS TRUST FUND . . . 109,285

1425 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FEDERAL GRANTS TRUST FUND . . . 3,058

1426 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM FEDERAL GRANTS TRUST FUND . . . 3,388

1427 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
UNITED STATES DEPARTMENT OF ENERGY SPECIAL
PROJECTS
FROM FEDERAL GRANTS TRUST FUND . . . 850,000

TOTAL: OFFICE OF ENERGY
FROM TRUST FUNDS 4,157,907

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
TOTAL POSITIONS 15.00
TOTAL ALL FUNDS 4,157,907

PROGRAM: FOREST AND RESOURCE PROTECTION

LAND MANAGEMENT

APPROVED SALARY RATE 16,364,223

1428 SALARIES AND BENEFITS POSITIONS 463.00
FROM GENERAL REVENUE FUND 6,261,573
FROM FEDERAL GRANTS TRUST FUND . . . 1,045,059
FROM INCIDENTAL TRUST FUND 3,734,997
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 10,319,212

1429 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 217,818
FROM INCIDENTAL TRUST FUND 375,769
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 358,576

1430 EXPENSES
FROM GENERAL REVENUE FUND 1,000,000
FROM FEDERAL GRANTS TRUST FUND . . . 345,696
FROM INCIDENTAL TRUST FUND 2,683,957
FROM RELOCATION AND CONSTRUCTION
TRUST FUND 10,000
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 2,961,504

1431 AID TO LOCAL GOVERNMENTS
AMERICA THE BEAUTIFUL PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 1,747,538

1432 AID TO LOCAL GOVERNMENTS
STATE FOREST RECEIPT DISTRIBUTION
FROM INCIDENTAL TRUST FUND 595,000

1433 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 3,110
FROM FEDERAL GRANTS TRUST FUND . . . 59,150
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 118,458

1435 SPECIAL CATEGORIES
OFF-HIGHWAY VEHICLE RECREATION PROGRAM
FROM INCIDENTAL TRUST FUND 220,000

1436 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 806,825
FROM INCIDENTAL TRUST FUND 313,351
FROM RELOCATION AND CONSTRUCTION
TRUST FUND 40,000
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 633,875

1437 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 170,369
FROM INCIDENTAL TRUST FUND 135,320
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 355,764

1437A SPECIAL CATEGORIES
BABCOCK RANCH INCORPORATED
FROM GENERAL REVENUE FUND 97,000

1438 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 72,952

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FROM INCIDENTAL TRUST FUND 18,718
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 71,032

TOTAL: LAND MANAGEMENT
FROM GENERAL REVENUE FUND 7,605,004
FROM TRUST FUNDS 27,167,619

TOTAL POSITIONS 463.00
TOTAL ALL FUNDS 34,772,623

WILDFIRE PREVENTION AND MANAGEMENT

APPROVED SALARY RATE 25,191,006

1441 SALARIES AND BENEFITS POSITIONS 727.50
FROM GENERAL REVENUE FUND 32,497,911
FROM FEDERAL GRANTS TRUST FUND . . . 1,259,383
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 926,330
FROM INCIDENTAL TRUST FUND 2,179,798

1442 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 356,742
FROM FEDERAL GRANTS TRUST FUND . . . 277,349
FROM INCIDENTAL TRUST FUND 25,000

1443 EXPENSES
FROM GENERAL REVENUE FUND 4,270,438
FROM FEDERAL GRANTS TRUST FUND . . . 1,591,567
FROM INCIDENTAL TRUST FUND 2,280,167
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 1,006,570

1443A AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LEHIGH ACRES WILDFIRE
SUPPRESSION
FROM GENERAL REVENUE FUND 100,000

1444 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - VOLUNTEER FIRE
ASSISTANCE
FROM FEDERAL GRANTS TRUST FUND . . . 275,763

1445 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - RURAL COMMUNITY FIRE
PROTECTION
FROM FEDERAL GRANTS TRUST FUND . . . 72,589

1446 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 10,731
FROM FEDERAL GRANTS TRUST FUND . . . 558,625

1447 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL GRANTS TRUST FUND . . . 100,000

1448 SPECIAL CATEGORIES
FORESTRY WILDFIRE PROTECTION/SUPPRESSION
EQUIPMENT
FROM GENERAL REVENUE FUND 4,603,000
FROM FEDERAL GRANTS TRUST FUND . . . 400,000
FROM INCIDENTAL TRUST FUND 156,868

1449 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 133,794
FROM FEDERAL GRANTS TRUST FUND . . . 2,099,078
FROM INCIDENTAL TRUST FUND 123,756
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 34,468

1450 SPECIAL CATEGORIES
ON-CALL FEES

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 333,296
FROM INCIDENTAL TRUST FUND 10,000

1451 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,719,880
FROM INCIDENTAL TRUST FUND 675,534

1452 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 222,029
FROM INCIDENTAL TRUST FUND 18,497

TOTAL: WILDFIRE PREVENTION AND MANAGEMENT
FROM GENERAL REVENUE FUND 43,914,525
FROM TRUST FUNDS 14,404,638

TOTAL POSITIONS 727.50
TOTAL ALL FUNDS 58,319,163

PROGRAM: AGRICULTURE MANAGEMENT INFORMATION CENTER

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 2,192,102

1453 SALARIES AND BENEFITS POSITIONS 42.00
FROM GENERAL REVENUE FUND 613,326
FROM GENERAL INSPECTION TRUST FUND . 2,230,713

1454 OTHER PERSONAL SERVICES
FROM GENERAL INSPECTION TRUST FUND . 47,348

1455 EXPENSES
FROM DIVISION OF LICENSING TRUST
FUND 116,125
FROM GENERAL INSPECTION TRUST FUND . 2,384,350

1456 OPERATING CAPITAL OUTLAY
FROM GENERAL INSPECTION TRUST FUND . 179,000

1457 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL INSPECTION TRUST FUND . 785,505

1458 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL INSPECTION TRUST FUND . 13,930

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 613,326
FROM TRUST FUNDS 5,756,971

TOTAL POSITIONS 42.00
TOTAL ALL FUNDS 6,370,297

PROGRAM: FOOD SAFETY AND QUALITY

FOOD SAFETY INSPECTION AND ENFORCEMENT

APPROVED SALARY RATE 11,815,481

1460 SALARIES AND BENEFITS POSITIONS 300.00
FROM GENERAL REVENUE FUND 162,440
FROM FEDERAL GRANTS TRUST FUND . . . 1,715,241
FROM GENERAL INSPECTION TRUST FUND . 14,416,373

1461 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 223,441

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FROM GENERAL INSPECTION TRUST FUND . 263,000

1462 EXPENSES
FROM FEDERAL GRANTS TRUST FUND . . . 732,195
FROM GENERAL INSPECTION TRUST FUND . 2,054,374

1463 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 250,747
FROM GENERAL INSPECTION TRUST FUND . 57,833

1464 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 370,707
FROM GENERAL INSPECTION TRUST FUND . 384,960

1465 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL INSPECTION TRUST FUND . 212,541

1466 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL INSPECTION TRUST FUND . 94,149

1467 SPECIAL CATEGORIES
GRANTS AND AIDS - DEEPWATER HORIZON -
STATE OPERATIONS
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 3,101,372

1467A QUALIFIED EXPENDITURE CATEGORY
FOOD INSPECTION MANAGEMENT SYSTEM
FROM GENERAL INSPECTION TRUST FUND . 1,059,200

1467B FIXED CAPITAL OUTLAY
GRANTS AND AIDS - DEEPWATER HORIZON - AGY
MGD
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 984,571

TOTAL: FOOD SAFETY INSPECTION AND ENFORCEMENT
FROM GENERAL REVENUE FUND 162,440
FROM TRUST FUNDS 25,920,704

TOTAL POSITIONS 300.00
TOTAL ALL FUNDS 26,083,144

PROGRAM: CONSUMER PROTECTION

AGRICULTURAL ENVIRONMENTAL SERVICES

APPROVED SALARY RATE 7,693,899

1468 SALARIES AND BENEFITS POSITIONS 183.00
FROM GENERAL REVENUE FUND 682,072
FROM FEDERAL GRANTS TRUST FUND . . . 400,697
FROM GENERAL INSPECTION TRUST FUND . 6,587,364
FROM PEST CONTROL TRUST FUND 2,802,435

1469 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 100
FROM FEDERAL GRANTS TRUST FUND . . . 145,000
FROM GENERAL INSPECTION TRUST FUND . 33,000
FROM PEST CONTROL TRUST FUND 41,530

1470 EXPENSES
FROM GENERAL REVENUE FUND 14,451
FROM FEDERAL GRANTS TRUST FUND . . . 338,295
FROM GENERAL INSPECTION TRUST FUND . 1,089,939
FROM PEST CONTROL TRUST FUND 375,731

1471 AID TO LOCAL GOVERNMENTS
MOSQUITO CONTROL PROGRAM

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FROM GENERAL INSPECTION TRUST FUND . 2,160,000

Of the funds provided in Specific Appropriation 1471, $1,116,632 from the General Inspection Trust Fund shall be used for research into the practical methods of control to be used by local mosquito control agencies, including research into the prevention of mosquito borne illnesses. The research shall be conducted by the Institute of Food and Agricultural Sciences (IFAS)/Florida Medical Entomology Laboratory.

1472 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 1,513
FROM FEDERAL GRANTS TRUST FUND . . . 252,500

1473 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 107,372
FROM FEDERAL GRANTS TRUST FUND . . . 296,278
FROM GENERAL INSPECTION TRUST FUND . 125,124
FROM PEST CONTROL TRUST FUND 106,425

1474 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 85,564
FROM GENERAL INSPECTION TRUST FUND . 54,602

1475 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 19,020
FROM GENERAL INSPECTION TRUST FUND . 32,177
FROM PEST CONTROL TRUST FUND 15,042

TOTAL: AGRICULTURAL ENVIRONMENTAL SERVICES
FROM GENERAL REVENUE FUND 910,092
FROM TRUST FUNDS 14,856,139

TOTAL POSITIONS 183.00
TOTAL ALL FUNDS 15,766,231

CONSUMER PROTECTION

APPROVED SALARY RATE 9,868,476

1476 SALARIES AND BENEFITS POSITIONS 274.00
FROM GENERAL INSPECTION TRUST FUND . 13,099,852

1477 OTHER PERSONAL SERVICES
FROM GENERAL INSPECTION TRUST FUND . 170,285

1478 EXPENSES
FROM GENERAL INSPECTION TRUST FUND . 2,463,323

1479 OPERATING CAPITAL OUTLAY
FROM GENERAL INSPECTION TRUST FUND . 375,437

1479A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL INSPECTION TRUST FUND . 200,000

1480 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL INSPECTION TRUST FUND . 988,533

1481 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL INSPECTION TRUST FUND . 283,882

1482 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL INSPECTION TRUST FUND . 93,204

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
TOTAL: CONSUMER PROTECTION
FROM TRUST FUNDS 17,674,516

TOTAL POSITIONS 274.00
TOTAL ALL FUNDS 17,674,516

PROGRAM: AGRICULTURAL ECONOMIC DEVELOPMENT

FRUITS AND VEGETABLES INSPECTION AND ENFORCEMENT

APPROVED SALARY RATE 4,188,971

1483 SALARIES AND BENEFITS POSITIONS 112.00
FROM CITRUS INSPECTION TRUST FUND . 4,188,159
FROM GENERAL INSPECTION TRUST FUND . 1,796,054

1484 OTHER PERSONAL SERVICES
FROM CITRUS INSPECTION TRUST FUND . 678,425
FROM GENERAL INSPECTION TRUST FUND . 800,000

1485 EXPENSES
FROM CITRUS INSPECTION TRUST FUND . 660,052
FROM GENERAL INSPECTION TRUST FUND . 424,333

1486 OPERATING CAPITAL OUTLAY
FROM CITRUS INSPECTION TRUST FUND . 33,710

1487 SPECIAL CATEGORIES
AUTOMATED TESTING EQUIPMENT
FROM CITRUS INSPECTION TRUST FUND . 391,041

1488 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CITRUS INSPECTION TRUST FUND . 201,388
FROM GENERAL INSPECTION TRUST FUND . 39,462

1489 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CITRUS INSPECTION TRUST FUND . 108,196
FROM GENERAL INSPECTION TRUST FUND . 95,946

1490 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM CITRUS INSPECTION TRUST FUND . 65,254
FROM GENERAL INSPECTION TRUST FUND . 20,057

TOTAL: FRUITS AND VEGETABLES INSPECTION AND ENFORCEMENT
FROM TRUST FUNDS 9,502,077

TOTAL POSITIONS 112.00
TOTAL ALL FUNDS 9,502,077

AGRICULTURAL PRODUCTS MARKETING

APPROVED SALARY RATE 5,715,137

1491 SALARIES AND BENEFITS POSITIONS 156.00
FROM GENERAL REVENUE FUND 500,817
FROM CITRUS INSPECTION TRUST FUND . 1,322,471
FROM GENERAL INSPECTION TRUST FUND . 1,477,760
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 1,523,412
FROM MARKET IMPROVEMENTS WORKING
CAPITAL TRUST FUND 2,340,900
FROM SALTWATER PRODUCTS PROMOTION
TRUST FUND 830,408
FROM FLORIDA AGRICULTURAL
PROMOTION CAMPAIGN TRUST FUND . . . 41,994

1492 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 8,600
FROM CITRUS INSPECTION TRUST FUND . 213,765

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 53,598
FROM MARKET IMPROVEMENTS WORKING
CAPITAL TRUST FUND 26,400

1493 EXPENSES
FROM GENERAL REVENUE FUND 148,541
FROM CITRUS INSPECTION TRUST FUND . 323,828
FROM GENERAL INSPECTION TRUST FUND . 625,716
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 99,980
FROM MARKET TRADE SHOW TRUST FUND . 101,601
FROM MARKET IMPROVEMENTS WORKING
CAPITAL TRUST FUND 848,391
FROM SALTWATER PRODUCTS PROMOTION
TRUST FUND 200,959
FROM VITICULTURE TRUST FUND 9,580
FROM FLORIDA AGRICULTURAL
PROMOTION CAMPAIGN TRUST FUND . . . 121,622

1494 OPERATING CAPITAL OUTLAY
FROM MARKET IMPROVEMENTS WORKING
CAPITAL TRUST FUND 10,500

1495 SPECIAL CATEGORIES
GRANTS AND AIDS - VITICULTURE PROGRAM
FROM VITICULTURE TRUST FUND 762,000

1496 SPECIAL CATEGORIES
FLORIDA AGRICULTURE PROMOTION CAMPAIGN
FROM GENERAL REVENUE FUND 4,650,000
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 1,310,000

1496A SPECIAL CATEGORIES
FEDERAL VALUE OF PRODUCTION SPECIALTY CROP
GRANT
FROM FEDERAL GRANTS TRUST FUND . . . 6,000,000

1497 SPECIAL CATEGORIES
FEDERAL SUPPORT FOR FLORIDA AGRICULTURE
PROMOTIONS
FROM FEDERAL GRANTS TRUST FUND . . . 206,586

1497A SPECIAL CATEGORIES
FLORIDA HORSE PARK
FROM GENERAL REVENUE FUND 500,000

1497B SPECIAL CATEGORIES
CITRUS RESEARCH
FROM GENERAL REVENUE FUND 2,000,000

Funds in Specific Appropriation 1497B shall be transferred to the Citrus Research and Development Foundation, Inc., to conduct or cause to be conducted research projects on citrus disease. Distribution of such funds for a particular research project is contingent upon a dollar-for-dollar cash match from federal or private funds or from citrus box tax revenues. At no time shall the funds appropriated in Specific Appropriation 1497B, allocated to a particular project, exceed the private, federal, and citrus box tax funds provided for that project.

1498 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 15,219
FROM CITRUS INSPECTION TRUST FUND . 25,000
FROM GENERAL INSPECTION TRUST FUND . 129,760
FROM MARKET TRADE SHOW TRUST FUND . 75,000
FROM MARKET IMPROVEMENTS WORKING
CAPITAL TRUST FUND 28,600
FROM SALTWATER PRODUCTS PROMOTION
TRUST FUND 150,000

1499 SPECIAL CATEGORIES
GRANTS AND AIDS - MARKETING ORDERS

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

	FROM CITRUS INSPECTION TRUST FUND .		7,149,231
	FROM GENERAL INSPECTION TRUST FUND .		615,082
1500	SPECIAL CATEGORIES		
	GRANTS AND AIDS - PROMOTIONAL AWARDS		
	FROM GENERAL INSPECTION TRUST FUND .		300,000
1502	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	9,091	
	FROM CITRUS INSPECTION TRUST FUND .		5,679
	FROM GENERAL INSPECTION TRUST FUND .		11,534
	FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		27,886
	FROM SALTWATER PRODUCTS PROMOTION TRUST FUND		5,820
1503	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	19,411	
	FROM CITRUS INSPECTION TRUST FUND .		7,965
	FROM GENERAL INSPECTION TRUST FUND .		8,516
	FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		14,882
	FROM SALTWATER PRODUCTS PROMOTION TRUST FUND		5,037
	FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND . . .		253
1504	SPECIAL CATEGORIES		
	GRANTS AND AIDS - DEEPWATER HORIZON - STATE OPERATIONS		
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		3,000,000
1504A	FIXED CAPITAL OUTLAY		
	MAINTENANCE, REPAIRS AND CONSTRUCTION - STATEWIDE		
	FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		300,000
1504B	FIXED CAPITAL OUTLAY		
	MAINTENANCE AND REPAIRS STATE FARMERS' MARKETS - STATEWIDE		
	FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		1,225,000
1505	FIXED CAPITAL OUTLAY		
	CODE AND LIFE SAFETY - STATE FARMERS' MARKETS - STATEWIDE		
	FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		277,000
TOTAL: AGRICULTURAL PRODUCTS MARKETING			
	FROM GENERAL REVENUE FUND	7,851,679	
	FROM TRUST FUNDS		31,813,716
	TOTAL POSITIONS	156.00	
	TOTAL ALL FUNDS		39,665,395

AQUACULTURE

APPROVED SALARY RATE 1,938,466

1506	SALARIES AND BENEFITS POSITIONS	48.50	
	FROM GENERAL REVENUE FUND	1,697,366	
	FROM GENERAL INSPECTION TRUST FUND .		931,848
1507	OTHER PERSONAL SERVICES		
	FROM FEDERAL GRANTS TRUST FUND . . .		219,700
	FROM GENERAL INSPECTION TRUST FUND .		30,532

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1508	EXPENSES		
	FROM GENERAL REVENUE FUND	500,173	
	FROM FEDERAL GRANTS TRUST FUND . . .		229,000
	FROM GENERAL INSPECTION TRUST FUND .		285,966
1509	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND . . .		50,000
	FROM GENERAL INSPECTION TRUST FUND .		12,600
1510	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM FEDERAL GRANTS TRUST FUND . . .		700
	FROM GENERAL INSPECTION TRUST FUND .		85,000
1511	SPECIAL CATEGORIES		
	OYSTER PLANTING		
	FROM FEDERAL GRANTS TRUST FUND . . .		900,000
1512	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	15,319	
	FROM GENERAL INSPECTION TRUST FUND .		7,632
1513	SPECIAL CATEGORIES		
	AQUACULTURE DEVELOPMENT		
	FROM GENERAL REVENUE FUND	652,889	
1515	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	13,010	
	FROM GENERAL INSPECTION TRUST FUND .		3,468
TOTAL: AQUACULTURE			
	FROM GENERAL REVENUE FUND	2,878,757	
	FROM TRUST FUNDS		2,756,446
	TOTAL POSITIONS	48.50	
	TOTAL ALL FUNDS		5,635,203

ANIMAL PEST AND DISEASE CONTROL

APPROVED SALARY RATE 5,291,390

1516	SALARIES AND BENEFITS POSITIONS	121.50	
	FROM GENERAL REVENUE FUND	5,322,702	
	FROM FEDERAL GRANTS TRUST FUND . . .		536,764
	FROM GENERAL INSPECTION TRUST FUND .		488,263
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		414,835
1517	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	11,866	
	FROM FEDERAL GRANTS TRUST FUND . . .		95,703
	FROM GENERAL INSPECTION TRUST FUND .		61,642
1518	EXPENSES		
	FROM GENERAL REVENUE FUND	365,981	
	FROM FEDERAL GRANTS TRUST FUND . . .		659,179
	FROM GENERAL INSPECTION TRUST FUND .		372,565
1519	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	50,949	
	FROM FEDERAL GRANTS TRUST FUND . . .		25,000
1521	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM FEDERAL GRANTS TRUST FUND . . .		601,300
	FROM GENERAL INSPECTION TRUST FUND .		300,373
1522	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	115,048	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FROM GENERAL INSPECTION TRUST FUND . 111,944

1523 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 41,962
FROM GENERAL INSPECTION TRUST FUND . 4,869

TOTAL: ANIMAL PEST AND DISEASE CONTROL
FROM GENERAL REVENUE FUND 5,908,508
FROM TRUST FUNDS 3,672,437

TOTAL POSITIONS 121.50
TOTAL ALL FUNDS 9,580,945

PLANT PEST AND DISEASE CONTROL

APPROVED SALARY RATE 13,618,211

1524 SALARIES AND BENEFITS POSITIONS 350.00
FROM GENERAL REVENUE FUND 8,289,056
FROM CITRUS INSPECTION TRUST FUND . 826,800
FROM FEDERAL GRANTS TRUST FUND . . . 4,399,338
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 2,720,056
FROM PLANT INDUSTRY TRUST FUND . . . 2,564,411

1525 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 21,170
FROM CITRUS INSPECTION TRUST FUND . 1,000
FROM FEDERAL GRANTS TRUST FUND . . . 669,808
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 19,817
FROM PLANT INDUSTRY TRUST FUND . . . 533,560

1526 EXPENSES
FROM GENERAL REVENUE FUND 860,617
FROM CITRUS INSPECTION TRUST FUND . 79,832
FROM FEDERAL GRANTS TRUST FUND . . . 837,167
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 23,748
FROM PLANT INDUSTRY TRUST FUND . . . 724,622

1527 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 216,195
FROM PLANT INDUSTRY TRUST FUND . . . 5,006

1527A LUMP SUM
GIANT AFRICAN LAND SNAIL ERADICATION
POSITIONS 10.00
FROM FEDERAL GRANTS TRUST FUND . . . 4,459,645
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 1,499,250

1527B SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL GRANTS TRUST FUND . . . 506,500

1528 SPECIAL CATEGORIES
AGRICULTURAL EMERGENCIES (MEDFLY PROGRAM)
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 1,002,374

1529 SPECIAL CATEGORIES
GRANTS AND AIDS - BOLL WEEVIL ERADICATION
FROM PLANT INDUSTRY TRUST FUND . . . 150,000

1530 SPECIAL CATEGORIES
APIARIAN INDEMNITIES
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 36,000

1531 SPECIAL CATEGORIES

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
ENDANGERED PLANT SPECIES
FROM PLANT INDUSTRY TRUST FUND . . . 240,000

1532 SPECIAL CATEGORIES
CITRUS HEALTH RESPONSE PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 4,606,038
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 1,022,159

1533 SPECIAL CATEGORIES
PLANT PEST AND DISEASE CONTROL
FROM FEDERAL GRANTS TRUST FUND . . . 1,000,000

1534 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 104,481
FROM CITRUS INSPECTION TRUST FUND . 7,144
FROM FEDERAL GRANTS TRUST FUND . . . 112,538
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 105,000
FROM PLANT INDUSTRY TRUST FUND . . . 118,049

1535 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 489,796
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 145,544

1536 SPECIAL CATEGORIES
TRANSFER TO UNIVERSITY OF FLORIDA/
INSTITUTE OF FOOD AND AGRICULTURAL
SCIENCES FOR INVASIVE EXOTICS QUARANTINE
FACILITY
FROM PLANT INDUSTRY TRUST FUND . . . 720,000

1537 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 142,586
FROM CITRUS INSPECTION TRUST FUND . 9,280
FROM PLANT INDUSTRY TRUST FUND . . . 67,776

1537A FIXED CAPITAL OUTLAY
REPLACE AIR HANDLERS - DOYLE CONNER
COMPLEX
FROM GENERAL INSPECTION TRUST FUND . 927,000

1537B FIXED CAPITAL OUTLAY
RENOVATE FIRE SUPPRESSION EQUIPMENT -
DOYLE CONNER BUILDING
FROM GENERAL INSPECTION TRUST FUND . 219,621

TOTAL: PLANT PEST AND DISEASE CONTROL
FROM GENERAL REVENUE FUND 9,907,706
FROM TRUST FUNDS 30,575,278

TOTAL POSITIONS 360.00
TOTAL ALL FUNDS 40,482,984

FOOD, NUTRITION AND WELLNESS

APPROVED SALARY RATE 2,712,194

1538 SALARIES AND BENEFITS POSITIONS 64.50
FROM GENERAL REVENUE FUND 150,000
FROM FEDERAL GRANTS TRUST FUND . . . 833,715
FROM FOOD AND NUTRITION SERVICES
TRUST FUND 2,602,512

1539 OTHER PERSONAL SERVICES
FROM FOOD AND NUTRITION SERVICES
TRUST FUND 127,020

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1540 EXPENSES
FROM GENERAL REVENUE FUND 50,000
FROM FEDERAL GRANTS TRUST FUND . . . 242,345
FROM FOOD AND NUTRITION SERVICES TRUST FUND 1,042,297
FROM GENERAL INSPECTION TRUST FUND . 174,160

1541 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SCHOOL LUNCH PROGRAM
FROM FOOD AND NUTRITION SERVICES TRUST FUND 1,067,958,003

1542 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SCHOOL LUNCH PROGRAM - STATE MATCH
FROM GENERAL REVENUE FUND 16,886,046

1543 OPERATING CAPITAL OUTLAY
FROM FOOD AND NUTRITION SERVICES TRUST FUND 57,438

1543A SPECIAL CATEGORIES
SUPPORT FOR FOOD BANK
FROM GENERAL REVENUE FUND 250,000
FROM GENERAL INSPECTION TRUST FUND . 150,000

Funds in Specific Appropriation 1543A are provided for the Florida Association of Food Banks.

1544 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 354,400
FROM FOOD AND NUTRITION SERVICES TRUST FUND 6,333,646
FROM GENERAL INSPECTION TRUST FUND . 45,840

1544A SPECIAL CATEGORIES
FARM SHARE PROGRAM
FROM GENERAL REVENUE FUND 750,000

1544B SPECIAL CATEGORIES
GRANTS AND AIDS - EMERGENCY FEEDING ORGANIZATIONS
FROM FEDERAL GRANTS TRUST FUND . . . 4,571,184

1545 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 4,626
FROM FOOD AND NUTRITION SERVICES TRUST FUND 23,904

1546 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM FEDERAL GRANTS TRUST FUND . . . 2,373
FROM FOOD AND NUTRITION SERVICES TRUST FUND 17,728

TOTAL: FOOD, NUTRITION AND WELLNESS
FROM GENERAL REVENUE FUND 18,090,672
FROM TRUST FUNDS 1,084,536,565
TOTAL POSITIONS 64.50
TOTAL ALL FUNDS 1,102,627,237

TOTAL: AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE
FROM GENERAL REVENUE FUND 127,841,013
FROM TRUST FUNDS 1,312,936,975
TOTAL POSITIONS 3,565.75
TOTAL ALL FUNDS 1,440,777,988
TOTAL APPROVED SALARY RATE 137,547,011

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
ENVIRONMENTAL PROTECTION, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 13,435,447

1547 SALARIES AND BENEFITS POSITIONS 263.00
FROM GENERAL REVENUE FUND 89,317
FROM ADMINISTRATIVE TRUST FUND . . . 15,972,066
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 69,382
FROM INLAND PROTECTION TRUST FUND . 203,058
FROM FEDERAL GRANTS TRUST FUND . . . 689,982
FROM INTERNAL IMPROVEMENT TRUST FUND 370,621
FROM LAND ACQUISITION TRUST FUND . . 145,143

1548 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 530,015
FROM FEDERAL GRANTS TRUST FUND . . . 576,879
FROM GRANTS AND DONATIONS TRUST FUND 7,000
FROM INTERNAL IMPROVEMENT TRUST FUND 523,332

1549 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 2,659,025
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 28,809
FROM INLAND PROTECTION TRUST FUND . 37,781
FROM FEDERAL GRANTS TRUST FUND . . . 600,783
FROM GRANTS AND DONATIONS TRUST FUND 500
FROM INTERNAL IMPROVEMENT TRUST FUND 4,980
FROM LAND ACQUISITION TRUST FUND . . 16,018

1550 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 16,275
FROM FEDERAL GRANTS TRUST FUND . . . 1,399

1551 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM ADMINISTRATIVE TRUST FUND . . . 477,610

1552 SPECIAL CATEGORIES
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM
FROM ADMINISTRATIVE TRUST FUND . . . 22,906

1553 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 184,000
FROM INTERNAL IMPROVEMENT TRUST FUND 2,859,188

1554 SPECIAL CATEGORIES
POLLUTION RESTORATION CONTRACTS
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 4,066

1555 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 85,227

1556 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ADMINISTRATIVE TRUST FUND . . . 9,910

1557 SPECIAL CATEGORIES
UNDERGROUND STORAGE TANK CLEANUP

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FROM INLAND PROTECTION TRUST FUND . 107,407

1558 SPECIAL CATEGORIES
PETROLEUM CLEANUP AUDITS
FROM INLAND PROTECTION TRUST FUND . 142,196

1559 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 17,788
FROM ADMINISTRATIVE TRUST FUND . . . 85,982
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 374
FROM INLAND PROTECTION TRUST FUND . 771
FROM FEDERAL GRANTS TRUST FUND . . . 3,721
FROM LAND ACQUISITION TRUST FUND . . 602

1560 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FLORIDA COASTAL ZONE MANAGEMENT PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 1,091,630

1561 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
CLEAN MARINA
FROM FEDERAL GRANTS TRUST FUND . . . 1,500,000
FROM GRANTS AND DONATIONS TRUST
FUND 300,000

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 107,105
FROM TRUST FUNDS 29,328,638

TOTAL POSITIONS 263.00
TOTAL ALL FUNDS 29,435,743

FLORIDA GEOLOGICAL SURVEY

APPROVED SALARY RATE 1,257,363

1562 SALARIES AND BENEFITS POSITIONS 27.50
FROM INTERNAL IMPROVEMENT TRUST
FUND 418,328
FROM LAND ACQUISITION TRUST FUND . . 594,044
FROM MINERALS TRUST FUND 269,036
FROM WATER QUALITY ASSURANCE TRUST
FUND 392,654

1563 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 276,421
FROM GRANTS AND DONATIONS TRUST
FUND 126,147
FROM WATER QUALITY ASSURANCE TRUST
FUND 22,208

1564 EXPENSES
FROM FEDERAL GRANTS TRUST FUND . . . 79,965
FROM GRANTS AND DONATIONS TRUST
FUND 60,905
FROM WATER QUALITY ASSURANCE TRUST
FUND 300,442

1565 OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST
FUND 21,000
FROM MINERALS TRUST FUND 48,868
FROM WATER QUALITY ASSURANCE TRUST
FUND 19,838

1566 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 71,799
FROM GRANTS AND DONATIONS TRUST

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FUND 78,077
FROM MINERALS TRUST FUND 5,700
FROM WATER QUALITY ASSURANCE TRUST
FUND 80,000

1567 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM MINERALS TRUST FUND 13,186

1568 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INTERNAL IMPROVEMENT TRUST
FUND 2,606
FROM LAND ACQUISITION TRUST FUND . . 3,094
FROM MINERALS TRUST FUND 4,504
FROM WATER QUALITY ASSURANCE TRUST
FUND 876

TOTAL: FLORIDA GEOLOGICAL SURVEY
FROM TRUST FUNDS 2,889,698

TOTAL POSITIONS 27.50
TOTAL ALL FUNDS 2,889,698

TECHNOLOGY AND INFORMATION SERVICES

APPROVED SALARY RATE 3,102,237

1569 SALARIES AND BENEFITS POSITIONS 68.00
FROM WORKING CAPITAL TRUST FUND . . 4,387,405

1570 OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND . . 738,340

1571 EXPENSES
FROM WORKING CAPITAL TRUST FUND . . 1,944,355

1572 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND . . 20,625

1573 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM WORKING CAPITAL TRUST FUND . . 1,200,000

1574 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM WORKING CAPITAL TRUST FUND . . 11,921

1575 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM WORKING CAPITAL TRUST FUND . . 30,474

1576 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM WORKING CAPITAL TRUST FUND . . 1,603,977

1577 DATA PROCESSING SERVICES
NORTHWOOD SHARED RESOURCE CENTER
FROM WORKING CAPITAL TRUST FUND . . 947,465

TOTAL: TECHNOLOGY AND INFORMATION SERVICES
FROM TRUST FUNDS 10,884,562

TOTAL POSITIONS 68.00
TOTAL ALL FUNDS 10,884,562

PROGRAM: STATE LANDS

LAND ADMINISTRATION

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
APPROVED SALARY RATE 2,157,946

1579 SALARIES AND BENEFITS POSITIONS 43.00
FROM INTERNAL IMPROVEMENT TRUST FUND 2,111,640
FROM LAND ACQUISITION TRUST FUND . . 518,727
FROM WATER MANAGEMENT LANDS TRUST FUND 259,460

1580 OTHER PERSONAL SERVICES
FROM LAND ACQUISITION TRUST FUND . . 36,580

1581 EXPENSES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 98,787
FROM INTERNAL IMPROVEMENT TRUST FUND 342,833
FROM LAND ACQUISITION TRUST FUND . . 183,755
FROM WATER MANAGEMENT LANDS TRUST FUND 26,748

1582 OPERATING CAPITAL OUTLAY
FROM LAND ACQUISITION TRUST FUND . . 1,920

1583 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 44,994
FROM INTERNAL IMPROVEMENT TRUST FUND 320,000

1584 SPECIAL CATEGORIES
NATURAL AREAS INVENTORY
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 222,947

1585 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM LAND ACQUISITION TRUST FUND . . 2,111

1586 SPECIAL CATEGORIES
PAYMENT IN LIEU OF TAXES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 1,360,000

1587 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM INTERNAL IMPROVEMENT TRUST FUND 16,332
FROM LAND ACQUISITION TRUST FUND . . 7,513
FROM WATER MANAGEMENT LANDS TRUST FUND 363

1588 FIXED CAPITAL OUTLAY
LAND ACQUISITION
FROM FEDERAL GRANTS TRUST FUND . . . 6,000,000

1589 FIXED CAPITAL OUTLAY
LAND ACQUISITION, ENVIRONMENTALLY ENDANGERED, UNIQUE/ IRREPLACEABLE LANDS, STATEWIDE
FROM FLORIDA FOREVER TRUST FUND . . 8,377,966

From the funds in Specific Appropriation 1589, an amount not to exceed the approved conservation easement value shall be provided to the Board of Trustees of the Internal Improvement Trust for the acquisition of the West Aucilla River Buffer Florida Forever project as identified on the Board of Trustees Florida Forever Priority List dated May 17, 2011, for the purpose of providing hunting access for those identified and designated as handicap hunters by the Florida Fish and Wildlife Commission. The balance of the appropriation shall be used for land acquisitions that are less-than-fee interest or for partnerships where

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
the state's portion of the acquisition cost is no more than 50 percent.

1591 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM LAND ACQUISITION TRUST FUND . . 415,192,687

Funds provided in Specific Appropriation 1591 are for Fiscal Year 2012-2013 debt service on bonds. These funds may be used to refinance any or all series if it is in the best interest of the state as determined by the Division of Bond Finance. If the debt service varies as a result of a change in the interest rate, timing of issuance, or other circumstances, there is hereby appropriated from the Land Acquisition Trust Fund an amount sufficient to pay such debt service.

1592 FIXED CAPITAL OUTLAY
DEBT SERVICE - SAVE OUR EVERGLADES BONDS
FROM SAVE OUR EVERGLADES TRUST FUND 19,357,915

Funds provided in Specific Appropriation 1592 are for Fiscal Year 2012-2013 debt service on bonds authorized pursuant to section 215.619, Florida Statutes, including any other continuing payments necessary or incidental to the repayment of the bonds, such as remarketing agent fees, tender agent fees, liquidity facility provider fees and similar fees and expenses. These funds may be used to refinance any or all series if it is in the best interest of the state as determined by the Division of Bond Finance. If the debt service varies as a result of a change in the interest rate, timing of issuance, or other circumstances, there is hereby appropriated from the Save Our Everglades Trust Fund an amount sufficient to pay such debt service.

1592A FIXED CAPITAL OUTLAY
DEBT SERVICE NEW ISSUES
FROM SAVE OUR EVERGLADES TRUST FUND 4,800,000

Funds provided in Specific Appropriation 1592A are for Fiscal Year 2012-2013 debt service on new bonds authorized pursuant to section 215.619 (1)(a)2., Florida Statutes, to be issued in an amount not exceeding $50,000,000 for the purpose of financing the cost of constructing sewage collection, treatment, and disposal facilities included in the Florida Keys Area of Critical State Concern protection program. Funds provided in Specific Appropriation 1592A may be used to pay debt service and other payments on the new bonds or on any parity bonds, including any other continuing payments necessary or incidental to the repayment of the bonds, such as remarketing agent fees, tender agent fees, liquidity facility provider fees and similar fees and expenses. If the debt service varies as a result of a change in the interest rate, timing of issuance, or other circumstances, there is hereby appropriated from the Save Our Everglades Trust Fund an amount sufficient to pay such debt service. Proceeds of the bonds issued pursuant to this appropriation shall be distributed 60 percent to Monroe County and 40 percent to the Village of Islamorada for the purposes described herein. If by September 1, 2012, the Village of Islamorada has not executed a contract for the construction of sewage collection, treatment or disposal facilities, the 40 percent allocation shall be distributed pursuant to interlocal agreement among the Village of Islamorada, Monroe County, Key Largo Wastewater District, and the City of Marathon. If by March 1, 2013, Monroe County has not executed a contract for the construction of sewage collection, treatment or disposal facilities, the 60 percent allocation shall be distributed pursuant to interlocal agreement among the Village of Islamorada, Monroe County, Key Largo Wastewater District, and the City of Marathon. A local government requesting disbursement of bond proceeds pursuant to this appropriation shall provide the Department of Environmental Protection with such documentation as the department deems necessary to conform to bonding requirements and to verify that the costs are properly incurred and work has been performed.

TOTAL: LAND ADMINISTRATION
FROM TRUST FUNDS 459,283,278

TOTAL POSITIONS 43.00
TOTAL ALL FUNDS 459,283,278

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
LAND MANAGEMENT

APPROVED SALARY RATE 4,025,565

1593 SALARIES AND BENEFITS POSITIONS 90.00
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 793,555
FROM INTERNAL IMPROVEMENT TRUST
FUND 4,410,142

1594 OTHER PERSONAL SERVICES
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 250,178
FROM GRANTS AND DONATIONS TRUST
FUND 300,000

1595 EXPENSES
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 139,844
FROM GRANTS AND DONATIONS TRUST
FUND 300,000
FROM INTERNAL IMPROVEMENT TRUST
FUND 791,396

1596 OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST
FUND 50,000
FROM INTERNAL IMPROVEMENT TRUST
FUND 15,000

1597 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF AGRICULTURE
PLANT INDUSTRY TRUST FUND
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 240,000

1598 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 20,000
FROM INTERNAL IMPROVEMENT TRUST
FUND 164,020

1599 SPECIAL CATEGORIES
STATE LANDS STEWARDSHIP
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 250,000
FROM INTERNAL IMPROVEMENT TRUST
FUND 200,000

1600 SPECIAL CATEGORIES
NATIONAL OCEAN SURVEY
FROM INTERNAL IMPROVEMENT TRUST
FUND 84,000

1601 SPECIAL CATEGORIES
RICO ACT- DISTRIBUTION OF PROCEEDS FROM
PROPERTY SALES
FROM INTERNAL IMPROVEMENT TRUST
FUND 350,000

1602 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INTERNAL IMPROVEMENT TRUST
FUND 97,919

1603A SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF AGRICULTURE AND
CONSUMER SERVICES FOR MANAGEMENT OF
CONSERVATION AND RECREATION LANDS (CARL)
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 14,678,468

1604 SPECIAL CATEGORIES

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
TRANSFER TO FISH AND WILDLIFE CONSERVATION
COMMISSION FOR MANAGEMENT OF CARL LANDS
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 12,362,672

1605 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF STATE FOR GRANTS
AND DONATIONS TRUST FUND
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 4,910,483

1606 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 5,231
FROM INTERNAL IMPROVEMENT TRUST
FUND 30,694

TOTAL: LAND MANAGEMENT
FROM TRUST FUNDS 40,443,602

TOTAL POSITIONS 90.00
TOTAL ALL FUNDS 40,443,602

PROGRAM: DISTRICT OFFICES

WATER RESOURCE PROTECTION AND RESTORATION

APPROVED SALARY RATE 18,417,034

1607 SALARIES AND BENEFITS POSITIONS 445.00
FROM GENERAL REVENUE FUND 9,244,320
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 2,857,522
FROM FEDERAL GRANTS TRUST FUND . . . 819,348
FROM INTERNAL IMPROVEMENT TRUST
FUND 924,995
FROM LAND ACQUISITION TRUST FUND . . 5,015,078
FROM PERMIT FEE TRUST FUND 5,588,264

1608 OTHER PERSONAL SERVICES
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 294,303

1609 EXPENSES
FROM GENERAL REVENUE FUND 152,112
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 1,603,674
FROM FEDERAL GRANTS TRUST FUND . . . 36,826
FROM LAND ACQUISITION TRUST FUND . . 217,399
FROM PERMIT FEE TRUST FUND 160,878

From the funds in Specific Appropriation 1609, no funds shall be used to pay for space being leased by the Department of Environmental Protection for lease number 370:0208 for Fiscal Year 2012-2013 for the use of the property after June 30, 2012.

1610 SPECIAL CATEGORIES
WATER QUALITY MANAGEMENT/PLANNING GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 1,621,399
FROM GRANTS AND DONATIONS TRUST
FUND 320,673

1611 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 8,225
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 6,750
FROM FEDERAL GRANTS TRUST FUND . . . 30
FROM LAND ACQUISITION TRUST FUND . . 1,100
FROM PERMIT FEE TRUST FUND 5,370

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1612 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 64,424
FROM FEDERAL GRANTS TRUST FUND . . . 3,045
FROM PERMIT FEE TRUST FUND 8,766

1613 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 84,732
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 22,495
FROM FEDERAL GRANTS TRUST FUND . . . 4,232
FROM LAND ACQUISITION TRUST FUND . . 6,985
FROM PERMIT FEE TRUST FUND 35,268

TOTAL: WATER RESOURCE PROTECTION AND RESTORATION
FROM GENERAL REVENUE FUND 9,489,389
FROM TRUST FUNDS 19,618,824

TOTAL POSITIONS 445.00
TOTAL ALL FUNDS 29,108,213

AIR POLLUTION PREVENTION

APPROVED SALARY RATE 4,115,380

1614 SALARIES AND BENEFITS POSITIONS 90.00
FROM AIR POLLUTION CONTROL TRUST FUND 5,229,019
FROM GRANTS AND DONATIONS TRUST FUND 99,603

1615 OTHER PERSONAL SERVICES
FROM AIR POLLUTION CONTROL TRUST FUND 202,601

1616 EXPENSES
FROM AIR POLLUTION CONTROL TRUST FUND 605,178

1617 OPERATING CAPITAL OUTLAY
FROM AIR POLLUTION CONTROL TRUST FUND 98,307

1618 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM AIR POLLUTION CONTROL TRUST FUND 15,050

1619 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM AIR POLLUTION CONTROL TRUST FUND 26,985

1620 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM AIR POLLUTION CONTROL TRUST FUND 31,263
FROM GRANTS AND DONATIONS TRUST FUND 903

TOTAL: AIR POLLUTION PREVENTION
FROM TRUST FUNDS 6,308,909

TOTAL POSITIONS 90.00
TOTAL ALL FUNDS 6,308,909

WASTE CONTROL

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

APPROVED SALARY RATE 6,896,213

1621 SALARIES AND BENEFITS POSITIONS 161.00
FROM INLAND PROTECTION TRUST FUND . 2,602,381
FROM FEDERAL GRANTS TRUST FUND . . . 1,206,425
FROM PERMIT FEE TRUST FUND 658,512
FROM SOLID WASTE MANAGEMENT TRUST FUND 1,556,665
FROM WATER QUALITY ASSURANCE TRUST FUND 3,062,102

1622 OTHER PERSONAL SERVICES
FROM INLAND PROTECTION TRUST FUND . 110,000

1623 EXPENSES
FROM INLAND PROTECTION TRUST FUND . 582,464
FROM FEDERAL GRANTS TRUST FUND . . . 82,015
FROM PERMIT FEE TRUST FUND 40,204
FROM SOLID WASTE MANAGEMENT TRUST FUND 149,759
FROM WATER QUALITY ASSURANCE TRUST FUND 309,968

1624 OPERATING CAPITAL OUTLAY
FROM SOLID WASTE MANAGEMENT TRUST FUND 60,919

1625 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INLAND PROTECTION TRUST FUND . 1,860
FROM FEDERAL GRANTS TRUST FUND . . . 550
FROM SOLID WASTE MANAGEMENT TRUST FUND 6,550
FROM WATER QUALITY ASSURANCE TRUST FUND 16,145

1626 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND 190,535

1627 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND . 166,842
FROM FEDERAL GRANTS TRUST FUND . . . 5,757
FROM SOLID WASTE MANAGEMENT TRUST FUND 13,647

1628 SPECIAL CATEGORIES
RESEARCH, DEVELOPMENT AND TECHNICAL ASSISTANCE - WASTE TIRE ABATEMENT PROGRAM
FROM SOLID WASTE MANAGEMENT TRUST FUND 14,000

1629 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM INLAND PROTECTION TRUST FUND . 15,383
FROM FEDERAL GRANTS TRUST FUND . . . 7,131
FROM PERMIT FEE TRUST FUND 4,326
FROM SOLID WASTE MANAGEMENT TRUST FUND 9,201
FROM WATER QUALITY ASSURANCE TRUST FUND 18,385

TOTAL: WASTE CONTROL
FROM TRUST FUNDS 10,891,726

TOTAL POSITIONS 161.00
TOTAL ALL FUNDS 10,891,726

EXECUTIVE DIRECTION AND SUPPORT SERVICES

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APPROVED SALARY RATE 4,022,551

1630 SALARIES AND BENEFITS POSITIONS 84.00
FROM GENERAL REVENUE FUND 929,399
FROM ADMINISTRATIVE TRUST FUND . . . 2,960,245
FROM AIR POLLUTION CONTROL TRUST FUND 880,862
FROM SOLID WASTE MANAGEMENT TRUST FUND 298,739

1631 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 127,564
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 18,621

1632 EXPENSES
FROM GENERAL REVENUE FUND 936,394
FROM ADMINISTRATIVE TRUST FUND . . . 648,157
FROM AIR POLLUTION CONTROL TRUST FUND 283,760
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 21,337
FROM LAND ACQUISITION TRUST FUND . . 27,923
FROM SOLID WASTE MANAGEMENT TRUST FUND 58,316

1633 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 3,451

1634 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 44,795
FROM ADMINISTRATIVE TRUST FUND . . . 90,085
FROM AIR POLLUTION CONTROL TRUST FUND 8,894

1635 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 82,579
FROM ADMINISTRATIVE TRUST FUND . . . 110,757

1636 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 14,371
FROM ADMINISTRATIVE TRUST FUND . . . 9,211
FROM AIR POLLUTION CONTROL TRUST FUND 5,514
FROM SOLID WASTE MANAGEMENT TRUST FUND 1,697

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 2,007,538
FROM TRUST FUNDS 5,555,133

TOTAL POSITIONS 84.00
TOTAL ALL FUNDS 7,562,671

PROGRAM: WATER POLICY AND ECOSYSTEMS RESTORATION

WATER POLICY AND ECOSYSTEMS RESTORATION

APPROVED SALARY RATE 1,343,688

1637 SALARIES AND BENEFITS POSITIONS 24.00
FROM GENERAL REVENUE FUND 629,639
FROM ADMINISTRATIVE TRUST FUND . . . 709,080
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 183,567
FROM FEDERAL GRANTS TRUST FUND . . . 104,424
FROM LAND ACQUISITION TRUST FUND . . 69,338
FROM WATER MANAGEMENT LANDS TRUST FUND 99,354

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1638 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 50,000

1639 EXPENSES
FROM GENERAL REVENUE FUND 30,106
FROM ADMINISTRATIVE TRUST FUND . . . 25,000
FROM FEDERAL GRANTS TRUST FUND . . . 2,000
FROM LAND ACQUISITION TRUST FUND . . 70,421
FROM WATER MANAGEMENT LANDS TRUST FUND 56,000

1639A AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT ENVIRONMENTAL RESOURCE PERMITTING PROGRAM
FROM WATER MANAGEMENT LANDS TRUST FUND 1,851,231

1640 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SUWANNEE RIVER WATER MANAGEMENT DISTRICT - ENVIRONMENTAL RESOURCE PERMITTING
FROM WATER MANAGEMENT LANDS TRUST FUND 453,000

1641 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - WATER MANAGEMENT DISTRICT PERMITTING ASSISTANCE
FROM WATER MANAGEMENT LANDS TRUST FUND 100,000

1642 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - WATER MANAGEMENT DISTRICTS - WETLANDS PROTECTION
FROM WATER MANAGEMENT LANDS TRUST FUND 547,000

1643 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 3,560
FROM ADMINISTRATIVE TRUST FUND . . . 2,492
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 712
FROM FEDERAL GRANTS TRUST FUND . . . 712
FROM LAND ACQUISITION TRUST FUND . . 356
FROM WATER MANAGEMENT LANDS TRUST FUND 683

1643A SPECIAL CATEGORIES
TRANSFER TO SAVE OUR EVERGLADES TRUST FUND
FROM WATER MANAGEMENT LANDS TRUST FUND 20,000,000

1644 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
AID TO WATER MANAGEMENT DISTRICTS-LAND ACQUISITION
FROM WATER MANAGEMENT LANDS TRUST FUND 15,863,535

1645 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
EVERGLADES RESTORATION
FROM GENERAL REVENUE FUND 10,000,000
FROM SAVE OUR EVERGLADES TRUST FUND 20,000,000

Funds in Specific Appropriation 1645 are provided for the design, engineering and construction of the Comprehensive Everglades Restoration Plan, the Lake Okeechobee Protection Plan, the Caloosahatchee and St. Lucie River Watershed Protection Plan components, water quality studies necessary for the implementation of

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the Comprehensive Everglades Restoration Plan, and water quality enhancement projects identified in the state's long-term plan.

From the funds in Specific Appropriation 1645, $3,000,000 is provided to the Department of Agriculture and Consumer Services for implementation of agricultural nonpoint source controls in the Okeechobee, Caloosahatchee, and St. Lucie River watersheds.

1645A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SOUTH FLORIDA WATER MANAGEMENT DISTRICT FLOOD MITIGATION INVENTORY AND IMPLEMENTATION PLAN
FROM GENERAL REVENUE FUND 4,000,000

TOTAL: WATER POLICY AND ECOSYSTEMS RESTORATION
FROM GENERAL REVENUE FUND 14,663,305
FROM TRUST FUNDS 60,188,905

TOTAL POSITIONS 24.00
TOTAL ALL FUNDS 74,852,210

PROGRAM: ENVIRONMENTAL ASSESSMENT AND RESTORATION

WATER SCIENCE AND LABORATORY SERVICES

APPROVED SALARY RATE 7,744,040

1646 SALARIES AND BENEFITS POSITIONS 174.00
FROM GENERAL REVENUE FUND 654,372
FROM ENVIRONMENTAL LABORATORY TRUST FUND 4,585,258
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 237,948
FROM FEDERAL GRANTS TRUST FUND . . . 2,532,434
FROM LAND ACQUISITION TRUST FUND . . 63,665
FROM WATER QUALITY ASSURANCE TRUST FUND 2,149,880

1647 OTHER PERSONAL SERVICES
FROM ENVIRONMENTAL LABORATORY TRUST FUND 185,969
FROM WATER QUALITY ASSURANCE TRUST FUND 70,950

1648 EXPENSES
FROM GENERAL REVENUE FUND 25,646
FROM ENVIRONMENTAL LABORATORY TRUST FUND 1,358,497
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 157,773
FROM WATER QUALITY ASSURANCE TRUST FUND 252,602

1649 OPERATING CAPITAL OUTLAY
FROM ENVIRONMENTAL LABORATORY TRUST FUND 198,800

1650 SPECIAL CATEGORIES
GROUND WATER QUALITY MONITORING NETWORK
FROM ENVIRONMENTAL LABORATORY TRUST FUND 125,000
FROM WATER QUALITY ASSURANCE TRUST FUND 1,797,507

1651 SPECIAL CATEGORIES
WATER MANAGEMENT DISTRICTS LABORATORY SUPPORT
FROM ENVIRONMENTAL LABORATORY TRUST FUND 176,425

1652 SPECIAL CATEGORIES
EVERGLADES LAB SUPPORT
FROM ENVIRONMENTAL LABORATORY TRUST FUND 469,471

1653 SPECIAL CATEGORIES
WATER QUALITY MANAGEMENT/PLANNING GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 2,454,380

1654 SPECIAL CATEGORIES
LABORATORY SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 250,000

1655 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ENVIRONMENTAL LABORATORY TRUST FUND 436,559

1656 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM ENVIRONMENTAL LABORATORY TRUST FUND 312,710

1657 SPECIAL CATEGORIES
MARINE RESEARCH GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 168,000

1658 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 66,571

1659 SPECIAL CATEGORIES
U.S. GEOLOGIC SURVEY COOPERATIVE AGREEMENT
FROM WATER QUALITY ASSURANCE TRUST FUND 214,897

1660 SPECIAL CATEGORIES
TRANSFER TO INSTITUTE OF FOOD AND AGRICULTURE SCIENCES (IFAS) - LAKEWATCH
FROM INTERNAL IMPROVEMENT TRUST FUND 275,000

1660A SPECIAL CATEGORIES
TOTAL MAXIMUM DAILY LOADS SPRINGS ENVIRONMENTAL MONITORING
FROM GENERAL REVENUE FUND 4,000,000

Of the funds in Specific Appropriation 1660A, $2,000,000 in recurring and $2,000,000 in nonrecurring general revenue funds are provided to implement a Statewide Load Monitoring Network installed based on the Total Maximum Daily Load (TMDL) watershed basin rotation plan that would provide for improved TMDL determination and nutrient monitoring within the State's surface and ground waters to improve water quality. This monitoring network shall include implementation and deployment of nodes of self-contained, high-resolution rainfall, flow, nitrogen and phosphorus sensors. Data collection, communication and access for long-term use of collected data by stakeholders would be available through a central secure web-based application.

1660B SPECIAL CATEGORIES
STATEWIDE NUMERIC NUTRIENT CRITERIA MONITORING NETWORK
FROM GENERAL REVENUE FUND 3,393,463
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 1,606,537

Funds in Specific Appropriation 1660B are provided to implement a numeric nutrient monitoring network able to integrate and communicate with the Department of Environmental Protection's existing systems that would provide for improved numeric nutrient criteria determination and nutrient monitoring within the state's surface and ground waters to improve or assess water quality.

1661 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES

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PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	8,151	
FROM ENVIRONMENTAL LABORATORY TRUST FUND		30,104
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		1,712
FROM FEDERAL GRANTS TRUST FUND . . .		14,436
FROM LAND ACQUISITION TRUST FUND . .		1,439
FROM WATER QUALITY ASSURANCE TRUST FUND		12,134
1662 FIXED CAPITAL OUTLAY		
TOTAL MAXIMUM DAILY LOADS		
FROM LAND ACQUISITION TRUST FUND . .		7,892,250

From the funds in Specific Appropriation 1662, $60,000 in nonrecurring funds is provided to complete the Rainbow Springs Restoration Plan.

1663 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
GRANTS AND AID - NON-POINT SOURCE (NPS) MANAGEMENT PLANNING GRANTS		
FROM FEDERAL GRANTS TRUST FUND . . .		10,000,000
FROM WATER QUALITY ASSURANCE TRUST FUND		2,400,000
TOTAL: WATER SCIENCE AND LABORATORY SERVICES		
FROM GENERAL REVENUE FUND	8,081,632	
FROM TRUST FUNDS		40,498,908
TOTAL POSITIONS	174.00	
TOTAL ALL FUNDS		48,580,540

PROGRAM: WATER RESOURCE MANAGEMENT

BEACH MANAGEMENT

APPROVED SALARY RATE 3,015,560

1664 SALARIES AND BENEFITS POSITIONS 68.00		
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		3,245,208
FROM PERMIT FEE TRUST FUND		657,651
1665 OTHER PERSONAL SERVICES		
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		302,857
1666 EXPENSES		
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		291,811
FROM PERMIT FEE TRUST FUND		307,101
1667 OPERATING CAPITAL OUTLAY		
FROM PERMIT FEE TRUST FUND		4,597
1668 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	2,668	
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		21,022
FROM PERMIT FEE TRUST FUND		2,478
1669 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
BEACH PROJECTS - STATEWIDE		
FROM GENERAL REVENUE FUND	10,000,000	

Funds in Specific Appropriation 1669, as part of the Department of Environmental Protection's Beach Management Funding Assistance program for Fiscal Year 2012-2013, shall be allocated to the seven highest prioritized projects on the department's Beach Restoration and Nourishment Projects list and funded in the amounts as indicated in the agency's submittal with the exception of priority project number four. The state's share for this project is reduced 50 percent from the submitted request based on local project sponsor modifications, project eligibility, and reduced total project costs.

Additionally, pursuant to section 161.143 (5)(a), Florida Statutes, 10 percent of the amount appropriated for beach restoration and nourishment projects will be used for the three highest ranked projects on the department's separate Inlet Sand Bypassing/Management Projects list. Of this 10 percent, the department may allocate up to $300,000 in support of sand source needs assessment and management pursuant to section 161.144, Florida Statutes. Furthermore, post-construction monitoring will be funded at 50 percent of the department's request.

TOTAL: BEACH MANAGEMENT		
FROM GENERAL REVENUE FUND	10,002,668	
FROM TRUST FUNDS		4,832,725
TOTAL POSITIONS	68.00	
TOTAL ALL FUNDS		14,835,393

WATER RESOURCE MANAGEMENT

APPROVED SALARY RATE 10,247,932

1670 SALARIES AND BENEFITS POSITIONS 214.50		
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		342,685
FROM FEDERAL GRANTS TRUST FUND . . .		6,833,076
FROM LAND ACQUISITION TRUST FUND . .		524,689
FROM MINERALS TRUST FUND		2,179,406
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		1,299,501
FROM PERMIT FEE TRUST FUND		1,367,358
FROM WATER QUALITY ASSURANCE TRUST FUND		1,411,609
1671 OTHER PERSONAL SERVICES		
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		310,511
FROM LAND ACQUISITION TRUST FUND . .		40,000
FROM MINERALS TRUST FUND		84,045
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		59,938
FROM WATER QUALITY ASSURANCE TRUST FUND		225,168
1672 EXPENSES		
FROM LAND ACQUISITION TRUST FUND . .		97,750
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		494,233
FROM PERMIT FEE TRUST FUND		463,870
FROM WATER QUALITY ASSURANCE TRUST FUND		209,928
1673 OPERATING CAPITAL OUTLAY		
FROM MINERALS TRUST FUND		1,132
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		40,125
1674 SPECIAL CATEGORIES		
WATER QUALITY MANAGEMENT/PLANNING GRANTS		
FROM FEDERAL GRANTS TRUST FUND . . .		3,260,043
1675 SPECIAL CATEGORIES		
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM		
FROM PERMIT FEE TRUST FUND		965,293
1676 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM MINERALS TRUST FUND		20,000

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1677 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND 2,040,964

1678 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 47,108
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 23,469

1679 SPECIAL CATEGORIES
HABITAT RESTORATION
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND 200,000

1680 SPECIAL CATEGORIES
UNDERGROUND STORAGE TANK CLEANUP
FROM INLAND PROTECTION TRUST FUND . 200,000

1681 SPECIAL CATEGORIES
WATER WELL CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND 1,031,061

1682 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 10,214
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 2,392
FROM FEDERAL GRANTS TRUST FUND . . . 26,916
FROM LAND ACQUISITION TRUST FUND . . 2,500
FROM MINERALS TRUST FUND 13,802
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND 7,945
FROM PERMIT FEE TRUST FUND 7,070
FROM WATER QUALITY ASSURANCE TRUST FUND 8,486

1683 SPECIAL CATEGORIES
WETLANDS PROTECTION
FROM FEDERAL GRANTS TRUST FUND . . . 284,459

1683A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - WATER PROJECTS
FROM GENERAL REVENUE FUND 19,060,335

Nonrecurring funds in Specific Appropriation 1683A from the General Revenue Fund shall be used for the following water projects:

City of Okeechobee - Park of Commerce - Storm-water..... 200,000
City of Port Orange - Dunlawton Avenue (S. R. 421) Flooding Drainage/Evacuation Improvement Project..... 1,250,000
City of Okeechobee - Storm-water Retrofit..... 250,000
Okeechobee Utility Authority - Wastewater Improvements..... 550,000
Town of Pembroke Park - Storm-water Retrofit..... 100,000
Hardee County - Wastewater Treatment..... 765,000
City of Moore Haven - Storm-water Improvement..... 100,000
City of LaBelle - Waste Water Treatment Plant..... 2,318,172
Hendry County - Airglades Airport Utility System Force Main Line Extension..... 3,500,000
Imperial River - Oak Creek Water Quality Project and Harbor River Ponds/Spring Creek Water Enhancement..... 250,000
Eau Gallie River (EGRET) Dredging Project..... 100,000
St. Johns River Restoration..... 5,600,000
City of Belleview - South 441 Project..... 1,500,000
Sumter County - Feasibility Study of Lake Panasoffkee Wastewater System..... 35,000
Crystal River Kings Bay Environmental Enhancement..... 100,000
Hialeah Stormwater Rehabilitation..... 140,000
St. Lucie River Environmental Enhancement..... 100,000

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Santa Rosa County Navarre Pass Feasibility Study..... 150,000
Umatilla City Sewer..... 352,163
Miami River Environmental Enhancement..... 100,000
St. Johns River Economic Analysis Study - University of North Florida..... 400,000
Palm Beach County Water Treatment - Glades Area..... 1,000,000
Hillsborough Avenue & 30th Street - Stormwater Improvements. 200,000

1684 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AID - NON-POINT SOURCE (NPS) MANAGEMENT PLANNING GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 4,500,000
FROM GRANTS AND DONATIONS TRUST FUND 500,000

1685 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
DRINKING WATER FACILITY CONSTRUCTION - STATE REVOLVING LOAN
FROM DRINKING WATER REVOLVING LOAN TRUST FUND 64,642,516
FROM LAND ACQUISITION TRUST FUND . . 3,437,200

1686 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
WASTEWATER TREATMENT FACILITY CONSTRUCTION
FROM LAND ACQUISITION TRUST FUND . . 6,138,000
FROM WASTEWATER TREATMENT AND STORMWATER MANAGEMENT REVOLVING LOAN TRUST FUND 125,682,672

1686A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - FLORIDA KEYS WASTEWATER TREATMENT PLAN
FROM SAVE OUR EVERGLADES TRUST FUND 50,000,000

1687 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
SMALL COUNTY WASTEWATER TREATMENT GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 17,350,000

TOTAL: WATER RESOURCE MANAGEMENT
FROM GENERAL REVENUE FUND 19,117,657
FROM TRUST FUNDS 296,329,812

TOTAL POSITIONS 214.50
TOTAL ALL FUNDS 315,447,469

PROGRAM: WASTE MANAGEMENT

WASTE MANAGEMENT

APPROVED SALARY RATE 10,163,504

1688 SALARIES AND BENEFITS POSITIONS 225.00
FROM INLAND PROTECTION TRUST FUND . 5,199,614
FROM FEDERAL GRANTS TRUST FUND . . . 2,152,762
FROM SOLID WASTE MANAGEMENT TRUST FUND 2,375,257
FROM WATER QUALITY ASSURANCE TRUST FUND 4,182,180

1689 OTHER PERSONAL SERVICES
FROM INLAND PROTECTION TRUST FUND . 23,780
FROM FEDERAL GRANTS TRUST FUND . . . 266,193
FROM SOLID WASTE MANAGEMENT TRUST FUND 142,552
FROM WATER QUALITY ASSURANCE TRUST FUND 12,000

1690 EXPENSES

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FROM INLAND PROTECTION TRUST FUND . 690,369
FROM FEDERAL GRANTS TRUST FUND . . . 346,909
FROM SOLID WASTE MANAGEMENT TRUST FUND 281,784
FROM WATER QUALITY ASSURANCE TRUST FUND 387,956

1691 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SOUTHERN WASTE INFORMATION EXCHANGE CLEARING HOUSE
FROM SOLID WASTE MANAGEMENT TRUST FUND 300,000

1692 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LOCAL HAZARDOUS WASTE COLLECTION
FROM WATER QUALITY ASSURANCE TRUST FUND 509,994

1693 OPERATING CAPITAL OUTLAY
FROM INLAND PROTECTION TRUST FUND . 9,929
FROM SOLID WASTE MANAGEMENT TRUST FUND 44,094
FROM WATER QUALITY ASSURANCE TRUST FUND 11,023

1694 SPECIAL CATEGORIES
STORAGE TANK COMPLIANCE VERIFICATION
FROM INLAND PROTECTION TRUST FUND . 7,000,000

1695 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF HEALTH FOR BIOMEDICAL WASTE REGULATION
FROM SOLID WASTE MANAGEMENT TRUST FUND 880,000

1696 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INLAND PROTECTION TRUST FUND . 109,045
FROM FEDERAL GRANTS TRUST FUND . . . 4,200
FROM SOLID WASTE MANAGEMENT TRUST FUND 102,500
FROM WATER QUALITY ASSURANCE TRUST FUND 62,100

1697 SPECIAL CATEGORIES
FEDERAL WASTE PLANNING GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 993,050

1698 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND 1,907,327

1699 SPECIAL CATEGORIES
HAZARDOUS WASTE SITES RESTORATION
FROM FEDERAL GRANTS TRUST FUND . . . 1,999,847

1700 SPECIAL CATEGORIES
HAZARDOUS WASTE COMPLIANCE ASSISTANCE AND EDUCATION
FROM SOLID WASTE MANAGEMENT TRUST FUND 100,000

1701 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES - MOSQUITO CONTROL PROGRAM
FROM SOLID WASTE MANAGEMENT TRUST FUND 2,160,000

1702 SPECIAL CATEGORIES
DRYCLEANING CONTAMINATION CLEANUP
FROM WATER QUALITY ASSURANCE TRUST

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FUND 100,000

1703 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND . 25,793
FROM SOLID WASTE MANAGEMENT TRUST FUND 17,506
FROM WATER QUALITY ASSURANCE TRUST FUND 25,445

1704 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF REVENUE - ADMINISTRATION OF LEAD ACID BATTERY FEE
FROM WATER QUALITY ASSURANCE TRUST FUND 231,092

1705 SPECIAL CATEGORIES
TRANSFER TO UNIVERSITY OF FLORIDA - RESEARCH AND TESTING
FROM SOLID WASTE MANAGEMENT TRUST FUND 700,000

1706 SPECIAL CATEGORIES
UNDERGROUND STORAGE TANK CLEANUP
FROM INLAND PROTECTION TRUST FUND . 6,028,157

1707 SPECIAL CATEGORIES
LOCAL GOVERNMENT CLEANUP CONTRACTING
FROM INLAND PROTECTION TRUST FUND . 7,000,000

1708 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM INLAND PROTECTION TRUST FUND . 32,423
FROM FEDERAL GRANTS TRUST FUND . . . 11,919
FROM SOLID WASTE MANAGEMENT TRUST FUND 12,307
FROM WATER QUALITY ASSURANCE TRUST FUND 23,863

1709 FIXED CAPITAL OUTLAY
DRY CLEANING SOLVENT CONTAMINATED SITE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND 4,000,000

1710 FIXED CAPITAL OUTLAY
CLEANUP OF STATE OWNED LANDS
FROM INLAND PROTECTION TRUST FUND . 1,000,000

1711 FIXED CAPITAL OUTLAY
PETROLEUM TANKS CLEANUP - PREAPPROVALS
FROM INLAND PROTECTION TRUST FUND . 125,000,000

1712 FIXED CAPITAL OUTLAY
HAZARDOUS WASTE CONTAMINATED SITE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND 4,000,000

1713 FIXED CAPITAL OUTLAY
DEBT SERVICE - INLAND PROTECTION FINANCING CORPORATION
FROM INLAND PROTECTION TRUST FUND . 9,789,057

Funds in Specific Appropriation 1713 are for Fiscal Year 2012-2013 debt service on bonds pursuant to Specific Appropriation 1733, chapter 2009-81, Laws of Florida, and any administrative expenses of the Inland Protection Financing Corporation for the purpose of rehabilitation of petroleum contamination sites pursuant to sections 376.30 through 376.317, Florida Statutes.

1714 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
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SOLID WASTE MANAGEMENT
FROM SOLID WASTE MANAGEMENT TRUST FUND 2,400,000

TOTAL: WASTE MANAGEMENT
FROM TRUST FUNDS 192,652,027

TOTAL POSITIONS 225.00
TOTAL ALL FUNDS 192,652,027

PROGRAM: RECREATION AND PARKS

STATE PARK OPERATIONS

APPROVED SALARY RATE 34,863,217

1715 SALARIES AND BENEFITS POSITIONS 1,059.50
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 1,173,514
FROM STATE PARK TRUST FUND 45,608,190

1715A OTHER PERSONAL SERVICES
FROM STATE PARK TRUST FUND 4,079,808

1715B EXPENSES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 84,550
FROM STATE PARK TRUST FUND 12,931,355

1715C OPERATING CAPITAL OUTLAY
FROM STATE PARK TRUST FUND 82,673

1716 SPECIAL CATEGORIES
DISTRIBUTION OF SURCHARGE FEES
FROM STATE PARK TRUST FUND 700,000

1717 SPECIAL CATEGORIES
DISBURSE DONATIONS
FROM GRANTS AND DONATIONS TRUST FUND 200,000
FROM STATE PARK TRUST FUND 250,000

1717A SPECIAL CATEGORIES
LAND MANAGEMENT
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 1,529,552

1719 SPECIAL CATEGORIES
AMERICORPS PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 600,000

1720 SPECIAL CATEGORIES
OUTSOURCING/PRIVATIZATION
FROM STATE PARK TRUST FUND 4,891,903

1721 SPECIAL CATEGORIES
MANAGEMENT OF WATER CONTROL STRUCTURES
FROM STATE PARK TRUST FUND 150,000

1722 SPECIAL CATEGORIES
CONTROL OF INVASIVE EXOTICS
FROM STATE PARK TRUST FUND 287,996

1723 SPECIAL CATEGORIES
PURCHASES FOR RESALE
FROM STATE PARK TRUST FUND 290,756

1724 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 726,158
FROM LAND ACQUISITION TRUST FUND . . 49,201
FROM STATE PARK TRUST FUND 3,118,200

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
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1724A SPECIAL CATEGORIES
GREENWAYS CARL MANAGEMENT FUNDING
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 2,179,609

1725 SPECIAL CATEGORIES
LAND USE PROCEEDS DISBURSEMENTS
FROM STATE PARK TRUST FUND 175,000

1726 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 10,845
FROM STATE PARK TRUST FUND 428,975

1727 FIXED CAPITAL OUTLAY
STATE PARK FACILITY IMPROVEMENTS
FROM LAND ACQUISITION TRUST FUND . . 10,000,000

1729 FIXED CAPITAL OUTLAY
REMOVE ACCESSIBILITY BARRIERS - STATEWIDE
FROM LAND ACQUISITION TRUST FUND . . 3,000,000

1730 FIXED CAPITAL OUTLAY
GRANTS AND DONATIONS SPENDING AUTHORITY
FROM FEDERAL GRANTS TRUST FUND . . . 4,000,000
FROM GRANTS AND DONATIONS TRUST FUND 2,000,000

1731 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FEDERAL LAND AND WATER CONSERVATION FUND GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 2,879,400

1731A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
NATURAL HABITAT PARK AND ENVIRONMENTAL CENTER - SEMINOLE CAMPUS ST. PETERSBURG COLLEGE
FROM LAND ACQUISITION TRUST FUND . . 100,000

1732 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
NATIONAL RECREATIONAL TRAIL GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 3,500,000

TOTAL: STATE PARK OPERATIONS
FROM TRUST FUNDS 105,027,685

TOTAL POSITIONS 1,059.50
TOTAL ALL FUNDS 105,027,685

COASTAL AND AQUATIC MANAGED AREAS

APPROVED SALARY RATE 4,066,433

1733 SALARIES AND BENEFITS POSITIONS 87.00
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 355,083
FROM FEDERAL GRANTS TRUST FUND . . . 2,038,915
FROM LAND ACQUISITION TRUST FUND . . 2,370,090

1734 OTHER PERSONAL SERVICES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 176,608
FROM LAND ACQUISITION TRUST FUND . . 156,426

1735 EXPENSES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 184,858
FROM LAND ACQUISITION TRUST FUND . . 458,070

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1736 OPERATING CAPITAL OUTLAY
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 9,292
FROM LAND ACQUISITION TRUST FUND . . 100

1737 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL GRANTS TRUST FUND . . . 141,135

From the funds provided in Specific Appropriation 1737, the Department of Environmental Protection may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the agency secretary that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

1738 SPECIAL CATEGORIES
SUBMERGED RESOURCE DAMAGED RESTORATIONS
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 57,834

1739 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 50,000
FROM LAND ACQUISITION TRUST FUND . . 53,493

1740 SPECIAL CATEGORIES
MARINE RESEARCH GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 3,907,426
FROM GRANTS AND DONATIONS TRUST
FUND 300,000
FROM LAND ACQUISITION TRUST FUND . . 303,389

1741 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 279,722
FROM FEDERAL GRANTS TRUST FUND . . . 2,223
FROM LAND ACQUISITION TRUST FUND . . 145,395

1742 SPECIAL CATEGORIES
COASTAL AND AQUATIC MANAGED AREAS (CAMA) -
CARL MANAGEMENT FUNDS
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 243,082

1743 SPECIAL CATEGORIES
LAND USE PROCEEDS DISBURSEMENTS
FROM LAND ACQUISITION TRUST FUND . . 100,000

1744 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 3,227
FROM FEDERAL GRANTS TRUST FUND . . . 9,526
FROM LAND ACQUISITION TRUST FUND . . 24,951

1744A FIXED CAPITAL OUTLAY
STORMWATER PROJECTS/DEEPWATER HORIZON OIL
SPILL SETTLEMENT
FROM COASTAL PROTECTION TRUST FUND . 5,000,000

1745 FIXED CAPITAL OUTLAY
MAINTENANCE, REPAIRS AND CONSTRUCTION -
STATEWIDE
FROM LAND ACQUISITION TRUST FUND . . 200,000

1745A FIXED CAPITAL OUTLAY
CORAL REEF RESTORATION
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 600,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
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TOTAL: COASTAL AND AQUATIC MANAGED AREAS
FROM TRUST FUNDS 17,170,845

TOTAL POSITIONS 87.00
TOTAL ALL FUNDS 17,170,845

PROGRAM: AIR RESOURCES MANAGEMENT

UTILITIES SITING AND COORDINATION

APPROVED SALARY RATE 285,243

1746 SALARIES AND BENEFITS POSITIONS 6.00
FROM PERMIT FEE TRUST FUND 374,342

1747 EXPENSES
FROM PERMIT FEE TRUST FUND 48,246

1748 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PERMIT FEE TRUST FUND 1,000

1749 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PERMIT FEE TRUST FUND 948

1750 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PERMIT FEE TRUST FUND 2,288

TOTAL: UTILITIES SITING AND COORDINATION
FROM TRUST FUNDS 426,824

TOTAL POSITIONS 6.00
TOTAL ALL FUNDS 426,824

AIR RESOURCES MANAGEMENT

APPROVED SALARY RATE 3,698,211

1751 SALARIES AND BENEFITS POSITIONS 73.00
FROM AIR POLLUTION CONTROL TRUST
FUND 4,899,875

1752 OTHER PERSONAL SERVICES
FROM AIR POLLUTION CONTROL TRUST
FUND 5,438,616

1753 EXPENSES
FROM AIR POLLUTION CONTROL TRUST
FUND 1,435,092

1754 OPERATING CAPITAL OUTLAY
FROM AIR POLLUTION CONTROL TRUST
FUND 387,680

1755 SPECIAL CATEGORIES
DISTRIBUTION TO COUNTIES - MOTOR VEHICLE
REGISTRATION PROCEEDS
FROM AIR POLLUTION CONTROL TRUST
FUND 7,325,936

1756 SPECIAL CATEGORIES
ASBESTOS REMOVAL PROGRAM FEES
FROM AIR POLLUTION CONTROL TRUST
FUND 150,000

1757 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM AIR POLLUTION CONTROL TRUST
FUND 22,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
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1758 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM AIR POLLUTION CONTROL TRUST FUND 22,409

1759 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM AIR POLLUTION CONTROL TRUST FUND 27,289

TOTAL: AIR RESOURCES MANAGEMENT
FROM TRUST FUNDS 19,708,897

TOTAL POSITIONS 73.00
TOTAL ALL FUNDS 19,708,897

PROGRAM: LAW ENFORCEMENT

ENVIRONMENTAL INVESTIGATION

APPROVED SALARY RATE 2,737,318

1760 SALARIES AND BENEFITS POSITIONS 53.50
FROM COASTAL PROTECTION TRUST FUND . 494,597
FROM INLAND PROTECTION TRUST FUND . 622,851
FROM SOLID WASTE MANAGEMENT TRUST FUND 2,603,141

1761 OTHER PERSONAL SERVICES
FROM COASTAL PROTECTION TRUST FUND . 78,283

1762 EXPENSES
FROM COASTAL PROTECTION TRUST FUND . 85,344
FROM INLAND PROTECTION TRUST FUND . 750,743

1763 OPERATING CAPITAL OUTLAY
FROM COASTAL PROTECTION TRUST FUND . 16,794

1764 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES
FROM COASTAL PROTECTION TRUST FUND . 62,350

1765 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INLAND PROTECTION TRUST FUND . 133,456

1766 SPECIAL CATEGORIES
OPERATION AND MAINTENANCE OF PATROL VEHICLES
FROM COASTAL PROTECTION TRUST FUND . 17,558
FROM INLAND PROTECTION TRUST FUND . 226,962

1767 SPECIAL CATEGORIES
OVERTIME
FROM COASTAL PROTECTION TRUST FUND . 40,400
FROM INLAND PROTECTION TRUST FUND . 40,400

1768 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND . 110,004

1769 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM COASTAL PROTECTION TRUST FUND . 18,040
FROM INLAND PROTECTION TRUST FUND . 26,010

1770 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM COASTAL PROTECTION TRUST FUND . 2,789

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
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FROM INLAND PROTECTION TRUST FUND . 2,060
FROM SOLID WASTE MANAGEMENT TRUST FUND 17,130

TOTAL: ENVIRONMENTAL INVESTIGATION
FROM TRUST FUNDS 5,348,912

TOTAL POSITIONS 53.50
TOTAL ALL FUNDS 5,348,912

PATROL ON STATE LANDS

APPROVED SALARY RATE 3,726,450

1771 SALARIES AND BENEFITS POSITIONS 93.00
FROM LAND ACQUISITION TRUST FUND . . 5,668,029

1772 OTHER PERSONAL SERVICES
FROM LAND ACQUISITION TRUST FUND . . 42,639

1773 EXPENSES
FROM LAND ACQUISITION TRUST FUND . . 216,853

1774 OPERATING CAPITAL OUTLAY
FROM LAND ACQUISITION TRUST FUND . . 73,445

1775 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES
FROM LAND ACQUISITION TRUST FUND . . 222,901

1776 SPECIAL CATEGORIES
OPERATION AND MAINTENANCE OF PATROL VEHICLES
FROM LAND ACQUISITION TRUST FUND . . 497,328

1777 SPECIAL CATEGORIES
OVERTIME
FROM LAND ACQUISITION TRUST FUND . . 65,550

1778 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM LAND ACQUISITION TRUST FUND . . 286,941

1779 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM LAND ACQUISITION TRUST FUND . . 95,462

1780 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM LAND ACQUISITION TRUST FUND . . 33,676

TOTAL: PATROL ON STATE LANDS
FROM TRUST FUNDS 7,202,824

TOTAL POSITIONS 93.00
TOTAL ALL FUNDS 7,202,824

EMERGENCY RESPONSE

APPROVED SALARY RATE 1,475,158

1781 SALARIES AND BENEFITS POSITIONS 28.00
FROM COASTAL PROTECTION TRUST FUND . 1,297,881
FROM INLAND PROTECTION TRUST FUND . 513,811

1782 OTHER PERSONAL SERVICES
FROM COASTAL PROTECTION TRUST FUND . 195,411

1783 EXPENSES
FROM COASTAL PROTECTION TRUST FUND . 145,451
FROM INLAND PROTECTION TRUST FUND . 29,440

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1784 OPERATING CAPITAL OUTLAY
FROM COASTAL PROTECTION TRUST FUND . 7,818

1785 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES
FROM COASTAL PROTECTION TRUST FUND . 63,594

1786 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM COASTAL PROTECTION TRUST FUND . 912,413

1787 SPECIAL CATEGORIES
ON-CALL FEES
FROM COASTAL PROTECTION TRUST FUND . 98,902

1788 SPECIAL CATEGORIES
PAYMENTS FOR RESTORATION AND DAMAGE
FROM COASTAL PROTECTION TRUST FUND . 25,000

1789 SPECIAL CATEGORIES
ABANDONED DRUM REMOVAL AND DISPOSAL
FROM COASTAL PROTECTION TRUST FUND . 100,000

1790 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND . 111,814

1791 SPECIAL CATEGORIES
UNDERGROUND STORAGE TANK CLEANUP
FROM INLAND PROTECTION TRUST FUND . 214,759

1792 SPECIAL CATEGORIES
TRANSFER TO MARINE RESOURCES CONSERVATION TRUST FUND IN THE FISH AND WILDLIFE CONSERVATION COMMISSION
FROM COASTAL PROTECTION TRUST FUND . 11,197,242

1793 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM COASTAL PROTECTION TRUST FUND . 6,986
FROM INLAND PROTECTION TRUST FUND . 2,764

TOTAL: EMERGENCY RESPONSE
FROM TRUST FUNDS 14,923,286

TOTAL POSITIONS 28.00
TOTAL ALL FUNDS 14,923,286

TOTAL: ENVIRONMENTAL PROTECTION, DEPARTMENT OF
FROM GENERAL REVENUE FUND 63,469,294
FROM TRUST FUNDS 1,349,516,020

TOTAL POSITIONS 3,377.00
TOTAL ALL FUNDS 1,412,985,314
TOTAL APPROVED SALARY RATE 140,796,490

FISH AND WILDLIFE CONSERVATION COMMISSION

PROGRAM: EXECUTIVE DIRECTION AND ADMINISTRATIVE SERVICES

OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE SUPPORT SERVICES

APPROVED SALARY RATE 9,164,018

1794 SALARIES AND BENEFITS POSITIONS 212.50
FROM ADMINISTRATIVE TRUST FUND . . . 9,882,585
FROM MARINE RESOURCES CONSERVATION TRUST FUND 826,706
FROM NON-GAME WILDLIFE TRUST FUND . 161,474

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FROM STATE GAME TRUST FUND 1,096,904
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 399,866

1795 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 220,000
FROM MARINE RESOURCES CONSERVATION TRUST FUND 18,171
FROM STATE GAME TRUST FUND 75,533

1796 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 1,157,940
FROM MARINE RESOURCES CONSERVATION TRUST FUND 600,000
FROM NON-GAME WILDLIFE TRUST FUND . 17,062
FROM STATE GAME TRUST FUND 432,492
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 121

1797 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 75,057
FROM MARINE RESOURCES CONSERVATION TRUST FUND 4,704
FROM STATE GAME TRUST FUND 16,557

1798 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 491,324

1799 SPECIAL CATEGORIES
NON-CARL WILDLIFE MANAGEMENT
FROM STATE GAME TRUST FUND 123,205

1800 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 441,509
FROM MARINE RESOURCES CONSERVATION TRUST FUND 234,514
FROM NON-GAME WILDLIFE TRUST FUND . 1,945
FROM STATE GAME TRUST FUND 2,040,864

1801 SPECIAL CATEGORIES
PAYMENT OF REWARDS
FROM ADMINISTRATIVE TRUST FUND . . . 5,000

1802 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 78,065
FROM MARINE RESOURCES CONSERVATION TRUST FUND 7,398
FROM STATE GAME TRUST FUND 31,683
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 2,336

1803 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ADMINISTRATIVE TRUST FUND . . . 3,300

1804 SPECIAL CATEGORIES
INFORMATION TECHNOLOGY SERVICES - FISH AND WILDLIFE CONSERVATION COMMISSION
FROM ADMINISTRATIVE TRUST FUND . . . 2,223,360

1805 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 68,744
FROM MARINE RESOURCES CONSERVATION TRUST FUND 7,401
FROM NON-GAME WILDLIFE TRUST FUND . 1,096
FROM STATE GAME TRUST FUND 3,399
FROM CONSERVATION AND RECREATION

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	LANDS PROGRAM TRUST FUND		2,551
1806	SPECIAL CATEGORIES		
	CONTRACT AND GRANT REIMBURSED ACTIVITIES		
	FROM ADMINISTRATIVE TRUST FUND . . .		1,000,000
	FROM FEDERAL GRANTS TRUST FUND . . .		390,000
	FROM GRANTS AND DONATIONS TRUST FUND		150,000
1807	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM ADMINISTRATIVE TRUST FUND . . .		133,018
TOTAL: OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE SUPPORT SERVICES			
	FROM TRUST FUNDS		22,425,884
	TOTAL POSITIONS	212.50	
	TOTAL ALL FUNDS		22,425,884
PROGRAM: LAW ENFORCEMENT			
FISH, WILDLIFE AND BOATING LAW ENFORCEMENT			
	APPROVED SALARY RATE 40,410,175		
1809	SALARIES AND BENEFITS POSITIONS	889.50	
	FROM GENERAL REVENUE FUND	19,264,289	
	FROM FEDERAL GRANTS TRUST FUND . . .		4,697,654
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		300,000
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		27,058,347
	FROM NON-GAME WILDLIFE TRUST FUND .		276,615
	FROM STATE GAME TRUST FUND		2,590,159
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		1,977,411
1810	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	74,210	
	FROM FEDERAL GRANTS TRUST FUND . . .		58,000
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		236,348
	FROM STATE GAME TRUST FUND		56,677
1811	EXPENSES		
	FROM GENERAL REVENUE FUND	1,622,776	
	FROM FEDERAL GRANTS TRUST FUND . . .		6,351,541
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		2,177,251
	FROM STATE GAME TRUST FUND		525,536
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		313,415
1812	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	1,369,840	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		125,097
	FROM STATE GAME TRUST FUND		812
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		62,500
1813	SPECIAL CATEGORIES		
	ACQUISITION AND REPLACEMENT OF PATROL VEHICLES		
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		659,921
1813A	SPECIAL CATEGORIES		
	FLORIDA PANTHER MANAGEMENT AND CONSERVATION		
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		70,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
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1814	SPECIAL CATEGORIES		
	ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS		
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		727,415
1815	SPECIAL CATEGORIES		
	ENHANCED WILDLIFE MANAGEMENT		
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		272,166
1816	SPECIAL CATEGORIES		
	800 MHZ RADIO LAW ENFORCEMENT SYSTEM EQUIPMENT AND MAINTENANCE		
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		44,760
1817	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	439,548	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		575,207
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		1,500
1818	SPECIAL CATEGORIES		
	BOAT RAMP MAINTENANCE CATEGORY		
	FROM FEDERAL GRANTS TRUST FUND . . .		431,250
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		181,878
	FROM STATE GAME TRUST FUND		143,750
1819	SPECIAL CATEGORIES		
	OVERTIME		
	FROM GENERAL REVENUE FUND	765,000	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		2,065,885
	FROM STATE GAME TRUST FUND		128,447
1820	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	389,152	
	FROM FEDERAL GRANTS TRUST FUND . . .		28,215
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		865,009
	FROM STATE GAME TRUST FUND		339,138
1821	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	43,963	
	FROM FEDERAL GRANTS TRUST FUND . . .		14,926
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		497,467
	FROM STATE GAME TRUST FUND		59,100
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		20,160
1822	SPECIAL CATEGORIES		
	BOATING AND WATERWAYS ACTIVITIES		
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		1,926,025
1823	SPECIAL CATEGORIES		
	BOATING AND WATERWAYS GRANTS		
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		50,000
1824	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	61,273	
	FROM FEDERAL GRANTS TRUST FUND . . .		8,224
	FROM MARINE RESOURCES CONSERVATION		

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TRUST FUND		245,902
FROM STATE GAME TRUST FUND		12,896
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		12,250
1825 SPECIAL CATEGORIES		
CONTRACT AND GRANT REIMBURSED ACTIVITIES		
FROM FEDERAL GRANTS TRUST FUND . . .		14,928,808
FROM MARINE RESOURCES CONSERVATION TRUST FUND		686,450
FROM STATE GAME TRUST FUND		1,208,746
1826 SPECIAL CATEGORIES		
BOATING SAFETY EDUCATION PROGRAM		
FROM MARINE RESOURCES CONSERVATION TRUST FUND		550,650
1827 FIXED CAPITAL OUTLAY		
BOATING INFRASTRUCTURE		
FROM FEDERAL GRANTS TRUST FUND . . .		3,200,000
1828 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
FLORIDA BOATING IMPROVEMENT PROGRAM		
FROM GENERAL REVENUE FUND	350,000	
FROM MARINE RESOURCES CONSERVATION TRUST FUND		592,600
FROM STATE GAME TRUST FUND		1,250,000

From the funds in Specific Appropriation 1828, $350,000 in nonrecurring general revenue funds shall be used for the LaBelle City Wharf Improvements project.

TOTAL: FISH, WILDLIFE AND BOATING LAW ENFORCEMENT		
FROM GENERAL REVENUE FUND	24,380,051	
FROM TRUST FUNDS		78,606,108
TOTAL POSITIONS	889.50	
TOTAL ALL FUNDS		102,986,159

PROGRAM: WILDLIFE

HUNTING AND GAME MANAGEMENT

APPROVED SALARY RATE 1,898,473

1829 SALARIES AND BENEFITS POSITIONS 45.00		
FROM FEDERAL GRANTS TRUST FUND . . .		611,920
FROM STATE GAME TRUST FUND		1,522,513
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		457,462
1830 OTHER PERSONAL SERVICES		
FROM STATE GAME TRUST FUND		222,303
1831 EXPENSES		
FROM STATE GAME TRUST FUND		534,873
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		1,852
1832 OPERATING CAPITAL OUTLAY		
FROM STATE GAME TRUST FUND		4,538
1832A SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM STATE GAME TRUST FUND		99,048

From the funds provided in Specific Appropriation 1832A, the Fish and Wildlife Conservation Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1833 SPECIAL CATEGORIES	
ENHANCED WILDLIFE MANAGEMENT	
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	48,015
1834 SPECIAL CATEGORIES	
NON-CARL WILDLIFE MANAGEMENT	
FROM STATE GAME TRUST FUND	115,595
1835 SPECIAL CATEGORIES	
DEER MANAGEMENT PROGRAM	
FROM STATE GAME TRUST FUND	300,000
1836 SPECIAL CATEGORIES	
CONTRACTED SERVICES	
FROM STATE GAME TRUST FUND	255,710
1836A SPECIAL CATEGORIES	
TRANSFER DEPARTMENT OF AGRICULTURE - ALLIGATOR MARKETING AND EDUCATION	
FROM STATE GAME TRUST FUND	150,000
1837 SPECIAL CATEGORIES	
PUBLIC DOVE FIELD DEVELOPMENT	
FROM STATE GAME TRUST FUND	49,000
1838 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM STATE GAME TRUST FUND	221,132
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	14,621
1839 SPECIAL CATEGORIES	
WILDLIFE MANAGEMENT AREA USER PAY	
FROM STATE GAME TRUST FUND	638,266
1840 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	
FROM STATE GAME TRUST FUND	14,533
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	3,129
1841 SPECIAL CATEGORIES	
CONTRACT AND GRANT REIMBURSED ACTIVITIES	
FROM FEDERAL GRANTS TRUST FUND . . .	1,001,129
FROM GRANTS AND DONATIONS TRUST FUND	129,450
FROM STATE GAME TRUST FUND	30,000
1842 SPECIAL CATEGORIES	
WILD TURKEY PROJECTS	
FROM STATE GAME TRUST FUND	500,000
1842A FIXED CAPITAL OUTLAY	
TENOROC SHOOTING RANGE FACILITY	
FROM FEDERAL GRANTS TRUST FUND . . .	300,000
1842B FIXED CAPITAL OUTLAY	
OCALA CONSERVATION CENTER AND YOUTH CAMP RENOVATIONS	
FROM STATE GAME TRUST FUND	175,000
TOTAL: HUNTING AND GAME MANAGEMENT	
FROM TRUST FUNDS	7,400,089
TOTAL POSITIONS 45.00	
TOTAL ALL FUNDS	7,400,089

PROGRAM: HABITAT AND SPECIES CONSERVATION

HABITAT AND SPECIES CONSERVATION

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
APPROVED SALARY RATE 14,504,695

1843 SALARIES AND BENEFITS POSITIONS 357.00
FROM INVASIVE PLANT CONTROL TRUST FUND 2,105,028
FROM FEDERAL GRANTS TRUST FUND . . . 2,968,488
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 216,288
FROM GRANTS AND DONATIONS TRUST FUND 805
FROM LAND ACQUISITION TRUST FUND . . 457,487
FROM MARINE RESOURCES CONSERVATION TRUST FUND 539,014
FROM NON-GAME WILDLIFE TRUST FUND . 1,760,788
FROM SAVE THE MANATEE TRUST FUND . . 804,561
FROM STATE GAME TRUST FUND 5,433,990
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 5,257,370

1844 OTHER PERSONAL SERVICES
FROM INVASIVE PLANT CONTROL TRUST FUND 457,080
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 138,094
FROM LAND ACQUISITION TRUST FUND . . 121,350
FROM MARINE RESOURCES CONSERVATION TRUST FUND 150,759
FROM NON-GAME WILDLIFE TRUST FUND . 198,903
FROM SAVE THE MANATEE TRUST FUND . . 176,047
FROM STATE GAME TRUST FUND 240,143
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 79,496

1845 EXPENSES
FROM INVASIVE PLANT CONTROL TRUST FUND 817,822
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 179,912
FROM LAND ACQUISITION TRUST FUND . . 89,831
FROM MARINE RESOURCES CONSERVATION TRUST FUND 107,590
FROM NON-GAME WILDLIFE TRUST FUND . 568,750
FROM SAVE THE MANATEE TRUST FUND . . 293,072
FROM STATE GAME TRUST FUND 1,166,989
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 1,197,637

1846 OPERATING CAPITAL OUTLAY
FROM INVASIVE PLANT CONTROL TRUST FUND 10,488
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 1,250
FROM MARINE RESOURCES CONSERVATION TRUST FUND 6,250
FROM NON-GAME WILDLIFE TRUST FUND . 18,278
FROM SAVE THE MANATEE TRUST FUND . . 8,625
FROM STATE GAME TRUST FUND 59,422
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 10,625

1846A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM NON-GAME WILDLIFE TRUST FUND . 212,424
FROM STATE GAME TRUST FUND 55,189

From the funds provided in Specific Appropriation 1846A, the Fish and Wildlife Conservation Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

1846B SPECIAL CATEGORIES
FLORIDA PANTHER MANAGEMENT AND CONSERVATION
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 85,300

1847 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS
FROM STATE GAME TRUST FUND 18,650

1848 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 2,074,955

1849 SPECIAL CATEGORIES
NON-CARL WILDLIFE MANAGEMENT
FROM STATE GAME TRUST FUND 2,398,292

1849A SPECIAL CATEGORIES
NUISANCE WILDLIFE CONTROL
FROM NON-GAME WILDLIFE TRUST FUND . 400,000

1850 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INVASIVE PLANT CONTROL TRUST FUND 204,250
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 20,912
FROM LAND ACQUISITION TRUST FUND . . 35,844
FROM NON-GAME WILDLIFE TRUST FUND . 40,010
FROM SAVE THE MANATEE TRUST FUND . . 20,771
FROM STATE GAME TRUST FUND 47,367
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 65,196

1851 SPECIAL CATEGORIES
LAKE RESTORATION
FROM STATE GAME TRUST FUND 3,984,291

1852 SPECIAL CATEGORIES
GRANTS AND AIDS - FEDERAL ENDANGERED SPECIES - SECTION 6
FROM FEDERAL GRANTS TRUST FUND . . . 1,430,819

1853 SPECIAL CATEGORIES
LAND MANAGEMENT/SAVE OUR RIVERS
FROM STATE GAME TRUST FUND 298,412

1854 SPECIAL CATEGORIES
MARINE RESEARCH GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 27,500

1855 SPECIAL CATEGORIES
DUCKS UNLIMITED MARSH PROJECT
FROM STATE GAME TRUST FUND 106,792

1856 SPECIAL CATEGORIES
CONTROL OF INVASIVE EXOTICS
FROM INVASIVE PLANT CONTROL TRUST FUND 23,323,647

1857 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 9,768
FROM LAND ACQUISITION TRUST FUND . . 9,246
FROM MARINE RESOURCES CONSERVATION TRUST FUND 7,661
FROM NON-GAME WILDLIFE TRUST FUND . 46,743
FROM SAVE THE MANATEE TRUST FUND . . 10,502
FROM STATE GAME TRUST FUND 328,889
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 159,227

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1858 SPECIAL CATEGORIES
TRANSFER TO THE UNIVERSITY OF FLORIDA - COOPERATIVE AQUATIC PLANT EDUCATION PROGRAM
FROM INVASIVE PLANT CONTROL TRUST FUND 25,000

1859 SPECIAL CATEGORIES
HABITAT RESTORATION
FROM LAND ACQUISITION TRUST FUND . . 2,979,857

1860 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES/ IFAS/INVASIVE EXOTIC PLANT RESEARCH
FROM INVASIVE PLANT CONTROL TRUST FUND 844,171

1861 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM INVASIVE PLANT CONTROL TRUST FUND 11,726
FROM FEDERAL GRANTS TRUST FUND . . . 2,644
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 1,724
FROM GRANTS AND DONATIONS TRUST FUND 361
FROM LAND ACQUISITION TRUST FUND . . 2,860
FROM MARINE RESOURCES CONSERVATION TRUST FUND 1,856
FROM NON-GAME WILDLIFE TRUST FUND . 16,057
FROM SAVE THE MANATEE TRUST FUND . . 6,311
FROM STATE GAME TRUST FUND 62,359
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 40,473

1862 SPECIAL CATEGORIES
HABITAT CONSERVATION PLAN LANDS ACQUISITION PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 4,474,973

1863 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND . . . 11,595,264
FROM GRANTS AND DONATIONS TRUST FUND 562,070
FROM NON-GAME WILDLIFE TRUST FUND . 91,652
FROM STATE GAME TRUST FUND 165,201

1863A FIXED CAPITAL OUTLAY
LAKE APOPKA RESTORATION
FROM GENERAL REVENUE FUND 4,000,000
FROM STATE GAME TRUST FUND 800,000

From the funds in Specific Appropriation 1863A, the Fish and Wildlife Conservation Commission, in cooperation with the Department of Environmental Protection, the St. Johns River Water Management District, the Lake County Water Authority, and the University of Florida, shall develop and submit a prioritized list of restoration projects designed to improve the water quality and ecology in Lake Apopka to the Chair of the Senate Budget Committee on Appropriations and the Chair of the House Appropriations Committee. Projects to be considered may include, but not be limited to, innovative technologies for water quality improvement, habitat restoration to improve water clarity and recreational fisheries, and focused nutrient-enriched sediment removal. No earlier than 14 days after submission of the list of prioritized projects to the legislative committees, the commission may request the release of the funds pursuant to the provisions of chapter 216, Florida Statutes.

1865 FIXED CAPITAL OUTLAY
WILDLIFE MANAGEMENT AREA LAND IMPROVEMENTS
FROM STATE GAME TRUST FUND 515,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
TOTAL: HABITAT AND SPECIES CONSERVATION
FROM GENERAL REVENUE FUND 4,000,000
FROM TRUST FUNDS 83,264,448

TOTAL POSITIONS 357.00
TOTAL ALL FUNDS 87,264,448

PROGRAM: FRESHWATER FISHERIES

FRESHWATER FISHERIES MANAGEMENT

APPROVED SALARY RATE 2,755,924

1866 SALARIES AND BENEFITS POSITIONS 69.50
FROM FEDERAL GRANTS TRUST FUND . . . 2,597,018
FROM STATE GAME TRUST FUND 1,289,412
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 44,098

1867 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 40,134
FROM STATE GAME TRUST FUND 26,035

1868 EXPENSES
FROM FEDERAL GRANTS TRUST FUND . . . 418,510
FROM STATE GAME TRUST FUND 279,904
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 20,000

1869 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 15,625
FROM STATE GAME TRUST FUND 15,914

1869A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE GAME TRUST FUND 127,696

From the funds provided in Specific Appropriation 1869A, the Fish and Wildlife Conservation Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

1870 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS
FROM FEDERAL GRANTS TRUST FUND . . . 5,571

1871 SPECIAL CATEGORIES
FISH AND WILDLIFE CONSERVATION COMMISSION YOUTH HUNTING AND FISHING PROGRAMS
FROM MARINE RESOURCES CONSERVATION TRUST FUND 134,000
FROM STATE GAME TRUST FUND 241,000

1872 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM FEDERAL GRANTS TRUST FUND . . . 20,019
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 40,800

1873 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 37,553
FROM STATE GAME TRUST FUND 29,996

1874 SPECIAL CATEGORIES
LAKE RESTORATION
FROM STATE GAME TRUST FUND 695,000

1875 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE GAME TRUST FUND 41,070

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 2,553

1876 SPECIAL CATEGORIES
LAND USE PROCEEDS DISBURSEMENTS
FROM STATE GAME TRUST FUND 350,000

1877 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM STATE GAME TRUST FUND 25,612
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 923

1878 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND . . . 2,053,837

TOTAL: FRESHWATER FISHERIES MANAGEMENT
FROM TRUST FUNDS 8,552,280

TOTAL POSITIONS 69.50
TOTAL ALL FUNDS 8,552,280

PROGRAM: MARINE FISHERIES

MARINE FISHERIES MANAGEMENT

APPROVED SALARY RATE 1,405,991

1879 SALARIES AND BENEFITS POSITIONS 30.00
FROM FEDERAL GRANTS TRUST FUND . . . 549,052
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 1,324,582

1880 OTHER PERSONAL SERVICES
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 55,250

1881 EXPENSES
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 343,166

1882 OPERATING CAPITAL OUTLAY
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 423

1883 SPECIAL CATEGORIES
FISH AND WILDLIFE CONSERVATION COMMISSION
YOUTH HUNTING AND FISHING PROGRAMS
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 25,000

1884 SPECIAL CATEGORIES
AQUATIC RESOURCES EDUCATION
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 235,935

1885 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 195,987

1886 SPECIAL CATEGORIES
GULF STATES MARINE FISHERIES
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 22,500

1887 SPECIAL CATEGORIES
MARINE RESEARCH GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 829,912

1888 SPECIAL CATEGORIES

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
RISK MANAGEMENT INSURANCE
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 15,983

1889 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM FEDERAL GRANTS TRUST FUND . . . 1,442
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 9,840

1890 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND . . . 1,000,000
FROM GRANTS AND DONATIONS TRUST
FUND 50,000

1891 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
ARTIFICIAL FISHING REEF CONSTRUCTION
PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 500,000
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 300,000

TOTAL: MARINE FISHERIES MANAGEMENT
FROM TRUST FUNDS 5,459,072

TOTAL POSITIONS 30.00
TOTAL ALL FUNDS 5,459,072

PROGRAM: RESEARCH

FISH AND WILDLIFE RESEARCH INSTITUTE

APPROVED SALARY RATE 14,269,915

1892 SALARIES AND BENEFITS POSITIONS 330.50
FROM FEDERAL GRANTS TRUST FUND . . . 4,874,874
FROM FLORIDA PANTHER RESEARCH AND
MANAGEMENT TRUST FUND 183,998
FROM GRANTS AND DONATIONS TRUST
FUND 531
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 8,886,053
FROM NON-GAME WILDLIFE TRUST FUND . 1,059,398
FROM SAVE THE MANATEE TRUST FUND . . 908,235
FROM STATE GAME TRUST FUND 2,742,563
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 156,737

1893 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 776,000
FROM FLORIDA PANTHER RESEARCH AND
MANAGEMENT TRUST FUND 60,867
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 4,076,345
FROM NON-GAME WILDLIFE TRUST FUND . 327,508
FROM SAVE THE MANATEE TRUST FUND . . 726,436
FROM STATE GAME TRUST FUND 154,941

1894 EXPENSES
FROM GENERAL REVENUE FUND 262,764
FROM FLORIDA PANTHER RESEARCH AND
MANAGEMENT TRUST FUND 84,511
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 2,890,358
FROM NON-GAME WILDLIFE TRUST FUND . 413,459
FROM SAVE THE MANATEE TRUST FUND . . 470,100
FROM STATE GAME TRUST FUND 554,989
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 3,952

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1895 OPERATING CAPITAL OUTLAY
FROM MARINE RESOURCES CONSERVATION TRUST FUND 151,239
FROM NON-GAME WILDLIFE TRUST FUND . 7,335
FROM SAVE THE MANATEE TRUST FUND . . 8,125
FROM STATE GAME TRUST FUND 39,932

1896 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM MARINE RESOURCES CONSERVATION TRUST FUND 18,435
FROM NON-GAME WILDLIFE TRUST FUND . 8,479
FROM STATE GAME TRUST FUND 78,906

From the funds provided in Specific Appropriation 1896, the Fish and Wildlife Conservation Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

1896A SPECIAL CATEGORIES
FLORIDA PANTHER MANAGEMENT AND CONSERVATION
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 246,500

1897 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS
FROM MARINE RESOURCES CONSERVATION TRUST FUND 42,217
FROM SAVE THE MANATEE TRUST FUND . . 3,500
FROM STATE GAME TRUST FUND 66,961

1898 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 87,964

1899 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 4,603
FROM MARINE RESOURCES CONSERVATION TRUST FUND 405,639
FROM NON-GAME WILDLIFE TRUST FUND . 59,825
FROM SAVE THE MANATEE TRUST FUND . . 32,304
FROM STATE GAME TRUST FUND 57,792
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 4,602

1900 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM MARINE RESOURCES CONSERVATION TRUST FUND 325,945

1901 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM FEDERAL GRANTS TRUST FUND . . . 3,624
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 1,495
FROM MARINE RESOURCES CONSERVATION TRUST FUND 99,900
FROM NON-GAME WILDLIFE TRUST FUND . 8,920
FROM SAVE THE MANATEE TRUST FUND . . 7,375
FROM STATE GAME TRUST FUND 23,993
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 1,273

1902 SPECIAL CATEGORIES
RED TIDE RESEARCH
FROM GENERAL REVENUE FUND 640,993

1903 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND . . . 12,938,678
FROM GRANTS AND DONATIONS TRUST FUND 659,941
FROM MARINE RESOURCES CONSERVATION TRUST FUND 3,045,616
FROM NON-GAME WILDLIFE TRUST FUND . 25,000
FROM STATE GAME TRUST FUND 475,000

TOTAL: FISH AND WILDLIFE RESEARCH INSTITUTE
FROM GENERAL REVENUE FUND 1,679,757
FROM TRUST FUNDS 47,516,973

TOTAL POSITIONS 330.50
TOTAL ALL FUNDS 49,196,730

TOTAL: FISH AND WILDLIFE CONSERVATION COMMISSION
FROM GENERAL REVENUE FUND 30,059,808
FROM TRUST FUNDS 253,224,854

TOTAL POSITIONS 1,934.00
TOTAL ALL FUNDS 283,284,662
TOTAL APPROVED SALARY RATE 84,409,191

TRANSPORTATION, DEPARTMENT OF

Funds in Specific Appropriations 1916 through 1928, 1934A through 1934E, 1949 through 1951, 1953 through 1958, 1960 through 1970, and 2014 through 2023 are provided from the named funds to the department to fund the five year Work Program developed pursuant to provisions of section 339.135, Florida Statutes. Those appropriations used by the department for grants and aids may be advanced in part or in total.

TRANSPORTATION SYSTEMS DEVELOPMENT

PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT

APPROVED SALARY RATE 102,840,815

1904 SALARIES AND BENEFITS POSITIONS 1,773.00
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 131,072,009
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 854,493

1905 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 176,347
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 26,600

1906 EXPENSES
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 3,904,126
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 358,155

1907 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 1,782,314
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 10,000

1908 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 7,227,877

1909 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
(PRIMARY) TRUST FUND 2,659,286
FROM TRANSPORTATION DISADVANTAGED
TRUST FUND 306,530

1910 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 835,123

1911 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 37,373

1913 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 110,304

1914 SPECIAL CATEGORIES
GRANTS AND AIDS - TRANSPORTATION
DISADVANTAGED
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 5,000,000
FROM TRANSPORTATION DISADVANTAGED
TRUST FUND 38,404,800

From the funds in Specific Appropriation 1914, $300,000 of nonrecurring funds from the Transportation Disadvantaged Trust Fund is provided for the Hillsborough Achievement and Resource Center, Hillsborough County.

From the funds in Specific Appropriation 1914, $5,000,000 of nonrecurring funds, from the State Transportation Trust Fund, is provided to the Commission for the Transportation Disadvantaged for the purpose of providing transportation services to the transportation disadvantaged through the Florida Coordinated Transportation System Coordinators.

1915 SPECIAL CATEGORIES
GRANTS AND AIDS - TRANSPORTATION
DISADVANTAGED - MEDICAID SERVICES
FROM TRANSPORTATION DISADVANTAGED
TRUST FUND 65,486,126

1916 FIXED CAPITAL OUTLAY
TRANSPORTATION PLANNING CONSULTANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 66,517,745

1917 FIXED CAPITAL OUTLAY
AVIATION DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 176,928,822

From the funds in Specific Appropriation 1917, $1,118,000 shall be used by the Greater Orlando Aviation Authority at the Orlando Executive Airport for necessary improvements in preparation for the National Business Aviation Association Convention. The funding for these improvements shall be up to 100 percent of the non-federal share.

1918 FIXED CAPITAL OUTLAY
PUBLIC TRANSIT DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 206,688,731

From the funds in Specific Appropriation 1918, $1,200,000 shall be used by the Central Florida Regional Transportation Authority for a LYNX route serving the area between Orlando International Airport and Lake Buena Vista.

1919 FIXED CAPITAL OUTLAY
RIGHT-OF-WAY LAND ACQUISITION
FROM STATE TRANSPORTATION

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
(PRIMARY) TRUST FUND 387,520,470
FROM RIGHT-OF-WAY ACQUISITION AND
BRIDGE CONSTRUCTION TRUST FUND . . 55,573,450

1920 FIXED CAPITAL OUTLAY
SEAPORT - ECONOMIC DEVELOPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 15,000,000

1921 FIXED CAPITAL OUTLAY
SEAPORTS ACCESS PROGRAM
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 10,000,000

1922 FIXED CAPITAL OUTLAY
SEAPORT GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 115,446,664

From the funds in Specific Appropriation 1922, up to $5,000,000 shall be used for port projects involving bulkhead repairs for those ports located in counties designated as Rural Areas of Critical Economic Concern (RACEC) and are eligible for funding as provided in section 311.07(3)(a), Florida Statutes.

1923 FIXED CAPITAL OUTLAY
RAIL DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 31,376,561

1924 FIXED CAPITAL OUTLAY
INTERMODAL DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 91,013,006

1925 FIXED CAPITAL OUTLAY
PRELIMINARY ENGINEERING CONSULTANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 531,660,133
FROM RIGHT-OF-WAY ACQUISITION AND
BRIDGE CONSTRUCTION TRUST FUND . . 289,177

From the funds provided in Specific Appropriation 1925, up to $2,000,000 may be used by the department to determine the value added to overall project delivery by the use of Subsurface Utility Engineering technology for collecting information in the design process to facilitate drainage design, shorten the design process and project time, reduce contractor risk, minimize redesign, and identify unknown facilities. All procurements for this program shall be competitively bid by the department.

1926 FIXED CAPITAL OUTLAY
RIGHT-OF-WAY SUPPORT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 42,587,417
FROM RIGHT-OF-WAY ACQUISITION AND
BRIDGE CONSTRUCTION TRUST FUND . . 2,174,097

1927 FIXED CAPITAL OUTLAY
TRANSPORTATION PLANNING GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 27,626,104

1928 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM RIGHT-OF-WAY ACQUISITION AND
BRIDGE CONSTRUCTION TRUST FUND . . 155,992,303

TOTAL: PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT
FROM TRUST FUNDS 2,174,646,143

TOTAL POSITIONS 1,773.00
TOTAL ALL FUNDS 2,174,646,143

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
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APPROPRIATION
FLORIDA RAIL ENTERPRISE

APPROVED SALARY RATE 243,270

1929 SALARIES AND BENEFITS POSITIONS 2.00
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 298,274

1930 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 827

1931 EXPENSES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 25,200

1932 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 505

1933 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 4,089

1934 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 5,714

1934A FIXED CAPITAL OUTLAY
CONSTRUCTION INSPECTION CONSULTANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 132,521

1934B FIXED CAPITAL OUTLAY
PUBLIC TRANSIT DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 177,499,509

1934C FIXED CAPITAL OUTLAY
RAIL DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 80,139,947

1934D FIXED CAPITAL OUTLAY
INTERMODAL DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 4,411,824

1934E FIXED CAPITAL OUTLAY
PRELIMINARY ENGINEERING CONSULTANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 47,329

TOTAL: FLORIDA RAIL ENTERPRISE
FROM TRUST FUNDS 262,565,739

TOTAL POSITIONS 2.00
TOTAL ALL FUNDS 262,565,739

TRANSPORTATION SYSTEMS OPERATIONS

PROGRAM: HIGHWAY OPERATIONS

APPROVED SALARY RATE 160,962,603

1935 SALARIES AND BENEFITS POSITIONS 3,753.00
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 211,425,096

1936 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 107,376

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1937 EXPENSES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 13,913,341

1938 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 2,075,538

1939 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 4,208,969

1940 SPECIAL CATEGORIES
FAIRBANKS HAZARDOUS WASTE SITE
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 400,965

1941 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 2,197,831

1942 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 4,842,889

1943 SPECIAL CATEGORIES
TRANSFER TO HIGHWAY SAFETY/FLORIDA HIGHWAY
PATROL - MOTOR CARRIER COMPLIANCE PROGRAM
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 20,707,034

1944 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 873,488

1945 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 1,191,476

1946 SPECIAL CATEGORIES
TRANSPORTATION MATERIALS AND EQUIPMENT
FROM GENERAL REVENUE FUND 269,615
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 35,363,264

From the funds in Specific Appropriation 1946, $800 in nonrecurring funds from the State Transportation Trust Fund shall be used to erect suitable markers to designate milepost 22.182 on U.S. Highway 27 in Highlands County as the "Florida Highway Patrol Trooper Sgt. Nicholas G. Sottile Memorial."

The general revenue funds in Specific Appropriation 1946 are provided as follows:

Road Maintenance Vehicle Replacement - City of Hialeah..... 72,769
Road Maintenance Equipment - City of Hialeah..... 196,846

1947 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 239,852

1948 FIXED CAPITAL OUTLAY
MINOR RENOVATIONS, REPAIRS, AND
IMPROVEMENTS - STATEWIDE
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 1,658,165

1949 FIXED CAPITAL OUTLAY

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STATE INFRASTRUCTURE BANK LOAN REPAYMENTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 18,472,207

1950 FIXED CAPITAL OUTLAY
SMALL COUNTY RESURFACE ASSISTANCE PROGRAM
(SCRAP)
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 25,685,535

1951 FIXED CAPITAL OUTLAY
SMALL COUNTY OUTREACH PROGRAM (SCOP)
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 26,840,778

1952 FIXED CAPITAL OUTLAY
UNDERGROUND STORAGE TANK PROGRAM -
STATEWIDE
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 350,000

1953 FIXED CAPITAL OUTLAY
COUNTY TRANSPORTATION PROGRAMS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 50,720,914

1954 FIXED CAPITAL OUTLAY
BOND GUARANTEE
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 500,000

1955 FIXED CAPITAL OUTLAY
TRANSPORTATION HIGHWAY MAINTENANCE
CONTRACTS
FROM GENERAL REVENUE FUND 2,000,000
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 338,496,917

From the funds in Specific Appropriation 1955, an amount not less than $8,440,000 in state revenues shall be used for the Road Ranger program. Road Ranger services provided through sponsorships, local contributions or federal funds are not restricted.

From the funds in Specific Appropriation 1955, the Department of Transportation may contract with non-profit youth organizations in Florida to perform work on the state highway system. All non-profit youth organizations providing services under contract with the Department of Transportation must certify to the department that all participating youth are Florida residents. In order to maintain continuity and quality, the department shall give preference to those youth organizations with which it has previously contracted for such services.

The department is specifically limited to an expenditure level of $2,000,000 for any contract with a single youth organization or for any group of contracts with two or more youth organizations that have the same registered agent or substantially similar officers and directors. The department shall not supplement these funds from any source in the absence of express legislative authority.

1956 FIXED CAPITAL OUTLAY
INTRASTATE HIGHWAY CONSTRUCTION
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 1,235,370,406

1957 FIXED CAPITAL OUTLAY
ARTERIAL HIGHWAY CONSTRUCTION
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 481,394,940

1958 FIXED CAPITAL OUTLAY
CONSTRUCTION INSPECTION CONSULTANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 325,734,078

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1959 FIXED CAPITAL OUTLAY
ENVIRONMENTAL SITE RESTORATION
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 920,000

1960 FIXED CAPITAL OUTLAY
HIGHWAY SAFETY CONSTRUCTION/GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 107,263,812

1961 FIXED CAPITAL OUTLAY
RESURFACING
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 635,547,193

1962 FIXED CAPITAL OUTLAY
BRIDGE CONSTRUCTION
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 340,697,460
FROM RIGHT-OF-WAY ACQUISITION AND
BRIDGE CONSTRUCTION TRUST FUND . . 4,195,907

1963 FIXED CAPITAL OUTLAY
CONTRACT MAINTENANCE WITH THE DEPARTMENT
OF CORRECTIONS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 19,146,000

1964 FIXED CAPITAL OUTLAY
HIGHWAY BEAUTIFICATION GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 1,000,000

1966 FIXED CAPITAL OUTLAY
MATERIALS AND RESEARCH
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 12,788,180

1968 FIXED CAPITAL OUTLAY
BRIDGE INSPECTION
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 13,443,265

1968A FIXED CAPITAL OUTLAY
ECONOMIC DEVELOPMENT TRANSPORTATION
PROJECTS - ROAD FUND
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 30,000,000

From the funds in Specific Appropriation 1968A, a portion of the funds shall be allocated as follows:

Miami River Environmental Enhancements - Lummus Park/Docks
and Piers for Commercial Use..... 100,000
N.W. 25th Avenue Improvements - City of Miami Gardens..... 300,000
Little River Canal Seawall Remediation Project - Village
of El Portal..... 150,000
S.W. 56th Avenue (Martin Luther King Boulevard)
Transportation Enhancements - City of West Park..... 150,000
Traffic Improvements - SW 190th Extension - Town of
Southwest Ranches..... 243,000
West End Bridge Crossing..... 500,000
State Road 44 and Meadowcrest Boulevard - Citrus County..... 200,000
Transportation Expressway Authority Grants..... 4,000,000
Dunlawton Avenue (SR 421) Flooding/Draining/Evacuation
Improvement Project..... 1,250,000
Fairgreen Road Extension - Port St. Lucie..... 1,100,000
Infrastructure Improvements - Port of Pensacola..... 2,000,000
N.W. 21st Street Roadway Improvement - Lauderdale Lakes..... 500,000

From the funds in Specific Appropriation 1968A, $500,000 shall be provided to the City of Riviera Beach for the purpose of Economic Development Transportation projects on 13th Street to support the delivery of goods and services, and provide economic stimulus through

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

job creation and retention while allowing freight carriers to become more efficient and globally competitive through Palm Beach County's industrial region.

1969 FIXED CAPITAL OUTLAY
TRAFFIC ENGINEERING CONSULTANTS
FROM GENERAL REVENUE FUND 2,000,000
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 68,002,847

From the funds in Specific Appropriation 1969, $2,000,000 from the General Revenue Fund and $2,000,000 from the State Transportation Trust Fund shall be utilized by the Florida Department of Transportation to erect visibility evaluation equipment and signage to provide travelers with real time information on driving conditions on Florida's Interstate system.

1970 FIXED CAPITAL OUTLAY
LOCAL GOVERNMENT REIMBURSEMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 38,503,210

TOTAL: PROGRAM: HIGHWAY OPERATIONS
FROM GENERAL REVENUE FUND 4,269,615
FROM TRUST FUNDS 4,074,278,933

TOTAL POSITIONS 3,753.00
TOTAL ALL FUNDS 4,078,548,548

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 38,775,972

1971 SALARIES AND BENEFITS POSITIONS 740.00
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 49,873,508

1972 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 520,047

1973 EXPENSES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 6,417,496

1974 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 114,943

1975 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 24,253

1976 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 1,068,335

1977 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 2,582,847

1978 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 160,524

1979 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 41,278

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1980 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 8,860,667

1981 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE - OTHER
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 1,838,903

1983 SPECIAL CATEGORIES
TRANSFER TO SOUTH FLORIDA WATER MANAGEMENT
DISTRICT FOR EVERGLADES RESTORATION
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 4,400,000

1984 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF REVENUE FOR
HIGHWAY TAX COMPLIANCE
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 200,000

1985 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 361,095

1986 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 134,869

1987 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 2,349,776
FROM TRANSPORTATION DISADVANTAGED
TRUST FUND 4,483

1988 FIXED CAPITAL OUTLAY
MINOR RENOVATIONS, REPAIRS, AND
IMPROVEMENTS - STATEWIDE
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 1,708,783

1989 FIXED CAPITAL OUTLAY
REPLACE - HEATING, VENTILATION AND AIR
CONDITIONING - BARTOW DISTRICT OFFICE
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 587,375

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 81,249,182

TOTAL POSITIONS 740.00
TOTAL ALL FUNDS 81,249,182

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 10,979,983

1990 SALARIES AND BENEFITS POSITIONS 226.00
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 14,249,494

1991 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 32,998

1992 EXPENSES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 7,217,886

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1993 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 346,724

1994 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 8,346,742

1995 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 33,532

1996 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 29,738

1997 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 14,061

1998 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 7,471,637

TOTAL: INFORMATION TECHNOLOGY
FROM TRUST FUNDS 37,742,812

TOTAL POSITIONS 226.00
TOTAL ALL FUNDS 37,742,812

FLORIDA'S TURNPIKE SYSTEMS

FLORIDA'S TURNPIKE ENTERPRISE

APPROVED SALARY RATE 21,788,478

2000 SALARIES AND BENEFITS POSITIONS 445.00
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 28,732,255

2001 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 316,769

2002 EXPENSES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 20,906,125

2003 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 143,611

2004 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 61,633

2005 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 1,168,631

2006 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 25,820,753

2007A SPECIAL CATEGORIES
PAYMENT TO EXPRESSWAY AUTHORITIES

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APPROPRIATION

FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 12,322,862

2008 SPECIAL CATEGORIES
FLORIDA HIGHWAY PATROL SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 19,311,625

2009 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 134,949

2010 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 147,739

2011 SPECIAL CATEGORIES
TRANSPORTATION MATERIALS AND EQUIPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 5,668,409

2012 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 52,557

2013 FIXED CAPITAL OUTLAY
MINOR RENOVATIONS, REPAIRS, AND
IMPROVEMENTS - STATEWIDE
FROM TURNPIKE GENERAL RESERVE
TRUST FUND 379,498

2014 FIXED CAPITAL OUTLAY
TRANSPORTATION HIGHWAY MAINTENANCE
CONTRACTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 42,516,971

From the funds in Specific Appropriation 2014, an amount not less than $2,560,000 in state revenues shall be used for the Road Ranger program. Road Ranger services provided through sponsorships, local contributions or federal funds are not restricted.

From the funds in Specific Appropriation 2014, the Department of Transportation may contract with non-profit youth organizations in Florida to perform work on the state highway system. All non-profit youth organizations providing services under contract with the Department of Transportation must certify to the department that all participating youth are Florida residents. In order to maintain continuity and quality, the department shall give preference to those youth organizations with which it has previously contracted for such services.

The department is specifically limited to an expenditure level of $2,000,000 for any contract with a single youth organization or for any group of contracts with two or more youth organizations that have the same registered agent or substantially similar officers and directors. The department shall not supplement these funds from any source in the absence of express legislative authority.

2015 FIXED CAPITAL OUTLAY
INTRASTATE HIGHWAY CONSTRUCTION
FROM TURNPIKE RENEWAL AND
REPLACEMENT TRUST FUND 7,525,378
FROM TURNPIKE GENERAL RESERVE
TRUST FUND 965,966,454

2016 FIXED CAPITAL OUTLAY
CONSTRUCTION INSPECTION CONSULTANTS
FROM TURNPIKE RENEWAL AND
REPLACEMENT TRUST FUND 4,018,281
FROM TURNPIKE GENERAL RESERVE

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	TRUST FUND		101,976,953
2017	FIXED CAPITAL OUTLAY RIGHT-OF-WAY LAND ACQUISITION FROM TURNPIKE GENERAL RESERVE TRUST FUND		8,548,076
2018	FIXED CAPITAL OUTLAY RESURFACING FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND		35,641,700
2019	FIXED CAPITAL OUTLAY BRIDGE CONSTRUCTION FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND		1,129,069
2020	FIXED CAPITAL OUTLAY PRELIMINARY ENGINEERING CONSULTANTS FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND		8,636,561
	FROM TURNPIKE GENERAL RESERVE TRUST FUND		110,594,038
	FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		16,191,140
2021	FIXED CAPITAL OUTLAY RIGHT-OF-WAY SUPPORT FROM TURNPIKE GENERAL RESERVE TRUST FUND		930,875
2021A	FIXED CAPITAL OUTLAY TOLL OPERATION CONTRACTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		62,274,257
2022	FIXED CAPITAL OUTLAY TURNPIKE SYSTEM EQUIPMENT AND DEVELOPMENT FROM TURNPIKE GENERAL RESERVE TRUST FUND		45,681,908
2023	FIXED CAPITAL OUTLAY TOLLS SYSTEM EQUIPMENT AND DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		31,193,000
TOTAL: FLORIDA'S TURNPIKE ENTERPRISE			
	FROM TRUST FUNDS		1,557,992,077
	TOTAL POSITIONS	445.00	
	TOTAL ALL FUNDS		1,557,992,077
TOTAL: TRANSPORTATION, DEPARTMENT OF			
	FROM GENERAL REVENUE FUND	4,269,615	
	FROM TRUST FUNDS		8,188,474,886
	TOTAL POSITIONS	6,939.00	
	TOTAL ALL FUNDS		8,192,744,501
	TOTAL APPROVED SALARY RATE	335,591,121	
TOTAL OF SECTION 5			
	FROM GENERAL REVENUE FUND	225,639,730	
	FROM TRUST FUNDS		11,104,152,735
	TOTAL POSITIONS	15,815.75	
	TOTAL ALL FUNDS		11,329,792,465

SECTION 6 - GENERAL GOVERNMENT

The moneys contained herein are appropriated from the named funds to Administered Funds, Department of Business and Professional Regulation, Department of Citrus, Department of Economic Opportunity, Department of Financial Services, Executive Office of the Governor, Department of Highway Safety and Motor Vehicles, Legislative Branch, Department of the Lottery, Department of Management Services, Department of Military Affairs, Public Service Commission, Department of Revenue and the Department of State as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

PROGRAM: ADMINISTERED FUNDS

2024	LUMP SUM CASUALTY INSURANCE PREMIUM DEFICIT FROM GENERAL REVENUE FUND	9,300,000	
	FROM TRUST FUNDS		4,000,000
2025	LUMP SUM HUMAN RESOURCES OUTSOURCING CONTINGENCY FROM GENERAL REVENUE FUND	300,000	
2026	LUMP SUM HUMAN RESOURCES ASSESSMENT REDUCTION FROM GENERAL REVENUE FUND	-894,755	
	FROM TRUST FUNDS		-798,892
2026A	LUMP SUM STRENGTHENING DOMESTIC SECURITY FROM TRUST FUNDS		40,688,745

Funds provided in Specific Appropriation 2026A are contingent on federal grants being awarded. Should the amount awarded for each federal grant be less than the amount appropriated, funds shall be awarded in priority order for the individual projects as indicated in the Fiscal Year 2012-2013 Domestic Security Funding Request of the Domestic Security Oversight Board. Once federal funding is received and projects are funded in priority order, the Board may transfer funding between any of the funded projects. Funds may be allocated to projects not listed below with approval of the Legislative Budget Commission.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES	
State Agricultural Response Team (SART) Support.....	179,859
Food & Agriculture Laboratory Maintenance Agreements & Security upgrades.....	160,706
US&R Hazmat IMT Training & Exercise.....	50,000
Mobile VACIS.....	227,280
DEPARTMENT OF EDUCATION	
Mass Communication.....	540,634
K-20 Target Hardening/Access Control.....	557,656
DEPARTMENT OF MANAGEMENT SERVICES	
Florida Interoperability Network (FIN).....	1,000,000
DEPARTMENT OF FINANCIAL SERVICES	
US&R Hazmat IMT Training & Exercise.....	584,109
US&R Hazmat Sustainment.....	348,071
MARC Interoperable Communications Sustainment.....	95,097
DEPARTMENT OF HEALTH	
Enhancement of Radiological Response.....	120,000
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES	
FL Driver License Biometric ID Facial Recog. System.....	500,000
DEPARTMENT OF MILITARY AFFAIRS	
National Special Security Event Grant.....	4,032,465
FLORIDA WILDLIFE COMMISSION	
Law Enforcement Specialty Team Training and Exercise.....	100,840
FLORIDA DEPARTMENT OF LAW ENFORCEMENT	
Critical Infrastructure (CI) Planners.....	378,500
Regional Fusion Centers.....	48,100
Florida Fusion Center.....	295,000
Statewide Datasharing.....	517,245
Law Enforcement Analyst Academy.....	250,000
Metadata Planners.....	31,250
Query Tool (dFACTS) for Combined Commercial Public Data & State Owned LE Data.....	533,146
Law Enforcement Sustainment, Maintenance and Planning.....	400,000
DIVISION OF EMERGENCY MANAGEMENT	
Sustain EM RDSTF Planners.....	494,400
Local Planning, Training & Exercise.....	993,999

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

Regional Fusion Centers	392,855
Statewide Datasharing	95,000
Metadata Planners	18,750
Region 1 Critical Infrastructure	39,651
Region 2 Critical Infrastructure	90,400
Region 5 Critical Infrastructure - Maitland	47,280
Region 5 Critical Infrastructure - Daytona Beach	59,899
Region 5 Critical Infrastructure - Winter Springs	71,617
Region 6 - Critical Infrastructure	132,700
Law Enforcement Specialty Team Critical Needs	325,763
Law Enforcement Sustainment, Maintenance and Planning	499,724
Law Enforcement Specialty Team Training and Exercise	359,116
Orlando UASI	7,370,299
Miami/Ft Lauderdale UASI	9,646,226
Tampa UASI	5,618,916
Metropolitan Medical Response Systems (MMRS)	1,971,851
Citizen Corps Program (CCP)	431,897
National Special Security Event Grant	79,283
Management and Administration	999,161

2028 LUMP SUM
EMPLOYEE COMPENSATION AND BENEFITS
FROM GENERAL REVENUE FUND 24,765,833
FROM TRUST FUNDS 17,949,040

2029A LUMP SUM
STATE MATCH FOR FEDERAL FEMA FUNDING
FROM GENERAL REVENUE FUND 5,754,481

2030 SPECIAL CATEGORIES
ASSOCIATION DUES
FROM GENERAL REVENUE FUND 215,170

2031 SPECIAL CATEGORIES
ADMINISTRATION COMMISSION AND FLORIDA LAND AND WATER ADJUDICATORY COMMISSION - ADMINISTRATIVE APPEALS
FROM GENERAL REVENUE FUND 10,000

2032 SPECIAL CATEGORIES
TRANSFER TO PLANNING AND BUDGETING SYSTEM TRUST FUND
FROM GENERAL REVENUE FUND 5,611,734

TOTAL: PROGRAM: ADMINISTERED FUNDS
FROM GENERAL REVENUE FUND 45,062,463
FROM TRUST FUNDS 61,838,893

TOTAL ALL FUNDS 106,901,356

BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF

PROGRAM: OFFICE OF THE SECRETARY AND ADMINISTRATION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 7,629,299

2033 SALARIES AND BENEFITS POSITIONS 152.50
FROM ADMINISTRATIVE TRUST FUND . . . 9,923,228

2034 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 720,587

2035 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 1,476,500

2036 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 27,088

2037 SPECIAL CATEGORIES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM ADMINISTRATIVE TRUST FUND . . . 338,239

2038 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 254,780

2039 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM ADMINISTRATIVE TRUST FUND . . . 6,500

2040 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 201,490

2041 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ADMINISTRATIVE TRUST FUND . . . 5,060

2042 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM ADMINISTRATIVE TRUST FUND . . . 114,653

2043 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 54,572

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 13,122,697

TOTAL POSITIONS 152.50
TOTAL ALL FUNDS 13,122,697

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 3,030,394

2044 SALARIES AND BENEFITS POSITIONS 55.00
FROM ADMINISTRATIVE TRUST FUND . . . 3,918,799

2045 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 94,096

2046 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 1,451,240

2047 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 100,000

2048 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 4,388,214

2049 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 33,003

2050 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM ADMINISTRATIVE TRUST FUND . . . 13,501

2051 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 17,684

2052 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM ADMINISTRATIVE TRUST FUND . . . 2,417

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2053 DATA PROCESSING SERVICES
NORTHWOOD SHARED RESOURCE CENTER
FROM ADMINISTRATIVE TRUST FUND . . . 472,045

2054 DATA PROCESSING SERVICES
NORTHWEST REGIONAL DATA CENTER (NWRDC)
FROM ADMINISTRATIVE TRUST FUND . . . 29,592

The funds provided in Specific Appropriation 2054 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: INFORMATION TECHNOLOGY
FROM TRUST FUNDS 10,520,591

TOTAL POSITIONS 55.00
TOTAL ALL FUNDS 10,520,591

PROGRAM: SERVICE OPERATION

CUSTOMER CONTACT CENTER

APPROVED SALARY RATE 3,019,323

2056 SALARIES AND BENEFITS POSITIONS 92.00
FROM ADMINISTRATIVE TRUST FUND . . . 4,133,504

2057 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 225,000

2058 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 521,661

2059 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 3,000

2060 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 9,000

2061 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 28,431

2062 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM ADMINISTRATIVE TRUST FUND . . . 5,394

2063 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 30,731

TOTAL: CUSTOMER CONTACT CENTER
FROM TRUST FUNDS 4,956,721

TOTAL POSITIONS 92.00
TOTAL ALL FUNDS 4,956,721

CENTRAL INTAKE

APPROVED SALARY RATE 3,472,732

2064 SALARIES AND BENEFITS POSITIONS 108.50
FROM ADMINISTRATIVE TRUST FUND . . . 4,837,025

2065 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 372,954

2066 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 585,839

2067 OPERATING CAPITAL OUTLAY

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM ADMINISTRATIVE TRUST FUND . . . 3,000

2068 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 1,000,000

2069 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 40,647

2070 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM ADMINISTRATIVE TRUST FUND . . . 17,547

2071 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 40,871

TOTAL: CENTRAL INTAKE
FROM TRUST FUNDS 6,897,883

TOTAL POSITIONS 108.50
TOTAL ALL FUNDS 6,897,883

PROGRAM: PROFESSIONAL REGULATION

COMPLIANCE AND ENFORCEMENT

From the funds in Specific Appropriation 2072 through 2088A, the Department of Business and Professional Regulation shall submit a report regarding the Drugs, Devices and Cosmetics Regulatory Program that provides detailed options and recommendations regarding the following: 1) eliminating the program deficit by operational changes or efficiencies without fee increases; 2) how to cost effectively align the licensure renewal with other professions; and, 3) bringing the program under the provisions of chapter 455, Florida Statutes. The report shall be submitted to the chairs of the Senate Budget Subcommittee on General Government Appropriations, Senate Regulated Industries Committee, House Government Operations Appropriations Subcommittee, and the House Business & Consumer Affairs Subcommittee by January 15, 2013.

APPROVED SALARY RATE 10,833,826

2072 SALARIES AND BENEFITS POSITIONS 253.00
FROM PROFESSIONAL REGULATION TRUST
FUND 14,493,505

2073 OTHER PERSONAL SERVICES
FROM PROFESSIONAL REGULATION TRUST
FUND 1,833,742

2074 EXPENSES
FROM PROFESSIONAL REGULATION TRUST
FUND 3,104,272

2075 OPERATING CAPITAL OUTLAY
FROM PROFESSIONAL REGULATION TRUST
FUND 6,920

2076 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM PROFESSIONAL REGULATION TRUST
FUND 201,900

From the funds provided in Specific Appropriation 2076, the Department of Business and Professional Regulation may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in s. 287.14(3), Florida Statutes.

2076A SPECIAL CATEGORIES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
TRANSFER TO THE PROFESSIONAL REGULATION
TRUST FUND
FROM GENERAL REVENUE FUND 900,000

Funds in Specific Appropriation 2076A shall be transferred to the Professional Regulation Trust Fund to cover the costs associated with administering the Drugs, Devices, and Cosmetics Program. The department shall expend available cash balances from the Drugs, Devices, and Cosmetics account within the Professional Regulation Trust Fund prior to the transfer of general revenue funding to the trust fund.

2077 SPECIAL CATEGORIES
LEGAL SERVICES CONTRACT
FROM PROFESSIONAL REGULATION TRUST
FUND 899,080

2078 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF HEALTH
FROM PROFESSIONAL REGULATION TRUST
FUND 282,637

2079 SPECIAL CATEGORIES
UNLICENSED ACTIVITIES
FROM PROFESSIONAL REGULATION TRUST
FUND 700,050

From the funds in Specific Appropriation 2079, up to $285,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to prevent, combat, and publicize the dangers of unlicensed real estate activity in Florida. The department shall develop, implement, and maintain an unlicensed activity campaign in consultation with a corporation that is registered under chapter 617, Florida Statutes, as a not-for-profit corporation and qualified under the Internal Revenue Service Code as a 501(c)(6) corporation, and that represents the largest number of licensed Florida real estate professionals. The campaign shall encompass media production, advertising, and other techniques that the department may wish to utilize after first consulting with the not-for-profit corporation. Special emphasis shall be placed on the investigation and prosecution of unlicensed real estate activities. To further the purpose of the unlicensed activity campaign, the department shall be authorized to accept in-kind contributions of services, media production, or advertising materials from the not-for-profit corporation. Any advertising, media, or materials produced as a result of contributions shall carry acknowledgements of joint production and sponsorship. The department may not allocate overhead charges to these unlicensed activity campaign funds.

From the funds in Specific Appropriation 2079, up to $60,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to institute an unlicensed activity campaign for the purpose of informing and educating the public: (1) that public accounting is a regulated profession with requirements of licensure pursuant to chapter 473, Florida Statutes; (2) that some services provided by unlicensed individuals, although legal, are regulated when provided by a licensed Florida Certified Public Accountant; and, (3) that certain services may only be performed by a licensed Florida Certified Public Accountant. The department shall develop the campaign in consultation with a corporation that is registered under chapter 617, Florida Statutes, as a not-for-profit corporation and qualified under the Internal Revenue Service Code as a 501(c)(6) corporation, and that represents the largest number of licensed Florida Certified Public Accountants. Any advertising, media, or materials produced as a result of contributions shall carry acknowledgements of joint production and sponsorship. The department may not allocate overhead charges to these unlicensed activity campaign funds.

From the funds in Specific Appropriation 2079, the Department of Business and Professional Regulation shall submit a report to the chair of the Senate Budget Committee and the chair of the House of Representatives Appropriations Committee by November 1, 2012, detailing the unlicensed activity functions performed by the department during Fiscal Year 2011-2012. The report shall contain a detailed breakout of activities, revenues, and expenditures by board and/or profession, and include any relevant information to indicate the department's compliance with section 455.2281, Florida Statutes.

2080 SPECIAL CATEGORIES
CLAIMS PAYMENTS FROM CONSTRUCTION RECOVERY
FUND
FROM PROFESSIONAL REGULATION TRUST
FUND 2,100,000

2081 SPECIAL CATEGORIES
CLAIMS PAYMENT/AUCTIONEER RECOVERY FUND
FROM PROFESSIONAL REGULATION TRUST
FUND 106,579

2082 SPECIAL CATEGORIES
TRANSFER ARCHITECT & INTERIOR DESIGN
ACTIVITIES CH. 2002-274
FROM PROFESSIONAL REGULATION TRUST
FUND 425,239

2083 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST
FUND 233,138

2084 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PROFESSIONAL REGULATION TRUST
FUND 163,236

2085 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST
FUND 280,294

2085A SPECIAL CATEGORIES
MINORITY SCHOLARSHIPS - CERTIFIED PUBLIC
ACCOUNTING
FROM PROFESSIONAL REGULATION TRUST
FUND 100,000

2086 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM PROFESSIONAL REGULATION TRUST
FUND 93,557

2087 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST
FUND 103,715

2088 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA ENGINEERING
MANAGEMENT CORPORATION (FEMC) CONTRACTED
SERVICES
FROM PROFESSIONAL REGULATION TRUST
FUND 2,070,000

2088A FINANCIAL ASSISTANCE PAYMENTS
SCHOLARSHIPS AND REAL ESTATE RECOVERY FUND
FROM PROFESSIONAL REGULATION TRUST
FUND 450,000

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM GENERAL REVENUE FUND 900,000
FROM TRUST FUNDS 27,647,864

TOTAL POSITIONS 253.00
TOTAL ALL FUNDS 28,547,864

FLORIDA BOXING COMMISSION

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
APPROVED SALARY RATE 222,062

2090 SALARIES AND BENEFITS POSITIONS 4.00
FROM PROFESSIONAL REGULATION TRUST
FUND 288,096

2091 OTHER PERSONAL SERVICES
FROM PROFESSIONAL REGULATION TRUST
FUND 129,219

2092 EXPENSES
FROM PROFESSIONAL REGULATION TRUST
FUND 180,642

2092A SPECIAL CATEGORIES
TRANSFER TO THE PROFESSIONAL REGULATION
TRUST FUND
FROM GENERAL REVENUE FUND 200,000

The funds in Specific Appropriation 2092A are contingent upon House Bill 5511 or similar legislation, which includes the repeal of section 548.061, Florida Statutes, becoming law.

2093 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST
FUND 2,000

2094 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST
FUND 16,274

2095 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST
FUND 3,824

TOTAL: FLORIDA BOXING COMMISSION
FROM GENERAL REVENUE FUND 200,000
FROM TRUST FUNDS 620,055

TOTAL POSITIONS 4.00
TOTAL ALL FUNDS 820,055

TESTING AND CONTINUING EDUCATION

APPROVED SALARY RATE 1,410,700

2096 SALARIES AND BENEFITS POSITIONS 41.00
FROM PROFESSIONAL REGULATION TRUST
FUND 1,924,547

2097 EXPENSES
FROM PROFESSIONAL REGULATION TRUST
FUND 283,871

2098 OPERATING CAPITAL OUTLAY
FROM PROFESSIONAL REGULATION TRUST
FUND 3,000

2099 SPECIAL CATEGORIES
EXAMINATION TESTING SERVICES FOR
PROFESSIONAL REGULATION
FROM PROFESSIONAL REGULATION TRUST
FUND 658,235

2100 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST
FUND 6,000

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
2101 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PROFESSIONAL REGULATION TRUST
FUND 1,000

2102 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST
FUND 9,477

2103 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM PROFESSIONAL REGULATION TRUST
FUND 5,211

2104 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST
FUND 13,908

TOTAL: TESTING AND CONTINUING EDUCATION
FROM TRUST FUNDS 2,905,249

TOTAL POSITIONS 41.00
TOTAL ALL FUNDS 2,905,249

FARM AND CHILD LABOR REGULATION

APPROVED SALARY RATE 1,038,622

2105 SALARIES AND BENEFITS POSITIONS 30.00
FROM PROFESSIONAL REGULATION TRUST
FUND 1,469,141

2106 EXPENSES
FROM PROFESSIONAL REGULATION TRUST
FUND 160,342

2107 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST
FUND 20,590

2108 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PROFESSIONAL REGULATION TRUST
FUND 69,400

2109 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST
FUND 3,957

2110 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM PROFESSIONAL REGULATION TRUST
FUND 2,648

2111 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST
FUND 9,671

TOTAL: FARM AND CHILD LABOR REGULATION
FROM TRUST FUNDS 1,735,749

TOTAL POSITIONS 30.00
TOTAL ALL FUNDS 1,735,749

PROGRAM: PARI-MUTUEL WAGERING

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
PARI-MUTUEL WAGERING

APPROVED SALARY RATE 2,752,337

2112 SALARIES AND BENEFITS POSITIONS 65.00
FROM PARI-MUTUEL WAGERING TRUST
FUND 3,677,658

2113 OTHER PERSONAL SERVICES
FROM PARI-MUTUEL WAGERING TRUST
FUND 1,636,166

2114 EXPENSES
FROM PARI-MUTUEL WAGERING TRUST
FUND 741,827

2115 OPERATING CAPITAL OUTLAY
FROM PARI-MUTUEL WAGERING TRUST
FUND 13,032

2116 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM PARI-MUTUEL WAGERING TRUST
FUND 24,802

From the funds provided in Specific Appropriation 2116, the Department of Business and Professional Regulation may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in s. 287.14(3), Florida Statutes.

2117 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PARI-MUTUEL WAGERING TRUST
FUND 7,317

2118 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PARI-MUTUEL WAGERING TRUST
FUND 22,000

2119 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PARI-MUTUEL WAGERING TRUST
FUND 125,220

2120 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM PARI-MUTUEL WAGERING TRUST
FUND 9,063

2121 SPECIAL CATEGORIES
RACING ANIMAL MEDICAL RESEARCH
FROM PARI-MUTUEL WAGERING TRUST
FUND 100,000

2122 SPECIAL CATEGORIES
PARI-MUTUEL LABORATORY CONTRACTED SERVICES
FROM PARI-MUTUEL WAGERING TRUST
FUND 2,266,000

2123 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PARI-MUTUEL WAGERING TRUST
FUND 42,748

2124 SPECIAL CATEGORIES
CONTRACT FOR PARI-MUTUEL WAGERING
COMPLIANCE AND AUDIT SYSTEM
FROM PARI-MUTUEL WAGERING TRUST
FUND 296,476

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
TOTAL: PARI-MUTUEL WAGERING
FROM TRUST FUNDS 8,962,309

TOTAL POSITIONS 65.00
TOTAL ALL FUNDS 8,962,309

SLOT MACHINE REGULATION

APPROVED SALARY RATE 2,134,053

2125 SALARIES AND BENEFITS POSITIONS 50.00
FROM PARI-MUTUEL WAGERING TRUST
FUND 2,923,742

2126 OTHER PERSONAL SERVICES
FROM PARI-MUTUEL WAGERING TRUST
FUND 10,000

2127 EXPENSES
FROM PARI-MUTUEL WAGERING TRUST
FUND 276,248

2128 OPERATING CAPITAL OUTLAY
FROM PARI-MUTUEL WAGERING TRUST
FUND 10,863

2129 SPECIAL CATEGORIES
COMPULSIVE AND ADDICTIVE GAMBLING
PREVENTION CONTRACT
FROM PARI-MUTUEL WAGERING TRUST
FUND 600,000

Funds in Specific Appropriation 2129 shall be placed in reserve contingent upon the submission of a report to the chair of the Senate Budget Subcommittee on General Government Appropriations, the chair of the House Government Operations Appropriations Subcommittee, and the Executive Office of the Governor detailing the services that will be delivered, the expected results, and recommended performance measures to be included in the contract for the provision of services related to the prevention of compulsive and addictive gambling. The report shall also include the effectiveness of Fiscal Year 2011-2012 efforts in reducing problem gambling. No earlier than 14 days after the submission of the report, the department shall request the release of funds pursuant to the provisions of Chapter 216, Florida Statutes.

2130 SPECIAL CATEGORIES
TRANSFER TO THE FLORIDA DEPARTMENT OF LAW
ENFORCEMENT - SLOT INVESTIGATIONS
FROM PARI-MUTUEL WAGERING TRUST
FUND 228,955

2131 SPECIAL CATEGORIES
TRANSFER TO THE OFFICE OF THE STATE
ATTORNEY - SLOT INVESTIGATIONS AND
PROSECUTIONS
FROM PARI-MUTUEL WAGERING TRUST
FUND 169,010

2132 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PARI-MUTUEL WAGERING TRUST
FUND 90,000

2133 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PARI-MUTUEL WAGERING TRUST
FUND 19,743

2134 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PARI-MUTUEL WAGERING TRUST
FUND 6,847

2135 SPECIAL CATEGORIES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM PARI-MUTUEL WAGERING TRUST
FUND 1,848

2136 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PARI-MUTUEL WAGERING TRUST
FUND 17,354

TOTAL: SLOT MACHINE REGULATION
FROM TRUST FUNDS 4,354,610

TOTAL POSITIONS 50.00
TOTAL ALL FUNDS 4,354,610

PROGRAM: HOTELS AND RESTAURANTS

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 11,034,402

2137 SALARIES AND BENEFITS POSITIONS 296.00
FROM HOTEL AND RESTAURANT TRUST
FUND 14,950,015

2138 OTHER PERSONAL SERVICES
FROM HOTEL AND RESTAURANT TRUST
FUND 28,591

2139 EXPENSES
FROM HOTEL AND RESTAURANT TRUST
FUND 1,869,909

2140 OPERATING CAPITAL OUTLAY
FROM HOTEL AND RESTAURANT TRUST
FUND 8,500

2141 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM HOTEL AND RESTAURANT TRUST
FUND 448,000

From the funds provided in Specific Appropriation 2141, the Department of Business and Professional Regulation may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in s. 287.14(3), Florida Statutes.

2141A SPECIAL CATEGORIES
TRANSFER TO VISIT FLORIDA
FROM HOTEL AND RESTAURANT TRUST
FUND 2,000,000

Funds in Specific Appropriation 2141A shall be transferred to Visit Florida to contract with the Florida Restaurant and Lodging Association, Inc. (FRLA), to develop a coordinated marketing, media and events program to promote Florida tourism by residents of the state. This campaign shall require a private matching program and shall be conducted throughout the state, as approved by and monitored by Visit Florida and FRLA, for the purpose of promoting tourism within the state.

2142 SPECIAL CATEGORIES
TRANSFERS TO DEPARTMENT OF HEALTH FOR
EPIDEMIOLOGICAL SERVICES
FROM HOTEL AND RESTAURANT TRUST
FUND 607,149

2143 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL-TO-CAREER
FROM HOTEL AND RESTAURANT TRUST
FUND 706,698

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
2144 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HOTEL AND RESTAURANT TRUST
FUND 70,509

2145 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM HOTEL AND RESTAURANT TRUST
FUND 390,794

2146 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HOTEL AND RESTAURANT TRUST
FUND 314,631

2147 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM HOTEL AND RESTAURANT TRUST
FUND 4,565

2148 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM HOTEL AND RESTAURANT TRUST
FUND 95,208

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 21,494,569

TOTAL POSITIONS 296.00
TOTAL ALL FUNDS 21,494,569

PROGRAM: ALCOHOLIC BEVERAGES AND TOBACCO

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 8,720,309

2149 SALARIES AND BENEFITS POSITIONS 188.75
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 11,424,120
FROM FEDERAL GRANTS TRUST FUND . . . 50,436

2150 OTHER PERSONAL SERVICES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 7,075

2151 EXPENSES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 1,530,184
FROM FEDERAL GRANTS TRUST FUND . . . 39,840
FROM FEDERAL LAW ENFORCEMENT TRUST
FUND 30,878

2151A OPERATING CAPITAL OUTLAY
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 127,687
FROM FEDERAL LAW ENFORCEMENT TRUST
FUND 77,000

2152 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 315,644

2153 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 78,044

2154 SPECIAL CATEGORIES
OPERATION AND MAINTENANCE OF PATROL
VEHICLES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 783,675
FROM FEDERAL GRANTS TRUST FUND . . . 24,030

2155 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 498,277

2156 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 221,556

2157 SPECIAL CATEGORIES
TRANSFER FOR CONTRACTED DISPATCH SERVICES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 140,000

2158 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 22,082

2159 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 62,661

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 15,433,189

TOTAL POSITIONS 188.75
TOTAL ALL FUNDS 15,433,189

STANDARDS AND LICENSURE

APPROVED SALARY RATE 2,326,263

2160 SALARIES AND BENEFITS POSITIONS 59.50
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 3,273,278

2161 OTHER PERSONAL SERVICES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 800

2162 EXPENSES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 565,580

2163 OPERATING CAPITAL OUTLAY
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 5,000

2164 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 17,733

2165 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 14,837

2166 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 3,120

2167 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 9,389

2168 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 21,122

TOTAL: STANDARDS AND LICENSURE
FROM TRUST FUNDS 3,910,859

TOTAL POSITIONS 59.50
TOTAL ALL FUNDS 3,910,859

TAX COLLECTION

APPROVED SALARY RATE 3,090,631

2169 SALARIES AND BENEFITS POSITIONS 80.00
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 4,262,602

2170 EXPENSES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 678,060

2171 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 21,180

2172 SPECIAL CATEGORIES
CIGARETTE TAX STAMPS
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 976,505

2173 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 17,353

2174 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 7,179

2175 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 28,778

TOTAL: TAX COLLECTION
FROM TRUST FUNDS 5,991,657

TOTAL POSITIONS 80.00
TOTAL ALL FUNDS 5,991,657

PROGRAM: FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 4,343,750

2183 SALARIES AND BENEFITS POSITIONS 111.00
FROM DIVISION OF FLORIDA
CONDOMINIUMS, TIMESHARES AND
MOBILE HOMES TRUST FUND 5,821,645

2184 OTHER PERSONAL SERVICES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM DIVISION OF FLORIDA
CONDOMINIUMS, TIMESHARES AND
MOBILE HOMES TRUST FUND 49,076

2185 EXPENSES
FROM DIVISION OF FLORIDA
CONDOMINIUMS, TIMESHARES AND
MOBILE HOMES TRUST FUND 952,225

2186 OPERATING CAPITAL OUTLAY
FROM DIVISION OF FLORIDA
CONDOMINIUMS, TIMESHARES AND
MOBILE HOMES TRUST FUND 1,298

2187 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM DIVISION OF FLORIDA
CONDOMINIUMS, TIMESHARES AND
MOBILE HOMES TRUST FUND 17,500

2188 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM DIVISION OF FLORIDA
CONDOMINIUMS, TIMESHARES AND
MOBILE HOMES TRUST FUND 88,885

2189 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM DIVISION OF FLORIDA
CONDOMINIUMS, TIMESHARES AND
MOBILE HOMES TRUST FUND 11,856

2190 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM DIVISION OF FLORIDA
CONDOMINIUMS, TIMESHARES AND
MOBILE HOMES TRUST FUND 38,385

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 6,980,870

TOTAL POSITIONS 111.00
TOTAL ALL FUNDS 6,980,870

TOTAL: BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF
FROM GENERAL REVENUE FUND 1,100,000
FROM TRUST FUNDS 135,534,872

TOTAL POSITIONS 1,586.25
TOTAL ALL FUNDS 136,634,872
TOTAL APPROVED SALARY RATE 65,058,703

PROGRAM: CITRUS, DEPARTMENT OF

CITRUS RESEARCH

APPROVED SALARY RATE 1,368,951

2191 SALARIES AND BENEFITS POSITIONS 21.00
FROM CITRUS ADVERTISING TRUST FUND . 1,687,633

2192 OTHER PERSONAL SERVICES
FROM CITRUS ADVERTISING TRUST FUND . 78,000

2193 EXPENSES
FROM CITRUS ADVERTISING TRUST FUND . 1,011,896

2194 OPERATING CAPITAL OUTLAY
FROM CITRUS ADVERTISING TRUST FUND . 251,000

2195 SPECIAL CATEGORIES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
CONTRACTED SERVICES
FROM CITRUS ADVERTISING TRUST FUND . 9,920,494

2196 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM CITRUS ADVERTISING TRUST FUND . 182,000

2197 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM CITRUS ADVERTISING TRUST FUND . 5,979

TOTAL: CITRUS RESEARCH
FROM TRUST FUNDS 13,137,002

TOTAL POSITIONS 21.00
TOTAL ALL FUNDS 13,137,002

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,466,931

2198 SALARIES AND BENEFITS POSITIONS 24.00
FROM CITRUS ADVERTISING TRUST FUND . 2,037,830

2199 OTHER PERSONAL SERVICES
FROM CITRUS ADVERTISING TRUST FUND . 78,000

2200 EXPENSES
FROM CITRUS ADVERTISING TRUST FUND . 1,172,706

2201 OPERATING CAPITAL OUTLAY
FROM CITRUS ADVERTISING TRUST FUND . 119,779

2202 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CITRUS ADVERTISING TRUST FUND . 807,655

2203 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM CITRUS ADVERTISING TRUST FUND . 75,000

2204 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CITRUS ADVERTISING TRUST FUND . 19,237

2205 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM CITRUS ADVERTISING TRUST FUND . 9,137

2207 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM CITRUS ADVERTISING TRUST FUND . 1,478

2208 DATA PROCESSING SERVICES
NORTHWOOD SHARED RESOURCE CENTER
FROM CITRUS ADVERTISING TRUST FUND . 13,660

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 4,334,482

TOTAL POSITIONS 24.00
TOTAL ALL FUNDS 4,334,482

AGRICULTURAL PRODUCTS MARKETING

APPROVED SALARY RATE 1,176,994

2210 SALARIES AND BENEFITS POSITIONS 12.00
FROM CITRUS ADVERTISING TRUST FUND . 1,621,095

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2211 OTHER PERSONAL SERVICES
FROM CITRUS ADVERTISING TRUST FUND . 17,000

2212 EXPENSES
FROM CITRUS ADVERTISING TRUST FUND . 761,331

From the funds provided in Specific Appropriation 2212, the Department of Citrus may contract to reimburse the Florida Commission on Tourism/Florida Tourism Industry Marketing Corporation for an amount not to exceed $240,000 for the cost of citrus juice dispensed at the Florida Welcome Stations.

2213 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CITRUS ADVERTISING TRUST FUND . 100,000

2214 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM CITRUS ADVERTISING TRUST FUND . 41,095,526

2215 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM CITRUS ADVERTISING TRUST FUND . 5,350

TOTAL: AGRICULTURAL PRODUCTS MARKETING
FROM TRUST FUNDS 43,600,302

TOTAL POSITIONS 12.00
TOTAL ALL FUNDS 43,600,302

TOTAL: PROGRAM: CITRUS, DEPARTMENT OF
FROM TRUST FUNDS 61,071,786

TOTAL POSITIONS 57.00
TOTAL ALL FUNDS 61,071,786
TOTAL APPROVED SALARY RATE 4,012,876

ECONOMIC OPPORTUNITY, DEPARTMENT OF

From the funds in Specific Appropriations 2216 through 2314B, any expenditure from the Temporary Assistance for Needy Families (TANF) Block Grant must be expended in accordance with the requirements and limitations of Part A of Title IV of the Social Security Act, as amended, or any other applicable federal requirement or limitation. Before any funds are released by the Department of Children and Family Services, each provider shall identify the number of clients to be served and certify their eligibility under Part A of Title IV of the Social Security Act. Funds may not be released for services to any clients except those so identified and certified.

The department head or a designee shall certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that reporting requirements of federal law are met. It shall be the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds.

From the funds in Specific Appropriations 2216 through 2314B, no federal or state funds shall be used to pay for space being leased by a Regional Workforce Board, Workforce Florida, Inc., or the Department of Economic Opportunity if it has been determined by whichever entity is the lessee that there is no longer a need for the leased space. All leases, and performance and obligations under the leases, are subject to and contingent upon an annual appropriation by the Florida Legislature. In the event that such annual appropriation does not occur, or in the alternative, there is either a reduction in funding from the prior annual appropriation or the entity which is the lessee determines that the annual appropriation is insufficient to meet the requirements of the leases, then the lessee has the right to terminate the lease upon written notice by the lessee and the lessee shall have no further obligations under the contracts.

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
PROGRAM: EXECUTIVE DIRECTION AND SUPPORT SERVICES

EXECUTIVE LEADERSHIP

APPROVED SALARY RATE 2,761,849

2216 SALARIES AND BENEFITS POSITIONS 38.00
FROM GENERAL REVENUE FUND 344,135
FROM ADMINISTRATIVE TRUST FUND . . . 2,724,813

2217 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 105,013

2218 EXPENSES
FROM GENERAL REVENUE FUND 33,009
FROM ADMINISTRATIVE TRUST FUND . . . 465,906

2219 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 17,349

2220 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM GENERAL REVENUE FUND 341,797

2221 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 5,118
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 200,000

2222 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 30,000

2223 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 19,350
FROM ADMINISTRATIVE TRUST FUND . . . 2,778

2224 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 4,114
FROM ADMINISTRATIVE TRUST FUND . . . 10,287

TOTAL: EXECUTIVE LEADERSHIP
FROM GENERAL REVENUE FUND 742,405
FROM TRUST FUNDS 3,561,264

TOTAL POSITIONS 38.00
TOTAL ALL FUNDS 4,303,669

FINANCE AND ADMINISTRATION

APPROVED SALARY RATE 5,078,745

2226 SALARIES AND BENEFITS POSITIONS 92.50
FROM GENERAL REVENUE FUND 30,169
FROM ADMINISTRATIVE TRUST FUND . . . 5,637,435
FROM REVOLVING TRUST FUND 866,219

Four positions and $330,392 from the Administrative Trust Fund in Specific Appropriation 2226 are provided to enhance financial monitoring and oversight of Regional Workforce Boards. The Department of Economic Opportunity shall provide a report on February 1, 2013, to the chair of the Senate Budget Committee and the chair of the House Appropriations Committee describing the specific work activities assigned to these positions and the outcomes of the enhanced oversight.

2227 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 46,995

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM REVOLVING TRUST FUND 50,000

2228 EXPENSES
FROM GENERAL REVENUE FUND 2,893
FROM ADMINISTRATIVE TRUST FUND . . . 608,109
FROM REVOLVING TRUST FUND 1,418,634

2229 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 53,010

2230 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 5,442

2231 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 710,112
FROM REVOLVING TRUST FUND 1,036,300

2232 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,695
FROM ADMINISTRATIVE TRUST FUND . . . 18,153
FROM REVOLVING TRUST FUND 4,483

2233 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 2,807
FROM ADMINISTRATIVE TRUST FUND . . . 23,848
FROM REVOLVING TRUST FUND 4,942

2234 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM ADMINISTRATIVE TRUST FUND . . . 75,895

2235 FIXED CAPITAL OUTLAY
REED ACT BUILDINGS PROJECTS - STATEWIDE
FROM REVOLVING TRUST FUND 598,200

TOTAL: FINANCE AND ADMINISTRATION
FROM GENERAL REVENUE FUND 37,564
FROM TRUST FUNDS 11,157,777

TOTAL POSITIONS 92.50
TOTAL ALL FUNDS 11,195,341

INFORMATION SYSTEMS AND SUPPORT SERVICES

APPROVED SALARY RATE 4,624,976

2236 SALARIES AND BENEFITS POSITIONS 70.00
FROM GENERAL REVENUE FUND 9,006
FROM ADMINISTRATIVE TRUST FUND . . . 5,913,600

2237 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 125,041

2238 EXPENSES
FROM GENERAL REVENUE FUND 861
FROM ADMINISTRATIVE TRUST FUND . . . 965,774

2239 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 85,381

2240 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 1,251

2241 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 592,969

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
2242 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 506
FROM ADMINISTRATIVE TRUST FUND . . . 18,594

2243 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 629
FROM ADMINISTRATIVE TRUST FUND . . . 19,251

2244 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM ADMINISTRATIVE TRUST FUND . . . 24,105

TOTAL: INFORMATION SYSTEMS AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 11,002
FROM TRUST FUNDS 7,745,966

TOTAL POSITIONS 70.00
TOTAL ALL FUNDS 7,756,968

PROGRAM: WORKFORCE SERVICES

WORKFORCE DEVELOPMENT

From the funds in Specific Appropriations 2246 through 2257, it is the intent of the Legislature that the administration and delivery of workforce services and programs that are currently provided by department employees working in One Stop Career Centers operated by the Regional Workforce Boards may be transferred from the Department of Economic Opportunity to the Regional Workforce Boards. Such transfers shall only occur if the department determines that the Regional Workforce Boards would more effectively and efficiently deliver services and if such transfers comply with applicable federal regulations. For all transfers made, the department shall submit budget amendments pursuant to chapter 216, Florida Statutes, to move positions to the Executive Office of the Governor's reserve and realign the budget into the appropriate operating budget appropriation categories to implement the transfer of programs and service delivery to the Regional Workforce Boards.

From the funds in Specific Appropriations 2246 through 2257, the Department of Economic Opportunity shall determine whether any funds provided for specific workforce programs, projects or initiatives are not an allowable use of federal funds. If the department finds that any project or initiative for which funds are specifically appropriated in this act is not an allowable use of federal funds, the department shall notify the Executive Office of the Governor, the chair of the Senate Committee on Budget and the chair of the House Appropriations Committee.

APPROVED SALARY RATE 23,766,061

2246 SALARIES AND BENEFITS POSITIONS 646.50
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 32,028,515
FROM WELFARE TRANSITION TRUST FUND . 1,193,480
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 516,446

2247 OTHER PERSONAL SERVICES
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 2,831,599
FROM WELFARE TRANSITION TRUST FUND . 65,313

2248 EXPENSES
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 1,233,527
FROM WELFARE TRANSITION TRUST FUND . 1,105,389
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 45,076

2249 OPERATING CAPITAL OUTLAY

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 112,914
FROM WELFARE TRANSITION TRUST FUND . 26,424
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 175,530

2249A SPECIAL CATEGORIES
GRANTS AND AIDS - WORKFORCE PROJECTS
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 750,000

Funds provided in Specific Appropriation 2249A shall be allocated as follows:

Florida Goodwill Association..... 500,000
Goodwill Industries of South Florida..... 250,000

2250 SPECIAL CATEGORIES
NON CUSTODIAL PARENT PROGRAM
FROM WELFARE TRANSITION TRUST FUND . 1,416,000

From the funds provided in Specific Appropriation 2250, $750,000 from the Welfare Transition Trust Fund is provided for the Non Custodial Parent Program in Pinellas, Pasco, and Hillsborough counties. The Pinellas Workforce Board (WorkNet) shall administer the funds, which shall be maintained as a single project for the three counties.

From the funds in Specific Appropriation 2250, $666,000 from the Welfare Transition Trust Fund is provided to continue Gulf Coast Community Care's current Non Custodial Parent Program in Miami-Dade County, which shall be administered by the South Florida Workforce Board.

2251 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 21,071,761
FROM WELFARE TRANSITION TRUST FUND . 575,000
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 500,000

2252 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL WORKFORCE
BOARDS
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 167,344,538
FROM WELFARE TRANSITION TRUST FUND . 69,014,907

Funds provided in Specific Appropriation 2252 from the Welfare Transition Trust Fund shall be allocated for workforce services based on a plan approved by Workforce Florida, Inc. The plan shall identify funds provided for state-level and discretionary initiatives, and shall maximize funds distributed directly to the regional workforce boards. The plan shall provide for equitable distribution of funds to the boards based on anticipated client caseload and the achievement of performance standards. Copies of the proposed allocation shall be provided to the Governor's Office of Policy and Budget, the chair of the Senate Committee on Budget and the chair of the House Appropriations Committee.

From the funds provided in Specific Appropriation 2252 from the Employment Security Administration Trust Fund, and allocated by Workforce Florida, Inc, or the Department of Economic Opportunity to the regional workforce boards covering Baker, Clay, Duval, Nassau, Putnam, and St. Johns counties (First Coast Workforce Development, Inc.), Orange, Osceola, Seminole, Lake, and Sumter counties (Workforce Central Florida), and Broward County (Workforce One), $1,000,000 shall be used by each of the three regional workforce boards to provide competitively-procured contracts for the purpose of providing year-round youth services to eligible low-income youth from disadvantaged neighborhoods. Special consideration shall be given to youth providers with established track records of providing services to low-income youth from disadvantaged neighborhoods.

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
From the funds provided in Specific Appropriation 2252, any expenditures by regional workforce boards for "outreach," "advertising," or "public relations" must have a direct program benefit and shall be spent in strict accordance with all applicable federal regulations and guidance. Costs of promotional items, including but not limited to capes, blankets, clothing, and memorabilia, including models, gifts, and souvenirs, which exceed $5,000 for outreach purposes must be approved prior to purchase by the Department of Economic Opportunity.

No funds in Specific Appropriation 2252 may be used directly or indirectly to pay for meals, food, or beverages for board members, staff, or employees of regional workforce boards, Workforce Florida, Inc., or the Department of Economic Opportunity except as expressly authorized by state law. Preapproved, reasonable, and necessary per diem allowances and travel established in section 112.061, Florida Statutes, and shall be in compliance with all applicable federal and state requirements. No funds in Specific Appropriation 2252 may be used for entertainment costs and recreational activities for board members and employees as these terms are defined in 2 C.F.R. part 230.

No funds in Specific Appropriation 2252 may be used for any contract exceeding $25,000 between a regional workforce board and a member of that board that has any relationship with the contracting vendor, unless the contract has been reviewed by the Department of Economic Opportunity and Workforce Florida, Inc.

From the funds in Specific Appropriation 2252, $750,000 from the Employment Security Administration Trust Fund shall be allocated to the Home Builders Institute's Pre-Apprenticeship Certificate Training (PACT) program. Funds shall be used to provide veterans with career training, vocational training and job placement services in the home building industry.

2253A SPECIAL CATEGORIES
GRANTS AND AIDS - DISPLACED HOMEMAKERS
FROM DISPLACED HOMEMAKER TRUST
FUND 1,816,434

2254 SPECIAL CATEGORIES
GRANTS AND AIDS - BUSINESS PARTNERSHIPS/
SKILL ASSESSMENT AND TRAINING
FROM GENERAL REVENUE FUND 2,300,000
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 2,700,000

2255 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 1,148,687
FROM WELFARE TRANSITION TRUST FUND . 5,191

2256 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 258,542
FROM WELFARE TRANSITION TRUST FUND . 6,100
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 534

2257 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 306,571
FROM WELFARE TRANSITION TRUST FUND . 197,138

TOTAL: WORKFORCE DEVELOPMENT
FROM GENERAL REVENUE FUND 2,300,000
FROM TRUST FUNDS 306,445,616

TOTAL POSITIONS 646.50
TOTAL ALL FUNDS 308,745,616

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
UNEMPLOYMENT COMPENSATION

APPROVED SALARY RATE 22,145,542

2258 SALARIES AND BENEFITS POSITIONS 612.00
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 33,189,536

2259 OTHER PERSONAL SERVICES
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 15,288,980

2260 EXPENSES
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 20,720,246

2261 OPERATING CAPITAL OUTLAY
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 314,258

2262 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 42,649,517

2263 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 454,901

2264 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 262,086

2265 QUALIFIED EXPENDITURE CATEGORY
UNEMPLOYMENT COMPENSATION CLAIMS AND
BENEFITS INFORMATION SYSTEM
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 20,233,838

2266 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 2,571,116

TOTAL: UNEMPLOYMENT COMPENSATION
FROM TRUST FUNDS 135,684,478

TOTAL POSITIONS 612.00
TOTAL ALL FUNDS 135,684,478

WORKFORCE FLORIDA, INC.

APPROVED SALARY RATE 749,292

2267 SALARIES AND BENEFITS POSITIONS 9.00
FROM ADMINISTRATIVE TRUST FUND . . . 909,004

2268 SPECIAL CATEGORIES
WORKFORCE FLORIDA INC. OPERATIONS
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 1,360,363
FROM WELFARE TRANSITION TRUST FUND . 1,028,895
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 532,084

2269 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 889
FROM WELFARE TRANSITION TRUST FUND . 671

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FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 352

2270 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 2,255

2271 SPECIAL CATEGORIES
QUICK RESPONSE TRAINING
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 6,000,000

2272 SPECIAL CATEGORIES
INCUMBENT WORKER TRAINING PROGRAM
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 2,000,000

TOTAL: WORKFORCE FLORIDA, INC.
FROM TRUST FUNDS 11,834,513

TOTAL POSITIONS 9.00
TOTAL ALL FUNDS 11,834,513

UNEMPLOYMENT APPEALS COMMISSION

APPROVED SALARY RATE 2,592,091

2273 SALARIES AND BENEFITS POSITIONS 43.00
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 3,286,064

2274 SPECIAL CATEGORIES
UNEMPLOYMENT APPEALS COMMISSION OPERATIONS
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 765,371

2275 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 9,816

2276 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 16,185

TOTAL: UNEMPLOYMENT APPEALS COMMISSION
FROM TRUST FUNDS 4,077,436

TOTAL POSITIONS 43.00
TOTAL ALL FUNDS 4,077,436

PROGRAM: COMMUNITY DEVELOPMENT

COMMUNITY PLANNING

APPROVED SALARY RATE 1,999,445

2277 SALARIES AND BENEFITS POSITIONS 39.00
FROM GENERAL REVENUE FUND 1,960,766
FROM FEDERAL GRANTS TRUST FUND . . . 146,300
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 104,708
FROM GRANTS AND DONATIONS TRUST
FUND 242,029
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 73,151
FROM TOURISM PROMOTIONAL TRUST
FUND 93,630

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2278 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 17,903
FROM FEDERAL GRANTS TRUST FUND . . . 127,280
FROM GRANTS AND DONATIONS TRUST FUND 11,888

2279 EXPENSES
FROM GENERAL REVENUE FUND 210,595
FROM FEDERAL GRANTS TRUST FUND . . . 95,000
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 8,565

2280 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 1,500
FROM GRANTS AND DONATIONS TRUST FUND 500

2280A SPECIAL CATEGORIES
GRANTS AND AIDS - BLACK BUSINESS LOAN PROGRAM
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND 2,475,000

From the funds in Specific Appropriation 2280A, $250,000 shall be allocated to the Urban League.

2280B SPECIAL CATEGORIES
GRANTS AND AIDS - ECONOMIC GARDENING - UNIVERSITY OF CENTRAL FLORIDA
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND 2,000,000

Funds provided in Specific Appropriation 2280B from the State Economic Enhancement and Development Trust Fund are for the Economic Gardening Technical Assistance Program.

2281 SPECIAL CATEGORIES
FLORIDA SMALL BUSINESS CREDIT INITIATIVE
FROM FEDERAL GRANTS TRUST FUND . . . 32,543,187

2283 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 737,720

2284 SPECIAL CATEGORIES
GRANTS AND AIDS - ECONOMIC DEVELOPMENT PROGRAMS
FROM GENERAL REVENUE FUND 10,000,000

Pursuant to the provisions of section 498 of chapter 2011-142, Laws of Florida, the Department of Economic Opportunity shall use the funds provided in Specific Appropriation 2284 to execute a contract with the Office of Economic Development and Engagement within the University of West Florida for the charitable purpose of developing and implementing an innovative economic development program for promoting research and development, commercialization of research, economic diversification, and job creation in a Disproportionally Affected County.

2284A SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL PLANNING COUNCILS
FROM GENERAL REVENUE FUND 2,500,000

Funds in Specific Appropriation 2284A are provided to the Regional Planning Councils, 70 percent of which must be divided equally among the councils, and 30 percent of which must be allocated according to population. The funds shall be used to prepare and implement strategic regional policy plans, perform regional review and comment functions, and assist local governments in addressing problems of greater-than-local significance.

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2285 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 6,673

2286 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 21,490
FROM FEDERAL GRANTS TRUST FUND . . . 712
FROM GRANTS AND DONATIONS TRUST FUND 256
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 356

2286A SPECIAL CATEGORIES
RURAL COMMUNITY DEVELOPMENT
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND 360,000
FROM ECONOMIC DEVELOPMENT TRUST FUND 810,000

2287 SPECIAL CATEGORIES
GRANTS AND AIDS - TECHNICAL AND PLANNING ASSISTANCE
FROM GRANTS AND DONATIONS TRUST FUND 500,000

TOTAL: COMMUNITY PLANNING
FROM GENERAL REVENUE FUND 14,718,927
FROM TRUST FUNDS 40,330,282

TOTAL POSITIONS 39.00
TOTAL ALL FUNDS 55,049,209

HOUSING AND COMMUNITY DEVELOPMENT

APPROVED SALARY RATE 2,318,570

2288 SALARIES AND BENEFITS POSITIONS 53.00
FROM GENERAL REVENUE FUND 501,089
FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND 1,234,212
FROM FEDERAL GRANTS TRUST FUND . . . 1,277,773
FROM GRANTS AND DONATIONS TRUST FUND 149,018

2289 OTHER PERSONAL SERVICES
FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND 443,206
FROM FEDERAL GRANTS TRUST FUND . . . 384,658

2290 EXPENSES
FROM GENERAL REVENUE FUND 73,643
FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND 429,407
FROM FEDERAL GRANTS TRUST FUND . . . 333,159
FROM GRANTS AND DONATIONS TRUST FUND 26,220

2291 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 960
FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND 2,000
FROM FEDERAL GRANTS TRUST FUND . . . 2,550

2292 SPECIAL CATEGORIES
GRANTS AND AIDS - COMMUNITY SERVICES BLOCK GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 21,876,498

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2292A SPECIAL CATEGORIES
GRANTS AND AIDS TO COMMUNITY SERVICES
FROM GENERAL REVENUE FUND 8,950,000

From the funds provided in Specific Appropriation 2292A, $5,000,000 shall be provided to the City of Miami for public infrastructure improvements within the Miami Design District located in the Enterprise Zone, which state contribution shall be contingent upon the provision of a fifty percent match from the City of Miami and/or Miami-Dade County in either the form of a cash contribution or capital project to benefit the area.

The remaining funds provided in Specific Appropriation 2292A shall be allocated as follows:

Torry Island Master Plan Development..... 50,000
Renaissance of the Parramore Neighborhood in Downtown Orlando..... 900,000
Pine Hills Neighborhood Redevelopment Project - Orange County..... 2,000,000
Dr. J.B. Callahan Neighborhood Center in Parramore - renovation and expansion..... 1,000,000

2293 SPECIAL CATEGORIES
GRANTS AND AIDS - HOME ENERGY ASSISTANCE
FROM FEDERAL GRANTS TRUST FUND . . . 78,100,000

2294 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 480
FROM FEDERAL GRANTS TRUST FUND . . . 500
FROM GRANTS AND DONATIONS TRUST FUND 480

2295 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,335
FROM FEDERAL GRANTS TRUST FUND . . . 3,298

2296 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 4,796
FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND 6,835
FROM FEDERAL GRANTS TRUST FUND . . . 8,337
FROM GRANTS AND DONATIONS TRUST FUND 1,013

2296A DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND 5,000

2297 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - WEATHERIZATION GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 3,000,000

2298 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - WEATHERIZATION/LOW INCOME HOME ENERGY ASSISTANCE PROGRAM GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 10,000,000

2299 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANTS

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FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND 30,000,000

TOTAL: HOUSING AND COMMUNITY DEVELOPMENT
FROM GENERAL REVENUE FUND 9,533,303
FROM TRUST FUNDS 147,284,164

TOTAL POSITIONS 53.00
TOTAL ALL FUNDS 156,817,467

FLORIDA HOUSING FINANCE CORPORATION

2300 SPECIAL CATEGORIES
GRANTS AND AIDS - HOUSING FINANCE CORPORATION (HFC) - AFFORDABLE HOUSING PROGRAMS
FROM STATE HOUSING TRUST FUND . . . 10,000,000

Funds in Specific Appropriation 2300 must be used by the Florida Housing Finance Corporation for a Request for Proposal to be conducted outside the regular cycle to develop affordable, sustainable, and permanent housing for special needs and extremely low income households, as defined in section 420.0004, Florida Statutes. Funding awards shall be limited to nonprofit housing developers specializing in housing for individuals with special needs and extremely low incomes. This appropriation is contingent upon documentary stamp tax revenue received into the State Housing Trust Fund during Fiscal Year 2012-2013 in excess of the $35,310,000 estimate adopted by the Revenue Estimating Conference on January 12, 2012. Only those funds exceeding the estimate, up to $10 million, may be used to fund this appropriation.

PROGRAM: STRATEGIC BUSINESS DEVELOPMENT

STRATEGIC BUSINESS DEVELOPMENT

APPROVED SALARY RATE 1,369,285

2301 SALARIES AND BENEFITS POSITIONS 22.00
FROM GENERAL REVENUE FUND 882,170
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 357,854
FROM GRANTS AND DONATIONS TRUST FUND 37
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 304,238
FROM TOURISM PROMOTIONAL TRUST FUND 341,066

2302 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 36,291
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND 93,767
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 9,691
FROM GRANTS AND DONATIONS TRUST FUND 200
FROM TOURISM PROMOTIONAL TRUST FUND 14,717

2303 EXPENSES
FROM GENERAL REVENUE FUND 33,498
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND 149,691
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 77,540
FROM GRANTS AND DONATIONS TRUST FUND 200
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 12,923
FROM TOURISM PROMOTIONAL TRUST FUND 80,846

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2304 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	8,528	
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND		2,559
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND		5,512
FROM GRANTS AND DONATIONS TRUST FUND		150
FROM TOURISM PROMOTIONAL TRUST FUND		8,859
2304A LUMP SUM		
ECONOMIC DEVELOPMENT TOOLS		
FROM GENERAL REVENUE FUND	10,000,000	
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND		57,426,719
FROM ECONOMIC DEVELOPMENT TRUST FUND		3,800,000

Except as otherwise provided below, funds provided in Specific Appropriation 2304A shall be for the Qualified Target Industries, Qualified Defense Contractors, Brownfield Bonus, High Impact Performance Incentive, Quick Action Closing Fund, Brownfield Redevelopment, Innovation Incentive programs, and transportation facilities, and only for projects that meet the eligibility requirements of law. These funds shall not be released for any other purpose and shall only be disbursed when projects meet the contracted performance requirements.

From the funds provided in Specific Appropriation 2304A from the State Economic Enhancement and Development Trust Fund, $500,000 shall be provided to the Florida Manufacturing Extension Partnership for the purpose of leveraging federal and private resources for the support and delivery of services to the manufacturing community, which will provide economic stimulus through job creation and retention and assist Florida manufacturers to become more efficient and globally competitive.

Funds from the Economic Development Trust Fund in Specific Appropriation 2304A represent local match funds.

From the funds in Specific Appropriation 2304A from the State Economic Enhancement and Development Trust Fund, Enterprise Florida, Inc. (EFI), in conjunction with the Department of Economic Opportunity (DEO) and Workforce Florida, Inc., may use up to $150,000 to conduct a study to identify innovative strategies for expanding the economic activity of each rural area in the state. Expanding economic activity includes increasing employment through: existing businesses and through new businesses locating to the area; increasing the total production of goods and services; and increasing the need for expanded infrastructure due to increasing population in that area. The rural areas to be included in the strategies shall be all those counties and municipalities defined as rural for the Rural Economic Development Initiative (REDI) in section 288.0656, Florida Statutes, as well as any other counties or municipalities included in any of the designated Rural Areas of Critical Economic Concern (RACEC). The study shall create strategies for providing small business assistance as well as proactively recruiting new businesses to locate in rural areas. The study shall provide recommendations for strategies specific to each rural community. Besides employing the existing statutory incentive programs and the statutorily authorized criteria waivers for those programs in rural areas, the study shall identify alternative means of enticing businesses to locate or expand in rural areas. Alternative means may include increased incentive amounts, reduced incentive performance metrics, newly proposed incentives, and newly proposed ways to eliminate non-financial barriers to business expansion in rural areas, such as permitting barriers, workforce needs or needed transportation improvements. The study shall take into account local incentive programs as well as the existing state statutory incentive programs. EFI may use the annual data reported to the Office of Economic and Demographic Research pursuant to sections 125.045 and 166.021, Florida Statutes, related to incentives given to businesses, and the information reported directly to EFI related to the community inventory

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under section 288.912, Florida Statutes. The strategies developed shall include the most effective and efficient methods of coordinating and employing the resources and planning efforts of all of the entities identified in section 288.0656(6)(a), Florida Statutes, as Rural Economic Development Initiative agencies. The study shall specifically identify and rank both the impediments deemed most problematic and the inducements deemed most effective as they relate to promoting economic growth in each rural community. The study should also recommend the types and characteristics of businesses that should be priority targets for economic development in each rural community. EFI shall submit the study and recommendations no later than December 1, 2012, to the chair of the Senate Budget Committee and the chair of the House Appropriations Committee. The DEO shall also include in the annual incentives report required pursuant to section 288.907, Florida Statutes, on December 30, 2012, detailed information showing geographic distribution of incentive contracts, specifically showing the difference between rural and non rural communities and the industry type for such projects.

2304B SPECIAL CATEGORIES		
HISPANIC BUSINESS INITIATIVE FUND OUTREACH PROGRAM		
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND		775,000
2305 SPECIAL CATEGORIES		
GRANTS AND AIDS - INSTITUTE FOR THE COMMERCIALIZATION OF PUBLIC RESEARCH		
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND		1,000,000
2306 SPECIAL CATEGORIES		
GRANTS AND AID - FLORIDA DEFENSE SUPPORT TASK FORCE		
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND		2,000,000
2306A SPECIAL CATEGORIES		
GRANTS AND AIDS - ADVOCATING INTERNATIONAL RELATIONSHIPS		
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND		800,000

Funds provided in Specific Appropriation 2306A shall be allocated as follows:

CAMACOL FLORIDA TRADE.....	300,000
CAMACOL FILM.....	150,000
Southeast U.S. / Japan & FLOR KOR.....	200,000
Entrepreneurial Academy of the African American Chamber of Commerce.....	100,000
The Greater Caribbean Chamber of Commerce.....	50,000

2306B SPECIAL CATEGORIES		
ECONOMIC DEVELOPMENT PROJECTS		
FROM GENERAL REVENUE FUND	4,000,000	
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND		9,250,000

General Revenue funds in Specific Appropriation 2306B are provided for the Rowing Center in Sarasota.

The funds from State Economic Enhancement and Development Trust Fund in Specific Appropriation 2306B shall be allocated as follows:

West Orange County Economic Development Business Center.....	1,000,000
Central Florida Life Sciences Incubator Consortium.....	5,000,000
University of Central Florida Small Business Incubator.....	1,000,000
Central Florida Sports Commission (for securing the Major League Soccer combine and spring training commitment).....	1,000,000
Hialeah Chamber of Commerce and Industries.....	100,000
Florida Holocaust Museum (St. Petersburg).....	150,000
Rowing Center (Sarasota).....	1,000,000

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2307 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 207,022
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND 703,983
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 9,769
FROM GRANTS AND DONATIONS TRUST FUND 200
FROM TOURISM PROMOTIONAL TRUST FUND 7,358

2308 SPECIAL CATEGORIES
GRANTS AND AIDS - ENTERPRISE FLORIDA PROGRAM
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND 8,600,000
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 4,900,000
FROM PROFESSIONAL SPORTS DEVELOPMENT TRUST FUND 2,500,000

From the funds in Specific Appropriation 2308, $4,900,000 from the International Trade and Promotion Trust Fund shall be provided for international programs.

2308A SPECIAL CATEGORIES
GRANTS AND AIDS - MILITARY BASE PROTECTION
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND 1,000,000

Funds in Specific Appropriation 2308A shall be allocated as follows:

Military Base Protection..... 150,000
Defense Reinvestment..... 850,000

2310 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 11,544
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 1,916
FROM TOURISM PROMOTIONAL TRUST FUND 1,655

2311 SPECIAL CATEGORIES
GRANTS AND AIDS - VISIT FLORIDA
FROM GENERAL REVENUE FUND 8,200,000
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND 25,200,791
FROM TOURISM PROMOTIONAL TRUST FUND 20,599,209

2312 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 5,690
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 2,385
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 1,424
FROM TOURISM PROMOTIONAL TRUST FUND 2,240

2313 SPECIAL CATEGORIES
GRANTS AND AIDS - SPACE FLORIDA
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND 10,000,000

2314 QUALIFIED EXPENDITURE CATEGORY
QUALIFIED EXPENDITURE CATEGORY - ECONOMIC DEVELOPMENT TOOLS
FROM GENERAL REVENUE FUND 25,000,000

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2314A DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 1,898
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 6,293
FROM TOURISM PROMOTIONAL TRUST FUND 1,809

2314B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
SPACE, DEFENSE, AND RURAL INFRASTRUCTURE
FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND 3,162,490

Funds provided in Specific Appropriation 2314B shall be allocated as follows:

Defense Infrastructure..... 1,581,245
Rural Infrastructure..... 1,581,245

TOTAL: STRATEGIC BUSINESS DEVELOPMENT
FROM GENERAL REVENUE FUND 48,384,743
FROM TRUST FUNDS 153,214,989

TOTAL POSITIONS 22.00
TOTAL ALL FUNDS 201,599,732

TOTAL: ECONOMIC OPPORTUNITY, DEPARTMENT OF
FROM GENERAL REVENUE FUND 75,727,944
FROM TRUST FUNDS 831,336,485

TOTAL POSITIONS 1,625.00
TOTAL ALL FUNDS 907,064,429
TOTAL APPROVED SALARY RATE 67,405,856

FINANCIAL SERVICES, DEPARTMENT OF

PROGRAM: OFFICE OF CHIEF FINANCIAL OFFICER AND ADMINISTRATION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 6,709,887

2316 SALARIES AND BENEFITS POSITIONS 150.00
FROM ADMINISTRATIVE TRUST FUND . . . 9,213,343

2317 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 27,801

2318 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 1,359,766

2319 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 10,000

2320 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM ADMINISTRATIVE TRUST FUND . . . 790,217

From the funds provided in Specific Appropriation 2320, the Department of Financial Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles, unless it is determined by the Chief Financial Officer that the vehicle replacement is a critical safety issue, or based on an emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes. Law enforcement motor vehicles are excluded from this provision.

2321 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 427,325

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2322 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM ADMINISTRATIVE TRUST FUND . . . 3,500

2323 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 109,151

2324 SPECIAL CATEGORIES
TENANT BROKER COMMISSIONS
FROM ADMINISTRATIVE TRUST FUND . . . 60,000

2325 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM ADMINISTRATIVE TRUST FUND . . . 118,268

2326 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 53,568

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 12,172,939

TOTAL POSITIONS 150.00
TOTAL ALL FUNDS 12,172,939

LEGAL SERVICES

APPROVED SALARY RATE 4,376,352

2327 SALARIES AND BENEFITS POSITIONS 87.00
FROM ADMINISTRATIVE TRUST FUND . . . 5,618,402

2328 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 279,388

2329 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 677,136

2330 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 3,639

2331 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM ADMINISTRATIVE TRUST FUND . . . 130,963

2332 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 253,306

2333 SPECIAL CATEGORIES
HOLOCAUST VICTIMS ASSISTANCE
ADMINISTRATION
FROM INSURANCE REGULATORY TRUST
FUND 308,007

2334 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 19,824

2335 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM ADMINISTRATIVE TRUST FUND . . . 51,361

2336 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 29,077

TOTAL: LEGAL SERVICES

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APPROPRIATION
FROM TRUST FUNDS 7,371,103

TOTAL POSITIONS 87.00
TOTAL ALL FUNDS 7,371,103

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 6,176,658

2337 SALARIES AND BENEFITS POSITIONS 128.00
FROM ADMINISTRATIVE TRUST FUND . . . 8,634,911

2338 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 98,834

2339 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 3,088,525

2340 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 1,028,196

2340A LUMP SUM
TRANSPARENCY SUPPORT AND MAINTENANCE
POSITIONS 4.00
FROM ADMINISTRATIVE TRUST FUND . . . 1,411,334

2341 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 4,856,484

2342 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM ADMINISTRATIVE TRUST FUND . . . 2,900

2343 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 29,877

2344 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM ADMINISTRATIVE TRUST FUND . . . 21,275

2345 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 44,962

2346 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM ADMINISTRATIVE TRUST FUND . . . 1,478

2346A DATA PROCESSING SERVICES
NORTHWEST REGIONAL DATA CENTER (NWRDC)
FROM ADMINISTRATIVE TRUST FUND . . . 88,518

The funds provided in Specific Appropriation 2346A shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: INFORMATION TECHNOLOGY
FROM TRUST FUNDS 19,307,294

TOTAL POSITIONS 132.00
TOTAL ALL FUNDS 19,307,294

CONSUMER ADVOCATE

APPROVED SALARY RATE 479,372

2348 SALARIES AND BENEFITS POSITIONS 5.00
FROM INSURANCE REGULATORY TRUST
FUND 527,131

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2349 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND 115,229

2350 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND 49,127

2351 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND 4,000

2352 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND 20,471

2353 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND 1,319

2354 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INSURANCE REGULATORY TRUST FUND 1,138

2355 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND 1,912

TOTAL: CONSUMER ADVOCATE
FROM TRUST FUNDS 720,327

TOTAL POSITIONS 5.00
TOTAL ALL FUNDS 720,327

INFORMATION TECHNOLOGY - FLAIR INFRASTRUCTURE

APPROVED SALARY RATE 4,907,932

2356 SALARIES AND BENEFITS POSITIONS 109.00
FROM GENERAL REVENUE FUND 6,044,304
FROM ADMINISTRATIVE TRUST FUND . . . 451,446

2357 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 5,000

2358 EXPENSES
FROM GENERAL REVENUE FUND 1,535,578
FROM ADMINISTRATIVE TRUST FUND . . . 168,513

2359 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 190,794
FROM ADMINISTRATIVE TRUST FUND . . . 25,000

2360 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 2,668,816
FROM ADMINISTRATIVE TRUST FUND . . . 1,931,500

From the funds in Specific Appropriation 2360, $1,500,000 from the Administrative Trust Fund is provided to the Department of Financial Services to contract with an independent third party consulting firm, with experience in planning public sector enterprise projects, that does not perform system implementations, project management, or provide technology integration services, to complete a study of the Florida Accounting Information Resource Subsystem (FLAIR), the Cash Management Subsystem (CMS), and agency financial business systems and provide a recommendation for the replacement or remediation of FLAIR and CMS. At a minimum, the study shall include: (1) an inventory of all agency financial business systems to include a description of each system's accounting and reporting functions and its number of users; (2) the completion of a gap analysis to determine which agency accounting and reporting requirements are currently not provided in FLAIR or CMS and an identification of those requirements that are common across agencies; (3) documentation of all business and technical requirements needed for FLAIR and CMS to automate system interfaces with the personnel information system, the purchasing subsystem and the planning and budgeting subsystem, and adhere to the current statutes related to financial reporting and information; and (4) a cost benefit analysis for replacing or remediating FLAIR and CMS to accommodate the needs of all state agencies for compliance with state and federal financial accounting and reporting laws.

The scope of the study shall not include the replacement or remediation of the state's personnel information system, the purchasing subsystem or the planning and budgeting subsystem. The study shall not recommend a system that requires the state to conform its statutes and financial business practices to proprietary software standards.

Based upon the results of the study, the department shall provide to the chairs of the Senate Committee on Budget and the House Appropriations Committee a recommendation and a cost benefit analysis for the replacement or remediation of FLAIR and CMS systems.

2361 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 13,468

2362 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 3,824

2363 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 35,822
FROM ADMINISTRATIVE TRUST FUND . . . 2,657

TOTAL: INFORMATION TECHNOLOGY - FLAIR INFRASTRUCTURE
FROM GENERAL REVENUE FUND 10,497,606
FROM TRUST FUNDS 2,579,116

TOTAL POSITIONS 109.00
TOTAL ALL FUNDS 13,076,722

PROGRAM: TREASURY

DEPOSIT SECURITY

APPROVED SALARY RATE 963,124

2364 SALARIES AND BENEFITS POSITIONS 23.00
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND 1,424,366

2365 OTHER PERSONAL SERVICES
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND 1,500

2366 EXPENSES
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND 247,113

2367 OPERATING CAPITAL OUTLAY
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND 1,783

2368 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND 80,205

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2369 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 13,035

2370 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 2,616

2371 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 7,670

TOTAL: DEPOSIT SECURITY
FROM TRUST FUNDS 1,778,288

TOTAL POSITIONS 23.00
TOTAL ALL FUNDS 1,778,288

STATE FUNDS MANAGEMENT AND INVESTMENT

APPROVED SALARY RATE 1,183,429

2372 SALARIES AND BENEFITS POSITIONS 28.50
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 1,654,547

2373 OTHER PERSONAL SERVICES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 17,500

2374 EXPENSES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 249,846

2375 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 948,785

2376 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 9,324

TOTAL: STATE FUNDS MANAGEMENT AND INVESTMENT
FROM TRUST FUNDS 2,880,002

TOTAL POSITIONS 28.50
TOTAL ALL FUNDS 2,880,002

SUPPLEMENTAL RETIREMENT PLAN

APPROVED SALARY RATE 437,759

2377 SALARIES AND BENEFITS POSITIONS 12.00
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 633,121

2378 OTHER PERSONAL SERVICES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 20,100

2379 EXPENSES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 108,828

2380 SPECIAL CATEGORIES

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CONTRACTED SERVICES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 252

2381 SPECIAL CATEGORIES
DEFERRED COMPENSATION ADMINISTRATIVE
SERVICES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 950,000

2382 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 1,905

2383 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 3,798

TOTAL: SUPPLEMENTAL RETIREMENT PLAN
FROM TRUST FUNDS 1,718,004

TOTAL POSITIONS 12.00
TOTAL ALL FUNDS 1,718,004

PROGRAM: FINANCIAL ACCOUNTABILITY FOR PUBLIC FUNDS

STATE FINANCIAL INFORMATION AND STATE AGENCY
ACCOUNTING

APPROVED SALARY RATE 8,081,667

2384 SALARIES AND BENEFITS POSITIONS 173.00
FROM GENERAL REVENUE FUND 9,369,624
FROM ADMINISTRATIVE TRUST FUND . . . 1,249,594

2385 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,994
FROM ADMINISTRATIVE TRUST FUND . . . 127,420

2386 EXPENSES
FROM GENERAL REVENUE FUND 1,186,562
FROM ADMINISTRATIVE TRUST FUND . . . 129,451

2387 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 27,000

2388 SPECIAL CATEGORIES
POSTCONVICTION CAPITAL COLLATERAL CASES -
REGISTRY ATTORNEYS
FROM ADMINISTRATIVE TRUST FUND . . . 1,716,384

2389 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 605,949

From the funds in Specific Appropriation 2389, up to $50,000 shall be used to contract for the independent verification of tobacco settlement receipts received by the state.

2390 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 3,100

2391 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 51,017

2392 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 700

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SPECIFIC
APPROPRIATION
2393 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 5,122
FROM ADMINISTRATIVE TRUST FUND . . . 3,805

2394 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 54,247
FROM ADMINISTRATIVE TRUST FUND . . . 2,485

2395 SPECIAL CATEGORIES
TRANSFER TO THE PRISON INDUSTRY ENHANCEMENT (PIE) PROGRAM
FROM PRISON INDUSTRIES TRUST FUND . 750,000

Funds in Specific Appropriation 2395 are provided for transfer to the Prison Industries Enhancement Program. Funds in the Prison Industries Trust Fund may be expended by the corporation for allowable expenditures under sections 946.522 and 946.523, Florida Statutes. Such funds may be paid by warrants drawn by the Chief Financial Officer upon receipt of a corporate resolution that has been duly authorized by the board of directors of the corporation, authorized under part II of chapter 946, Florida Statutes.

TOTAL: STATE FINANCIAL INFORMATION AND STATE AGENCY ACCOUNTING
FROM GENERAL REVENUE FUND 11,275,298
FROM TRUST FUNDS 4,030,156

TOTAL POSITIONS 173.00
TOTAL ALL FUNDS 15,305,454

RECOVERY AND RETURN OF UNCLAIMED PROPERTY

APPROVED SALARY RATE 2,217,150

2396 SALARIES AND BENEFITS POSITIONS 57.00
FROM UNCLAIMED PROPERTY TRUST FUND . 2,786,339

2397 OTHER PERSONAL SERVICES
FROM UNCLAIMED PROPERTY TRUST FUND . 180,000

2398 EXPENSES
FROM UNCLAIMED PROPERTY TRUST FUND . 784,443

2399 OPERATING CAPITAL OUTLAY
FROM UNCLAIMED PROPERTY TRUST FUND . 7,500

2400 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM UNCLAIMED PROPERTY TRUST FUND . 226,794

2401 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM UNCLAIMED PROPERTY TRUST FUND . 8,361

2402 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM UNCLAIMED PROPERTY TRUST FUND . 7,024

2403 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM UNCLAIMED PROPERTY TRUST FUND . 19,116

TOTAL: RECOVERY AND RETURN OF UNCLAIMED PROPERTY
FROM TRUST FUNDS 4,019,577

TOTAL POSITIONS 57.00
TOTAL ALL FUNDS 4,019,577

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PROGRAM: FIRE MARSHAL

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 2,675,107

2404 SALARIES AND BENEFITS POSITIONS 69.00
FROM INSURANCE REGULATORY TRUST FUND 3,490,648

2405 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND 15,339

2406 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND 557,479

2407 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND 9,144

2408 SPECIAL CATEGORIES
ELECTRONIC COMMERCE FEES FOR COLLECTION OF REVENUE
FROM INSURANCE REGULATORY TRUST FUND 13,200

2409 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND 80,205

2410 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST FUND 33,700

2411 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST FUND 8,000

2412 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INSURANCE REGULATORY TRUST FUND 13,242

2413 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND 21,994

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 4,242,951

TOTAL POSITIONS 69.00
TOTAL ALL FUNDS 4,242,951

FIRE AND ARSON INVESTIGATIONS

APPROVED SALARY RATE 5,959,009

2414 SALARIES AND BENEFITS POSITIONS 128.00
FROM INSURANCE REGULATORY TRUST FUND 7,972,475

2415 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND 19,028

2416 EXPENSES

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APPROPRIATION
FROM INSURANCE REGULATORY TRUST
FUND 1,400,440

2417 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST
FUND 82,409

2418 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 155,374

2419 SPECIAL CATEGORIES
ON-CALL FEES
FROM INSURANCE REGULATORY TRUST
FUND 350,000

2420 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST
FUND 133,900

2421 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM INSURANCE REGULATORY TRUST
FUND 103,124

2422 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST
FUND 8,000

2423 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INSURANCE REGULATORY TRUST
FUND 26,081

2424 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST
FUND 41,551

TOTAL: FIRE AND ARSON INVESTIGATIONS
FROM TRUST FUNDS 10,292,382

TOTAL POSITIONS 128.00
TOTAL ALL FUNDS 10,292,382

PROFESSIONAL TRAINING AND STANDARDS

APPROVED SALARY RATE 1,183,290

2425 SALARIES AND BENEFITS POSITIONS 31.00
FROM INSURANCE REGULATORY TRUST
FUND 1,709,790

2426 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 190,000

2427 EXPENSES
FROM INSURANCE REGULATORY TRUST
FUND 535,645

2428 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST
FUND 27,254

2429 SPECIAL CATEGORIES
ELECTRONIC COMMERCE FEES FOR COLLECTION OF
REVENUE
FROM INSURANCE REGULATORY TRUST

SECTION 6 - GENERAL GOVERNMENT
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APPROPRIATION
FUND 13,200

2430 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 190,497

2431 SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM INSURANCE REGULATORY TRUST
FUND 50

2432 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST
FUND 17,900

2433 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST
FUND 14,500

2434 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INSURANCE REGULATORY TRUST
FUND 26,519

2435 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST
FUND 12,746

2435A FIXED CAPITAL OUTLAY
HEATING VENTILATING AND AIR CONDITIONING
REPLACEMENT - STATEWIDE
FROM INSURANCE REGULATORY TRUST
FUND 470,252

TOTAL: PROFESSIONAL TRAINING AND STANDARDS
FROM TRUST FUNDS 3,208,353

TOTAL POSITIONS 31.00
TOTAL ALL FUNDS 3,208,353

FIRE MARSHAL ADMINISTRATIVE AND SUPPORT SERVICES

APPROVED SALARY RATE 764,673

2436 SALARIES AND BENEFITS POSITIONS 14.00
FROM INSURANCE REGULATORY TRUST
FUND 1,090,679

2437 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 20,102

2438 EXPENSES
FROM INSURANCE REGULATORY TRUST
FUND 233,454

2439 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST
FUND 6,000

2440 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 151,189

2441 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST

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APPROPRIATION
FUND 1,300

2442 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST
FUND 343,693

2443 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST
FUND 7,500

2444 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INSURANCE REGULATORY TRUST
FUND 4,985

2445 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST
FUND 6,282

2445A FIXED CAPITAL OUTLAY
FACILITIES REPAIRS AND MAINTENANCE
FROM INSURANCE REGULATORY TRUST
FUND 145,795

TOTAL: FIRE MARSHAL ADMINISTRATIVE AND SUPPORT SERVICES
FROM TRUST FUNDS 2,010,979

TOTAL POSITIONS 14.00
TOTAL ALL FUNDS 2,010,979

PROGRAM: STATE PROPERTY AND CASUALTY CLAIMS

STATE SELF-INSURED CLAIMS ADJUSTMENT

APPROVED SALARY RATE 3,976,205

2446 SALARIES AND BENEFITS POSITIONS 106.00
STATE RISK MANAGEMENT TRUST FUND . . 5,397,503

2447 OTHER PERSONAL SERVICES
STATE RISK MANAGEMENT TRUST FUND . . 35,000

2448 EXPENSES
STATE RISK MANAGEMENT TRUST FUND . . 900,292

2449 OPERATING CAPITAL OUTLAY
STATE RISK MANAGEMENT TRUST FUND . . 5,405

2450 SPECIAL CATEGORIES
CONTRACTED SERVICES
STATE RISK MANAGEMENT TRUST FUND . . 14,210,951

2451 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES - OFFICE OF THE
ATTORNEY GENERAL
STATE RISK MANAGEMENT TRUST FUND . . 6,302,284

2452 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
STATE RISK MANAGEMENT TRUST FUND . . 18,001,020

2453 SPECIAL CATEGORIES
EXCESS INSURANCE AND CLAIM SERVICE
STATE RISK MANAGEMENT TRUST FUND . . 13,700,000

2454 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
STATE RISK MANAGEMENT TRUST FUND . . 102,380

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SPECIFIC
APPROPRIATION
2455 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
STATE RISK MANAGEMENT TRUST FUND . . 14,031

2456 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
STATE RISK MANAGEMENT TRUST FUND . . 34,623

TOTAL: STATE SELF-INSURED CLAIMS ADJUSTMENT
FROM TRUST FUNDS 58,703,489

TOTAL POSITIONS 106.00
TOTAL ALL FUNDS 58,703,489

PROGRAM: LICENSING AND CONSUMER PROTECTION

INSURANCE COMPANY REHABILITATION AND LIQUIDATION

APPROVED SALARY RATE 431,201

2457 SALARIES AND BENEFITS POSITIONS 7.00
FROM INSURANCE REGULATORY TRUST
FUND 565,721

2458 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 34,771

2459 EXPENSES
FROM INSURANCE REGULATORY TRUST
FUND 119,364

2460 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST
FUND 1,120

2461 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 232,517

2462 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST
FUND 1,847

2463 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST
FUND 2,565

TOTAL: INSURANCE COMPANY REHABILITATION AND LIQUIDATION
FROM TRUST FUNDS 957,905

TOTAL POSITIONS 7.00
TOTAL ALL FUNDS 957,905

LICENSURE, SALES APPOINTMENT AND OVERSIGHT

APPROVED SALARY RATE 4,985,551

2464 SALARIES AND BENEFITS POSITIONS 129.00
FROM INSURANCE REGULATORY TRUST
FUND 6,498,240

2465 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 3,938

2466 EXPENSES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM INSURANCE REGULATORY TRUST
FUND 1,046,918

2467 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST
FUND 2,500

2468 SPECIAL CATEGORIES
ELECTRONIC COMMERCE FEES FOR COLLECTION OF
REVENUE
FROM INSURANCE REGULATORY TRUST
FUND 2,100,000

2469 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 2,188,892

2470 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST
FUND 5,200

2471 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST
FUND 108,444

2472 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INSURANCE REGULATORY TRUST
FUND 15,534

2473 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST
FUND 49,191

TOTAL: LICENSURE, SALES APPOINTMENT AND OVERSIGHT
FROM TRUST FUNDS 12,018,857

TOTAL POSITIONS 129.00
TOTAL ALL FUNDS 12,018,857

INSURANCE FRAUD

APPROVED SALARY RATE 9,291,557

2474 SALARIES AND BENEFITS POSITIONS 193.00
FROM INSURANCE REGULATORY TRUST
FUND 12,119,465

2475 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 45,000

2476 EXPENSES
FROM INSURANCE REGULATORY TRUST
FUND 1,951,619

2477 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST
FUND 103,635

2477A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST
FUND 79,200

2478 SPECIAL CATEGORIES
TRANSFER TO JUSTICE ADMINISTRATION
COMMISSION FOR PROSECUTION OF PIP FRAUD

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APPROPRIATION
FROM INSURANCE REGULATORY TRUST
FUND 1,196,826

Funds in Specific Appropriation 2478 from the Insurance Regulatory Trust Fund are provided for transfer to the Justice Administrative Commission for the specific purpose of funding attorneys and paralegals dedicated solely to the prosecution of insurance fraud cases in Duval, Orange, Miami-Dade, Hillsborough, Palm Beach, and Broward counties. These funds may not be used for any purpose other than the funding of attorney and paralegal positions that prosecute crimes of insurance fraud.

2479 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 214,617
FROM FEDERAL LAW ENFORCEMENT TRUST
FUND 50,000

2480 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST
FUND 96,600

2481 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST
FUND 155,002

2482 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM INSURANCE REGULATORY TRUST
FUND 202,496

2483 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INSURANCE REGULATORY TRUST
FUND 46,047

2484 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST
FUND 66,374

TOTAL: INSURANCE FRAUD
FROM TRUST FUNDS 16,326,881

TOTAL POSITIONS 193.00
TOTAL ALL FUNDS 16,326,881

CONSUMER ASSISTANCE

APPROVED SALARY RATE 4,767,296

2485 SALARIES AND BENEFITS POSITIONS 119.00
FROM INSURANCE REGULATORY TRUST
FUND 6,006,716

2486 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 85,231

2487 EXPENSES
FROM INSURANCE REGULATORY TRUST
FUND 997,935

2488 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST
FUND 2,200

2488A SPECIAL CATEGORIES
TRANSFER TO FLORIDA CATASTROPHIC STORM

SECTION 6 - GENERAL GOVERNMENT
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RISK MANAGEMENT CENTER AT FLORIDA STATE UNIVERSITY
FROM INSURANCE REGULATORY TRUST FUND 350,000

Funds in Specific Appropriation 2488A are provided to meet the requirements set forth in section 1004.647, Florida Statutes.

2489 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND 645,374

2490 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST FUND 1,500

2491 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND 93,199

2492 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INSURANCE REGULATORY TRUST FUND 7,824

2493 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND 40,729

TOTAL: CONSUMER ASSISTANCE
FROM TRUST FUNDS 8,230,708

TOTAL POSITIONS 119.00
TOTAL ALL FUNDS 8,230,708

FUNERAL AND CEMETERY SERVICES

APPROVED SALARY RATE 1,032,727

2494 SALARIES AND BENEFITS POSITIONS 23.00
FROM REGULATORY TRUST FUND 1,367,190

2495 OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 55,000

2496 EXPENSES
FROM REGULATORY TRUST FUND 335,210

2497 OPERATING CAPITAL OUTLAY
FROM REGULATORY TRUST FUND 9,500

2498 SPECIAL CATEGORIES
ELECTRONIC COMMERCE FEES FOR COLLECTION OF REVENUE
FROM REGULATORY TRUST FUND 14,100

2499 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 113,325

2500 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM REGULATORY TRUST FUND 8,700

2501 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 8,751

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2502 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM REGULATORY TRUST FUND 2,962

2503 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 12,458

TOTAL: FUNERAL AND CEMETERY SERVICES
FROM TRUST FUNDS 1,927,196

TOTAL POSITIONS 23.00
TOTAL ALL FUNDS 1,927,196

PUBLIC ASSISTANCE FRAUD

APPROVED SALARY RATE 4,291,185

2504 SALARIES AND BENEFITS POSITIONS 63.00
FROM ADMINISTRATIVE TRUST FUND . . . 148,160
FROM FEDERAL GRANTS TRUST FUND . . . 2,696,745
FROM INSURANCE REGULATORY TRUST FUND 1,870,725

2505 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 144
FROM INSURANCE REGULATORY TRUST FUND 1,406

2506 EXPENSES
FROM FEDERAL GRANTS TRUST FUND . . . 30,869
FROM INSURANCE REGULATORY TRUST FUND 427,270

2507 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND 20,000

2508 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 60,527
FROM INSURANCE REGULATORY TRUST FUND 185,791

2508A SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM FEDERAL GRANTS TRUST FUND . . . 20,000

2509 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND 12,036

2510 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INSURANCE REGULATORY TRUST FUND 9,300

2511 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM FEDERAL GRANTS TRUST FUND . . . 22,913
FROM INSURANCE REGULATORY TRUST FUND 16,850

2512 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 5,000
FROM INSURANCE REGULATORY TRUST FUND 10,000

SECTION 6 - GENERAL GOVERNMENT
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TOTAL: PUBLIC ASSISTANCE FRAUD
FROM TRUST FUNDS 5,537,736

TOTAL POSITIONS 63.00
TOTAL ALL FUNDS 5,537,736

PROGRAM: WORKERS' COMPENSATION

WORKERS' COMPENSATION

APPROVED SALARY RATE 11,321,906

2513 SALARIES AND BENEFITS POSITIONS 296.00
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 14,716,954
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 877,616

2514 OTHER PERSONAL SERVICES
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 177,570
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 17,550

2515 EXPENSES
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 3,371,128
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 128,070

2516 OPERATING CAPITAL OUTLAY
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 100,021
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 16,851

2517 SPECIAL CATEGORIES
ELECTRONIC COMMERCE FEES FOR COLLECTION OF
REVENUE
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 288,000

2518 SPECIAL CATEGORIES
TRANSFER TO DISTRICT COURTS OF APPEAL -
WORKERS' COMPENSATION APPEALS
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 1,761,055

Funds in Specific Appropriation 2518 are provided for transfer to the First District Court of Appeal for workload associated with workers' compensation appeals and the workers' compensation appeals unit.

2518A SPECIAL CATEGORIES
WORKERS' COMPENSATION RESEARCH INSTITUTE
STUDY
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 195,000

2519 SPECIAL CATEGORIES
TRANSFER TO THE UNIVERSITY OF SOUTH
FLORIDA - OCCUPATIONAL SAFETY GRANT MATCH
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 250,000

2520 SPECIAL CATEGORIES
TRANSFER TO JUSTICE ADMINISTRATION
COMMISSION FOR PROSECUTION OF WORKERS'
COMPENSATION FRAUD
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 257,705

The funds in Specific Appropriation 2520 from the Workers' Compensation Administrative Trust Fund are provided for transfer to the Justice Administrative Commission for the specific purpose of funding

SECTION 6 - GENERAL GOVERNMENT
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attorneys and paralegals in the Eleventh and Thirteenth Judicial Circuits for the prosecution of workers' compensation insurance fraud. These funds may not be used for any purpose other than the funding of attorney and paralegal positions that prosecute crimes of workers' compensation fraud.

2521 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 2,577,656
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 86,360

2522 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 44,800

2523 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 315,520

2524 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 69,320
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 1,080

2525 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 104,658
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 6,769

TOTAL: WORKERS' COMPENSATION
FROM TRUST FUNDS 25,363,683

TOTAL POSITIONS 296.00
TOTAL ALL FUNDS 25,363,683

PROGRAM: FINANCIAL SERVICES COMMISSION

OFFICE OF INSURANCE REGULATION

COMPLIANCE AND ENFORCEMENT - INSURANCE

From the funds in Specific Appropriations 2526 through 2536, the Office of Insurance Regulation shall submit a report that provides a detailed listing of all rate filings submitted during Fiscal Year 2011-2012 for personal lines property residential coverage. For each such filing, the report shall include: (1) the name of the company submitting the filing; (2) the date the filing was submitted to the Office of Insurance Regulation; (3) the overall rate change requested; (4) the name of the Office of Insurance Regulation actuary responsible for reviewing the filing; (5) the number of days from the date of the original submission to the final disposition of the rate filing; (6) whether the submitted filing was approved as submitted, approved at a different rate level, disapproved in its entirety, or found to be incomplete or withdrawn; (7) if a rate was approved, the overall rate level which was approved; (8) if the rate was denied; the specific basis for the denial; and (9) if a rate filing was withdrawn and resubmitted, it shall be identified as part of the initial rate filing for purposes of this report.

The report shall be submitted to the chairs of the Senate Budget Committee and the House of Representatives Appropriations Committee by September 1, 2012.

APPROVED SALARY RATE 11,746,070

SECTION 6 - GENERAL GOVERNMENT
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2526 SALARIES AND BENEFITS POSITIONS 249.00
FROM INSURANCE REGULATORY TRUST
FUND 15,121,535

2527 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 125,000

2528 EXPENSES
FROM INSURANCE REGULATORY TRUST
FUND 2,652,374

2529 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST
FUND 2,000

2530 SPECIAL CATEGORIES
FLORIDA PUBLIC HURRICANE LOSS MODEL -
OFFICE OF INSURANCE REGULATION
FROM INSURANCE REGULATORY TRUST
FUND 588,639

The funds in Specific Appropriation 2530 may be utilized to promote and enhance collaborative research among State Universities. The Florida Public Hurricane Loss Model located at Florida International University may consult with the private sector and the Florida Catastrophic Storm Risk Management Center located at The Florida State University to enhance the marketability, viability, and applications of the Florida Public Hurricane Loss Model. To ensure the Office of Insurance Regulation (Office) has the ability to accurately calculate hurricane risk and project catastrophic losses, nothing interferes with or supersedes the Office's authority to enter into agreements with Florida International University.

2531 SPECIAL CATEGORIES
FINANCIAL EXAMINATION CONTRACTS - PROPERTY
AND CASUALTY EXAMINATIONS
FROM INSURANCE REGULATORY TRUST
FUND 4,651,763

2532 SPECIAL CATEGORIES
FINANCIAL EXAMINATION CONTRACTS - LIFE AND
HEALTH EXAMINATIONS
FROM INSURANCE REGULATORY TRUST
FUND 275,000

2533 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 688,016

2534 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST
FUND 240,456

2535 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INSURANCE REGULATORY TRUST
FUND 18,989

2536 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST
FUND 89,514

TOTAL: COMPLIANCE AND ENFORCEMENT - INSURANCE
FROM TRUST FUNDS 24,453,286

TOTAL POSITIONS 249.00
TOTAL ALL FUNDS 24,453,286

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 2,003,039

2537 SALARIES AND BENEFITS POSITIONS 34.00
FROM INSURANCE REGULATORY TRUST
FUND 2,463,627

2538 EXPENSES
FROM INSURANCE REGULATORY TRUST
FUND 93,543

2539 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 117,710

2540 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INSURANCE REGULATORY TRUST
FUND 8,414

2541 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST
FUND 12,509

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 2,695,803

TOTAL POSITIONS 34.00
TOTAL ALL FUNDS 2,695,803

OFFICE OF FINANCIAL REGULATION

From the funds in Specific Appropriation 2542B, 2546B, 2550C, and 2550K, no funds shall be used to make payment for the use of property leased pursuant to Lease Number 430:0049, relating to Bayou Corporate Center, 4900 Bayou Blvd, Suite 103, Pensacola, after June 30, 2012.

SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM

APPROVED SALARY RATE 6,956,213

2541A SALARIES AND BENEFITS POSITIONS 120.00
FROM FINANCIAL INSTITUTIONS
REGULATORY TRUST FUND 8,696,121

2541B OTHER PERSONAL SERVICES
FROM FINANCIAL INSTITUTIONS
REGULATORY TRUST FUND 872,000

2541C EXPENSES
FROM FINANCIAL INSTITUTIONS
REGULATORY TRUST FUND 1,751,352

2541D OPERATING CAPITAL OUTLAY
FROM FINANCIAL INSTITUTIONS
REGULATORY TRUST FUND 7,130

2541E SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FINANCIAL INSTITUTIONS
REGULATORY TRUST FUND 367,012

2541F SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FINANCIAL INSTITUTIONS
REGULATORY TRUST FUND 35,870

2541G SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT

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APPROPRIATION
FROM FINANCIAL INSTITUTIONS
REGULATORY TRUST FUND 28,872

2541H SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM FINANCIAL INSTITUTIONS
REGULATORY TRUST FUND 42,550

TOTAL: SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM
FROM TRUST FUNDS 11,800,907

TOTAL POSITIONS 120.00
TOTAL ALL FUNDS 11,800,907

FINANCIAL INVESTIGATIONS

APPROVED SALARY RATE 1,997,905

2541I SALARIES AND BENEFITS POSITIONS 36.00
FROM ADMINISTRATIVE TRUST FUND . . . 2,359,835

2542A OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 5,321

2542B EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 493,557
FROM FEDERAL LAW ENFORCEMENT TRUST
FUND 51,758

2542C OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 10,600

2542D SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 36,354

2543 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 19,454

2544 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM ADMINISTRATIVE TRUST FUND . . . 15,809

2545 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 20,539

TOTAL: FINANCIAL INVESTIGATIONS
FROM TRUST FUNDS 3,013,227

TOTAL POSITIONS 36.00
TOTAL ALL FUNDS 3,013,227

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,343,595

2545A SALARIES AND BENEFITS POSITIONS 18.00
FROM ADMINISTRATIVE TRUST FUND . . . 1,771,586

2546A OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 150,000

2546B EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 422,548

2546C SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 61,048

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APPROPRIATION
2547 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 14,895

2548 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM ADMINISTRATIVE TRUST FUND . . . 10,004

2549 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 15,722

2550 DATA PROCESSING SERVICES
REGULATORY ENFORCEMENT AND LICENSING
SYSTEM - OFFICE OF FINANCIAL REGULATION
FROM ADMINISTRATIVE TRUST FUND . . . 2,181,547

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 4,627,350

TOTAL POSITIONS 18.00
TOTAL ALL FUNDS 4,627,350

FINANCE REGULATION

APPROVED SALARY RATE 4,560,701

2550A SALARIES AND BENEFITS POSITIONS 85.00
FROM REGULATORY TRUST FUND 5,509,400

2550B OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 200,000

2550C EXPENSES
FROM REGULATORY TRUST FUND 939,894

2550D OPERATING CAPITAL OUTLAY
FROM REGULATORY TRUST FUND 5,631

2550E SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 3,241,565

2550F SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 34,046

2550G SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM REGULATORY TRUST FUND 34,995

2550H SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 36,641

TOTAL: FINANCE REGULATION
FROM TRUST FUNDS 10,002,172

TOTAL POSITIONS 85.00
TOTAL ALL FUNDS 10,002,172

SECURITIES REGULATION

APPROVED SALARY RATE 4,867,173

2550I SALARIES AND BENEFITS POSITIONS 98.00
FROM REGULATORY TRUST FUND 6,282,686

2550J OTHER PERSONAL SERVICES
FROM ANTI-FRAUD TRUST FUND 32,538

SECTION 6 - GENERAL GOVERNMENT
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APPROPRIATION

	FROM REGULATORY TRUST FUND		4,466
2550K	EXPENSES		
	FROM ANTI-FRAUD TRUST FUND		62,885
	FROM REGULATORY TRUST FUND		681,023
2550L	OPERATING CAPITAL OUTLAY		
	FROM ANTI-FRAUD TRUST FUND		24,528
	FROM REGULATORY TRUST FUND		4,566
2550M	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ANTI-FRAUD TRUST FUND		80,049
	FROM REGULATORY TRUST FUND		349,500
2550N	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM REGULATORY TRUST FUND		27,054
2550O	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM REGULATORY TRUST FUND		27,253
2550P	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM REGULATORY TRUST FUND		33,473
TOTAL: SECURITIES REGULATION			
	FROM TRUST FUNDS		7,610,021
	TOTAL POSITIONS	98.00	
	TOTAL ALL FUNDS		7,610,021
TOTAL: FINANCIAL SERVICES, DEPARTMENT OF			
	FROM GENERAL REVENUE FUND	21,772,904	
	FROM TRUST FUNDS		269,600,692
	TOTAL POSITIONS	2,594.50	
	TOTAL ALL FUNDS		291,373,596
	TOTAL APPROVED SALARY RATE	119,687,733	

GOVERNOR, EXECUTIVE OFFICE OF THE

PROGRAM: GENERAL OFFICE

EXECUTIVE DIRECTION AND SUPPORT SERVICES

2555	SALARIES AND BENEFITS POSITIONS	124.00	
	FROM GENERAL REVENUE FUND	8,208,653	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		206,492
2556	LUMP SUM		
	EXECUTIVE OFFICE OF THE GOVERNOR -		
	EXECUTIVE/ADMINISTRATION		
	FROM GENERAL REVENUE FUND	4,520,328	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		488,033
2557	LUMP SUM		
	EXECUTIVE OFFICE OF THE GOVERNOR -		
	WASHINGTON OFFICE		
	FROM GENERAL REVENUE FUND	116,858	
2559	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE		
	HEARINGS		
	FROM GENERAL REVENUE FUND	17,320	
2560	SPECIAL CATEGORIES		
	CONTINGENT - DISCRETIONARY		
	FROM GENERAL REVENUE FUND	29,244	

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APPROPRIATION

2561	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	33,301	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		6,689
2562	SPECIAL CATEGORIES		
	CHILD ABUSE PREVENTION		
	FROM GENERAL REVENUE FUND	150,000	
2563	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	47,260	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		1,147
2564	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM GENERAL REVENUE FUND	2,155	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	13,125,119	
	FROM TRUST FUNDS		702,361
	TOTAL POSITIONS	124.00	
	TOTAL ALL FUNDS		13,827,480

LEGISLATIVE APPROPRIATIONS SYSTEM/PLANNING AND
BUDGETING SUBSYSTEM

2566	SALARIES AND BENEFITS POSITIONS	48.00	
	FROM PLANNING AND BUDGETING SYSTEM		
	TRUST FUND		4,277,663
2567	LUMP SUM		
	LEGISLATIVE APPROPRIATION SYSTEM/PLANNING		
	AND BUDGETING SUBSYSTEM		
	FROM PLANNING AND BUDGETING SYSTEM		
	TRUST FUND		1,231,236
2568	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM PLANNING AND BUDGETING SYSTEM		
	TRUST FUND		15,958
2569	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM PLANNING AND BUDGETING SYSTEM		
	TRUST FUND		15,606
2570	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM PLANNING AND BUDGETING SYSTEM		
	TRUST FUND		309
2570A	DATA PROCESSING SERVICES		
	NORTHWEST REGIONAL DATA CENTER (NWRDC)		
	FROM PLANNING AND BUDGETING SYSTEM		
	TRUST FUND		32,095

The funds provided in specific appropriation 2570A shall not be utilized for any costs related to the potential expansion of the Northwest Regional Data Center.

TOTAL: LEGISLATIVE APPROPRIATIONS SYSTEM/PLANNING AND			
	BUDGETING SUBSYSTEM		
	FROM TRUST FUNDS		5,572,867
	TOTAL POSITIONS	48.00	
	TOTAL ALL FUNDS		5,572,867

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
EXECUTIVE PLANNING AND BUDGETING

2571 SALARIES AND BENEFITS POSITIONS 104.00
FROM GENERAL REVENUE FUND 8,371,157

2572 LUMP SUM
EXECUTIVE OFFICE OF THE GOVERNOR - OFFICE OF PLANNING AND BUDGETING
FROM GENERAL REVENUE FUND 762,371

2573 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM GENERAL REVENUE FUND 14,370

2574 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 28,598

2575 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 39,096

TOTAL: EXECUTIVE PLANNING AND BUDGETING
FROM GENERAL REVENUE FUND 9,215,592

TOTAL POSITIONS 104.00
TOTAL ALL FUNDS 9,215,592

PROGRAM: EMERGENCY MANAGEMENT

EMERGENCY PREVENTION, PREPAREDNESS AND RESPONSE

The Division of Emergency Management shall submit quarterly status reports on the outstanding obligations for each open federally declared disaster event to the Executive Office of the Governor, and to the chairs of the Senate Budget Committee and the House Appropriations Committee.

APPROVED SALARY RATE 6,631,042

2576 SALARIES AND BENEFITS POSITIONS 153.00
FROM ADMINISTRATIVE TRUST FUND . . . 1,107,961
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 2,043,757
FROM FEDERAL GRANTS TRUST FUND . . . 2,922,547
FROM GRANTS AND DONATIONS TRUST FUND 476,103
FROM OPERATING TRUST FUND 667,571
FROM U.S. CONTRIBUTIONS TRUST FUND . 1,419,852

2577 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 400,000
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 358,472
FROM FEDERAL GRANTS TRUST FUND . . . 530,860
FROM GRANTS AND DONATIONS TRUST FUND 37,435
FROM OPERATING TRUST FUND 12,540
FROM U.S. CONTRIBUTIONS TRUST FUND . 17,507

2578 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 411,624
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 551,355
FROM FEDERAL GRANTS TRUST FUND . . . 1,074,217
FROM GRANTS AND DONATIONS TRUST FUND 312,254
FROM OPERATING TRUST FUND 198,443

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM U.S. CONTRIBUTIONS TRUST FUND . 723,297

2579 AID TO LOCAL GOVERNMENTS
DISASTER PREPAREDNESS PLANNING AND ADMINISTRATION
FROM FEDERAL GRANTS TRUST FUND . . . 2,389,944

2580 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 15,400
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 8,775
FROM FEDERAL GRANTS TRUST FUND . . . 8,415
FROM GRANTS AND DONATIONS TRUST FUND 4,500
FROM OPERATING TRUST FUND 4,650

2581 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL GRANTS TRUST FUND . . . 175,000

2582 SPECIAL CATEGORIES
GRANTS AND AIDS - PAYMENT FLORIDA WING/ CIVIL AIR PATROL
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 49,500

2583 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 273,163
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 183,951
FROM FEDERAL GRANTS TRUST FUND . . . 188,570
FROM GRANTS AND DONATIONS TRUST FUND 63,093
FROM OPERATING TRUST FUND 37,382
FROM U.S. CONTRIBUTIONS TRUST FUND . 89,824

2584 SPECIAL CATEGORIES
PUBLIC ASSISTANCE FOR 2004 HURRICANES - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND 354,895
FROM U.S. CONTRIBUTIONS TRUST FUND . 3,194,051

2585 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2004 HURRICANES - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND 681,297
FROM U.S. CONTRIBUTIONS TRUST FUND . 2,043,891

2586 SPECIAL CATEGORIES
PUBLIC ASSISTANCE FOR 2004 HURRICANES - PASS THROUGH
FROM GRANTS AND DONATIONS TRUST FUND 1,947,614
FROM U.S. CONTRIBUTIONS TRUST FUND . 26,576,912

2587 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2004 HURRICANES - PASS THROUGH
FROM U.S. CONTRIBUTIONS TRUST FUND . 28,144,173

2588 SPECIAL CATEGORIES
PUBLIC ASSISTANCE - PASS THROUGH
FROM GRANTS AND DONATIONS TRUST FUND 125,321
FROM U.S. CONTRIBUTIONS TRUST FUND . 781,221

2589 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2005 HURRICANES -

SECTION 6 - GENERAL GOVERNMENT
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APPROPRIATION

STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND 257,198
FROM U.S. CONTRIBUTIONS TRUST FUND . 963,627

2590 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2005 HURRICANES - PASS THROUGH
FROM U.S. CONTRIBUTIONS TRUST FUND . 40,000,498

2592 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2008-09 HURRICANES AND STORMS - STATE OPERATIONS
FROM U.S. CONTRIBUTIONS TRUST FUND . 224,519

2593 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2008-09 HURRICANES AND STORMS - PASS THROUGH
FROM U.S. CONTRIBUTIONS TRUST FUND . 7,228,612

2594 SPECIAL CATEGORIES
GRANTS AND AIDS - EMERGENCY MANAGEMENT PROGRAMS
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 7,089,061

2595 SPECIAL CATEGORIES
GRANTS AND AIDS - STATE DOMESTIC PREPAREDNESS PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 304,369

2596 SPECIAL CATEGORIES
GRANTS AND AID - REPETITIVE FLOOD CLAIMS PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 3,175,434

2597 SPECIAL CATEGORIES
GRANTS AND AIDS - SEVERE REPETITIVE LOSS PILOT PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 1,253,738

2598 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 8,663
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 32,607
FROM FEDERAL GRANTS TRUST FUND . . . 47,352
FROM GRANTS AND DONATIONS TRUST FUND 14,473
FROM OPERATING TRUST FUND 8,508
FROM U.S. CONTRIBUTIONS TRUST FUND . 77,744

2599 SPECIAL CATEGORIES
GRANTS AND AIDS - STATE AND FEDERAL DISASTER RELIEF OPERATIONS - ADMINISTRATIVE
FROM FEDERAL GRANTS TRUST FUND . . . 7,670,338

2600 SPECIAL CATEGORIES
COMMISSION ON COMMUNITY SERVICE
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 300,000

2601 SPECIAL CATEGORIES
STATEWIDE HURRICANE PREPAREDNESS AND PLANNING
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 1,771,390
FROM FEDERAL GRANTS TRUST FUND . . . 421,219
FROM GRANTS AND DONATIONS TRUST FUND 95,566

2602 SPECIAL CATEGORIES
GRANTS AND AIDS - PREDISASTER MITIGATION
FROM FEDERAL GRANTS TRUST FUND . . . 3,156,613

Funds in Specific Appropriation 2602 are provided for the pre-disaster mitigation program. The 25 percent match requirement for the federal funds shall be provided by local governments.

2603 SPECIAL CATEGORIES
GRANTS AND AIDS - HURRICANE LOSS MITIGATION
FROM GRANTS AND DONATIONS TRUST FUND 6,892,389

Grants and Donations Trust Funds in the following Specific Appropriations reflect the transfer of $7,000,000 of mitigation funds from the Florida Hurricane Catastrophe Fund pursuant to section 215.555(7), Florida Statutes: Specific Appropriation 2576 (Salaries and Benefits) in the amount of $61,882; Specific Appropriation 2577 (Other Personal Services) in the amount of $233; Specific Appropriation 2578 (Expenses) in the amount of $26,025; Specific Appropriation 2580 (Operating Capital Outlay) in the amount of $1,000; Specific Appropriation 2583 (Contracted Services) in the amount of $760; Specific Appropriation 2598 (Risk Management Insurance) in the amount of $525; Specific Appropriation 2605 (Transfer to Department of Management Services - Human Resources Services) in the amount of $356; Specific Appropriation 2622 (Data Processing Services - Transfer to Southwood Shared Resource Center) in the amount of $527; and Specific Appropriation 2603 in the amount of $6,892,389, which includes indirect costs of $17,053. These funds shall be utilized for Hurricane Loss Mitigation programs as specified in section 215.559(2)(a), Florida Statutes; and after the provisions of section 215.559(2)(a) and (4), Florida Statutes, $925,000 shall fund the Building Code Compliance and Mitigation Program pursuant to section 553.841, Florida Statutes. The moneys allocated in section 215.559(2)(a), Florida Statutes, shall be distributed directly to Tallahassee Community College for the uses set forth in section 215.559(2)(a), Florida Statutes.

2604 SPECIAL CATEGORIES
FLOOD MITIGATION ASSISTANCE PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 3,670,670

2605 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 3,481
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 14,087
FROM FEDERAL GRANTS TRUST FUND . . . 19,030
FROM GRANTS AND DONATIONS TRUST FUND 5,816
FROM OPERATING TRUST FUND 3,504
FROM U.S. CONTRIBUTIONS TRUST FUND . 31,243

2606 SPECIAL CATEGORIES
NON-FEDERAL REIMBURSEABLE DISASTER ACTIVITIES
FROM GRANTS AND DONATIONS TRUST FUND 280,000

2607 SPECIAL CATEGORIES
FLORIDA HAZARDOUS MATERIALS PLANNING PROGRAM
FROM OPERATING TRUST FUND 966,597

2608 SPECIAL CATEGORIES
HAZARDOUS MATERIALS EMERGENCY PLANNING GRANT
FROM FEDERAL GRANTS TRUST FUND . . . 761,287

SECTION 6 - GENERAL GOVERNMENT
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APPROPRIATION

2608A SPECIAL CATEGORIES
GRANTS AND AIDS - DEEPWATER HORIZON - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND 64,280

2608B SPECIAL CATEGORIES
GRANTS AND AIDS - DEEPWATER HORIZON - PASS THROUGH OF STATE AND FEDERAL FUNDS TO LOCAL GOVERNMENTS
FROM GRANTS AND DONATIONS TRUST FUND 868,865

2609 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2008-09 SEVERE WEATHER AND FLOODING - STATE OPERATIONS
FROM U.S. CONTRIBUTIONS TRUST FUND . 174,500

2610 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2008-09 SEVERE WEATHER AND FLOODING - PASS THROUGH
FROM U.S. CONTRIBUTIONS TRUST FUND . 3,680,319

2611 SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS
FROM U.S. CONTRIBUTIONS TRUST FUND . 2,607,945

2612 SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - PASS THROUGH OF STATE AND FEDERAL FUNDS TO LOCAL GOVERNMENTS
FROM GRANTS AND DONATIONS TRUST FUND 21,991
FROM U.S. CONTRIBUTIONS TRUST FUND . 30,722,033

2613 SPECIAL CATEGORIES
GRANTS AND AIDS - 2008-09 SEVERE WEATHER AND FLOODING - STATE OPERATIONS
FROM U.S. CONTRIBUTIONS TRUST FUND . 75,733

2614 SPECIAL CATEGORIES
GRANTS AND AIDS - 2008-09 SEVERE WEATHER AND FLOODING - PASS THROUGH OF STATE AND FEDERAL FUNDS TO LOCAL GOVERNMENTS
FROM GRANTS AND DONATIONS TRUST FUND 578,657
FROM U.S. CONTRIBUTIONS TRUST FUND . 2,827,896

2615 SPECIAL CATEGORIES
GRANTS AND AIDS - MAJOR DISASTER 2006-07 - HAZARDOUS WEATHER - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND 5,884
FROM U.S. CONTRIBUTIONS TRUST FUND . 17,653

2616 SPECIAL CATEGORIES
GRANTS AND AIDS - MAJOR DISASTER 2006-07 - HAZARDOUS WEATHER - PASS THROUGH
FROM GRANTS AND DONATIONS TRUST FUND 376,186
FROM U.S. CONTRIBUTIONS TRUST FUND . 1,656,366

2617 SPECIAL CATEGORIES
GRANTS AND AIDS - 2008-09 HURRICANES - STATE OPERATIONS
FROM U.S. CONTRIBUTIONS TRUST FUND . 204,280

2618 SPECIAL CATEGORIES
GRANTS AND AIDS - 2008-09 HURRICANES - PASS THROUGH OF STATE AND FEDERAL FUNDS TO LOCAL GOVERNMENTS
FROM GRANTS AND DONATIONS TRUST FUND 964,188

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM U.S. CONTRIBUTIONS TRUST FUND . 5,245,444

2619 SPECIAL CATEGORIES
GRANTS AND AIDS - MAJOR DISASTERS 2011 - FLORIDA WILDFIRES - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND 11,250
FROM U.S. CONTRIBUTIONS TRUST FUND . 33,750

2620 SPECIAL CATEGORIES
GRANTS AND AIDS - MAJOR DISASTERS 2011 - FLORIDA WILDFIRES - PASS THROUGH
FROM GRANTS AND DONATIONS TRUST FUND 150,000
FROM U.S. CONTRIBUTIONS TRUST FUND . 450,000

2621 SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 8,352

2622 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM ADMINISTRATIVE TRUST FUND . . . 4,026
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 233,286
FROM FEDERAL GRANTS TRUST FUND . . . 26,804
FROM GRANTS AND DONATIONS TRUST FUND 7,071
FROM OPERATING TRUST FUND 5,458
FROM U.S. CONTRIBUTIONS TRUST FUND . 36,010

2624 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
EMERGENCY MANAGEMENT CRITICAL FACILITY NEEDS
FROM GENERAL REVENUE FUND 5,000,000
FROM GRANTS AND DONATIONS TRUST FUND 3,000,000

Funds in Specific Appropriation 2624 from the Grants and Donations Trust Fund reflect the transfer of $3,000,000 of mitigation funds from the Hurricane Catastrophe Fund pursuant to section 215.555(7)(c), Florida Statutes.

From the funds in Specific Appropriation 2624, $5,000,000 from the General Revenue Fund shall be provided to Glades County to assist in the construction of an emergency operations center.

TOTAL: EMERGENCY PREVENTION, PREPAREDNESS AND RESPONSE
FROM GENERAL REVENUE FUND 5,000,000
FROM TRUST FUNDS 221,415,197

TOTAL POSITIONS 153.00
TOTAL ALL FUNDS 226,415,197

TOTAL: GOVERNOR, EXECUTIVE OFFICE OF THE
FROM GENERAL REVENUE FUND 27,340,711
FROM TRUST FUNDS 227,690,425

TOTAL POSITIONS 429.00
TOTAL ALL FUNDS 255,031,136
TOTAL APPROVED SALARY RATE 6,631,042

HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
APPROVED SALARY RATE 10,523,105

2635 SALARIES AND BENEFITS POSITIONS 254.50
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 14,076,709
FROM LAW ENFORCEMENT TRUST FUND . . 140,153

2636 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 89,196

2637 EXPENSES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 952,857
FROM LAW ENFORCEMENT TRUST FUND . . 7,516

2638 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 125,478

2639 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 15,521

2640 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 1,323,893

2641 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 166,567

2642 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 84,169

2643 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 67,880

2644 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 90,810

2645 FIXED CAPITAL OUTLAY
SPECIAL PROJECTS AND IMPROVEMENTS -
ADMINISTRATIVE SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 2,822,555

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 19,963,304

TOTAL POSITIONS 254.50
TOTAL ALL FUNDS 19,963,304

PROGRAM: FLORIDA HIGHWAY PATROL

HIGHWAY SAFETY

APPROVED SALARY RATE 97,508,112

2646 SALARIES AND BENEFITS POSITIONS 2,156.00
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 130,424,850

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM FEDERAL GRANTS TRUST FUND . . . 1,338,247
FROM GAS TAX COLLECTION TRUST FUND . 254,292
FROM LAW ENFORCEMENT TRUST FUND . . 359,470

No funds are provided in Specific Appropriation 2646 for the payment of overtime expenditures related to the duties of the Florida Highway Patrol. However, in the event of a declared state of emergency, the department may utilize available funds to deploy law enforcement officers for the payment of overtime as needed.

2647 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 9,320,336
FROM FEDERAL GRANTS TRUST FUND . . . 330,000
FROM LAW ENFORCEMENT TRUST FUND . . 69,000

From the funds in Specific Appropriation 2647, $8,746,675 is provided for Florida Highway Patrol Hireback Services for overtime employment administered by the State. It is the intent of the legislature that the department make a reasonable effort to equalize the distribution of overtime within the Law Enforcement Officer Class.

2648 EXPENSES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 7,089,296
FROM FEDERAL GRANTS TRUST FUND . . . 362,274
FROM LAW ENFORCEMENT TRUST FUND . . 65,475
FROM FEDERAL LAW ENFORCEMENT TRUST
FUND 185,923

2649 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 428,505
FROM FEDERAL GRANTS TRUST FUND . . . 372,000
FROM FEDERAL LAW ENFORCEMENT TRUST
FUND 252,572

2650 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 4,830,341
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 4,777,624

2651 SPECIAL CATEGORIES
FLORIDA HIGHWAY PATROL COMMUNICATION
SYSTEMS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 1,633,918

2652 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 1,460,786
FROM LAW ENFORCEMENT TRUST FUND . . 50,000

2652A SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM FEDERAL GRANTS TRUST FUND . . . 767,097

2653 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 15,897,549
FROM FEDERAL GRANTS TRUST FUND . . . 665,182
FROM LAW ENFORCEMENT TRUST FUND . . 856,801

2654 SPECIAL CATEGORIES
AUXILLIARY UNIFORMS AND EQUIPMENT
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 138,238

2654A SPECIAL CATEGORIES
OVERTIME
FROM HIGHWAY SAFETY OPERATING

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
TRUST FUND 8,225,000

From the funds in Specific Appropriation 2654A, $5,125,000 is provided for the State Overtime Action Response (SOAR) Program and $3,100,000 is provided for payment of incidental overtime for the Florida Highway Patrol.

Funds for SOAR overtime activities are provided for Florida Highway Patrol included class members (Sergeants, Corporals, and Troopers) who may be authorized to work up to 8 hours per week until the appropriation is consumed. The SOAR program shall focus on traffic safety enforcement, including but not limited to violation enforcement, rendering assistance, crash investigation and DUI enforcement activities. Florida Highway Patrol Officers with a rank of Lieutenant or above are excluded from participation in the SOAR overtime program. The SOAR overtime limitations set forth herein do not apply during a declared state of emergency.

2655 SPECIAL CATEGORIES
PAYMENT OF DEATH AND DISMEMBERMENT CLAIMS
FROM HIGHWAY PATROL INSURANCE
TRUST FUND 325,995

2656 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 5,309,922

2657 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 1,397,348

2658 SPECIAL CATEGORIES
TRANSFER TO HIGHWAY PATROL INSURANCE TRUST
FUND
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 325,995

2659 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 2,219,213

2660 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 105,960

2661 SPECIAL CATEGORIES
MOBILE DATA TERMINAL SYSTEM
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 2,348,410

2661A SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 770,388

2662 FIXED CAPITAL OUTLAY
MINOR RENOVATIONS, REPAIRS, AND
IMPROVEMENTS - STATEWIDE
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 384,000

2663 FIXED CAPITAL OUTLAY
MAJOR RENOVATIONS - FLORIDA HIGHWAY PATROL
STATION (PINELLAS PARK) - AGENCY MANAGED
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 280,000

TOTAL: HIGHWAY SAFETY

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM GENERAL REVENUE FUND 4,830,341
FROM TRUST FUNDS 198,791,666

TOTAL POSITIONS 2,156.00
TOTAL ALL FUNDS 203,622,007

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,743,774

2664 SALARIES AND BENEFITS POSITIONS 24.00
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 2,302,264

2665 EXPENSES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 260,042

2666 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 8,000

2667 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 19,838

2668 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 4,135

2669 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 7,790

2670 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 66,559

2671 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 20,315

2672 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 693

2672A SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 8,536

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 2,698,172

TOTAL POSITIONS 24.00
TOTAL ALL FUNDS 2,698,172

MOTOR CARRIER COMPLIANCE

APPROVED SALARY RATE 12,146,800

2673 SALARIES AND BENEFITS POSITIONS 294.00
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 17,542,570

2674 OTHER PERSONAL SERVICES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 15,689

2675 EXPENSES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 2,227,868
FROM FEDERAL GRANTS TRUST FUND . . . 17,528

2676 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 1,729,513

2677 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 1,508,511

2678 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 1,877,591

2678A SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM FEDERAL GRANTS TRUST FUND . . . 290,000

2679 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 775,749

2680 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 2,154,397
FROM FEDERAL GRANTS TRUST FUND . . . 49,126

2681 SPECIAL CATEGORIES
OVERTIME
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 2,925,173
FROM FEDERAL GRANTS TRUST FUND . . . 48,866

2682 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 218,240

2682A SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 23,020

2682B SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 100,659

TOTAL: MOTOR CARRIER COMPLIANCE
FROM TRUST FUNDS 31,504,500

TOTAL POSITIONS 294.00
TOTAL ALL FUNDS 31,504,500

PROGRAM: MOTORIST SERVICES

MOTORIST SERVICES

No funds are provided in Specific Appropriation 2683 through 2694 for Fiscal Year 2012-2013 to make payments for the use of property after June 30, 2012, on any existing contracts, lease or other contractual obligations held by the state or any of its agencies and entities

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
associated with the Ft. Pierce (P09) Driver License office.

APPROVED SALARY RATE 48,523,322

2683 SALARIES AND BENEFITS POSITIONS 1,602.00
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 62,453,636
FROM FEDERAL GRANTS TRUST FUND . . . 237,247
FROM GAS TAX COLLECTION TRUST FUND . 2,836,657

2684 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 801,609
FROM FEDERAL GRANTS TRUST FUND . . . 886,291
FROM GAS TAX COLLECTION TRUST FUND . 11,438

2685 EXPENSES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 11,479,265
FROM FEDERAL GRANTS TRUST FUND . . . 390,335
FROM GAS TAX COLLECTION TRUST FUND . 341,509

2685A AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - PROJECTS, CONTRACTS AND
GRANTS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 250,000

From the funds in Specific Appropriation 2685A, $250,000 in nonrecurring funds from the Highway Safety Operating Trust Fund are for the purpose of promoting motorcycle safety awareness through public information and education campaigns. These funds are provided to the American Bikers Aiming Toward Education of Florida, Inc. The American Bikers Aiming Toward Education of Florida, Inc., is required to provide an independent program audit to the Department of Highway Safety and Motor Vehicles to ensure that these funds were utilized to enhance motorcycle safety education. The expense of this required independent program audit may be funded from a portion of the funds provided.

2686 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 234,866
FROM FEDERAL GRANTS TRUST FUND . . . 840,034
FROM GAS TAX COLLECTION TRUST FUND . 5,001

2687 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 2,837,455
FROM FEDERAL GRANTS TRUST FUND . . . 839,726
FROM GAS TAX COLLECTION TRUST FUND . 3,040

2688 SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 1,800,000

2689 SPECIAL CATEGORIES
AUTOMATED UNIFORM TRAFFIC ACCOUNTING
SYSTEM
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 913,905

2690 SPECIAL CATEGORIES
PAYMENT TO OUTSIDE CONTRACTOR
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 6,299,454

2691 SPECIAL CATEGORIES
PURCHASE OF DRIVER LICENSES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 11,088,304

2692 SPECIAL CATEGORIES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
GRANTS AND AIDS - PURCHASE OF LICENSE PLATES
FROM HIGHWAY SAFETY OPERATING TRUST FUND 6,575,197

2693 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING TRUST FUND 1,230,427
FROM GAS TAX COLLECTION TRUST FUND . 49,217

2694 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM HIGHWAY SAFETY OPERATING TRUST FUND 238,586

2695 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM HIGHWAY SAFETY OPERATING TRUST FUND 64,488

2696 SPECIAL CATEGORIES
TRANSFER TO TRANSPORTATION SECURITY ADMINISTRATION AND FLORIDA DEPARTMENT OF LAW ENFORCEMENT FOR BACKGROUND CHECKS
FROM HIGHWAY SAFETY OPERATING TRUST FUND 1,532,656

2696A SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM HIGHWAY SAFETY OPERATING TRUST FUND 583,718

2697 FIXED CAPITAL OUTLAY
MINOR RENOVATIONS, REPAIRS, AND IMPROVEMENTS - STATEWIDE
FROM HIGHWAY SAFETY OPERATING TRUST FUND 212,000

TOTAL: MOTORIST SERVICES
FROM TRUST FUNDS 115,036,061

TOTAL POSITIONS 1,602.00
TOTAL ALL FUNDS 115,036,061

PROGRAM: KIRKMAN DATA CENTER

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 7,913,358

2698 SALARIES AND BENEFITS POSITIONS 165.00
FROM HIGHWAY SAFETY OPERATING TRUST FUND 10,027,299

2699 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND 262,740

2700 EXPENSES
FROM HIGHWAY SAFETY OPERATING TRUST FUND 4,264,817
FROM GAS TAX COLLECTION TRUST FUND . 213,265
FROM LAW ENFORCEMENT TRUST FUND . . 3,752

2701 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING TRUST FUND 331,931

2702 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND 1,991,691
FROM GAS TAX COLLECTION TRUST FUND . 17,333

2703 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING TRUST FUND 94,974

2704 SPECIAL CATEGORIES
TAX COLLECTOR NETWORK - COUNTY SYSTEMS
FROM HIGHWAY SAFETY OPERATING TRUST FUND 7,144,405

2705 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM HIGHWAY SAFETY OPERATING TRUST FUND 439,974

2706 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM HIGHWAY SAFETY OPERATING TRUST FUND 1,646

2706A SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM HIGHWAY SAFETY OPERATING TRUST FUND 62,473

2707 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM HIGHWAY SAFETY OPERATING TRUST FUND 1,539,498

2708 DATA PROCESSING SERVICES
NORTHWOOD SHARED RESOURCE CENTER
FROM HIGHWAY SAFETY OPERATING TRUST FUND 2,377,768

TOTAL: INFORMATION TECHNOLOGY
FROM TRUST FUNDS 28,773,566

TOTAL POSITIONS 165.00
TOTAL ALL FUNDS 28,773,566

TOTAL: HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF
FROM GENERAL REVENUE FUND 4,830,341
FROM TRUST FUNDS 396,767,269

TOTAL POSITIONS 4,495.50
TOTAL ALL FUNDS 401,597,610
TOTAL APPROVED SALARY RATE 178,358,471

LEGISLATIVE BRANCH

From the funds in Specific Appropriations 2710 through 2714, funds shall be expended as necessary to challenge the constitutionality of the federal Patient Protection and Affordable Care Act.

SENATE

2710 LUMP SUM
SENATE
FROM GENERAL REVENUE FUND 56,750,478

HOUSE OF REPRESENTATIVES

2711 LUMP SUM
HOUSE
FROM GENERAL REVENUE FUND 54,458,920

LEGISLATIVE SUPPORT SERVICES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2712 LUMP SUM
LEGISLATIVE SUPPORT SERVICES - SENATE
FROM GENERAL REVENUE FUND 23,308,650
FROM GRANTS AND DONATIONS TRUST FUND 964,497
FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND 147,516

2713 LUMP SUM
LEGISLATIVE SUPPORT SERVICES - HOUSE
FROM GENERAL REVENUE FUND 23,411,835
FROM GRANTS AND DONATIONS TRUST FUND 948,314
FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND 142,846

2714 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 359,425
FROM GRANTS AND DONATIONS TRUST FUND 2,903
FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND 396

TOTAL: LEGISLATIVE SUPPORT SERVICES
FROM GENERAL REVENUE FUND 47,079,910
FROM TRUST FUNDS 2,206,472
TOTAL ALL FUNDS 49,286,382

OFFICE OF PUBLIC COUNSEL

2715 LUMP SUM
PUBLIC COUNSEL
FROM GENERAL REVENUE FUND 2,311,661

2716 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 33,984

TOTAL: OFFICE OF PUBLIC COUNSEL
FROM GENERAL REVENUE FUND 2,345,645
TOTAL ALL FUNDS 2,345,645

ETHICS, COMMISSION ON

2717 LUMP SUM
LOBBY REGISTRATION
FROM EXECUTIVE BRANCH LOBBY REGISTRATION TRUST FUND 213,159

2718 LUMP SUM
ETHICS COMMISSION
FROM GENERAL REVENUE FUND 2,249,462

2719 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM GENERAL REVENUE FUND 43,331

2720 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,926
FROM EXECUTIVE BRANCH LOBBY REGISTRATION TRUST FUND 264

TOTAL: ETHICS, COMMISSION ON
FROM GENERAL REVENUE FUND 2,295,719
FROM TRUST FUNDS 213,423
TOTAL ALL FUNDS 2,509,142

AUDITOR GENERAL

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2721 LUMP SUM
AUDITOR GENERAL
FROM GENERAL REVENUE FUND 33,910,507

2722 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 67,977

TOTAL: AUDITOR GENERAL
FROM GENERAL REVENUE FUND 33,978,484
TOTAL ALL FUNDS 33,978,484

TOTAL: LEGISLATIVE BRANCH
FROM GENERAL REVENUE FUND 196,909,156
FROM TRUST FUNDS 2,419,895
TOTAL ALL FUNDS 199,329,051

LOTTERY, DEPARTMENT OF THE

PROGRAM: LOTTERY OPERATIONS

APPROVED SALARY RATE 17,529,440

2723 SALARIES AND BENEFITS POSITIONS 423.00
FROM OPERATING TRUST FUND 25,119,706

2724 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 311,596

2725 EXPENSES
FROM OPERATING TRUST FUND 5,622,614

2726 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 519,784

2727 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM OPERATING TRUST FUND 340,000

From the funds provided in Specific Appropriation 2727, the Department of the Lottery may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in s. 287.14(3), Florida Statutes.

2728 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 3,160,094

2729 SPECIAL CATEGORIES
INSTANT TICKET PURCHASE
FROM OPERATING TRUST FUND 37,581,852

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2729, in the event instant ticket sales are greater than the projected sales used to calculate the amount appropriated.

2730 SPECIAL CATEGORIES
ADVERTISING AGENCY FEES
FROM OPERATING TRUST FUND 3,156,945

2731 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM OPERATING TRUST FUND 34,593,508

From the funds provided in Specific Appropriation 2731, the Department of the Lottery shall not expend in excess of $200,000 for the development, publication, and distribution of any report by the department for the purpose of carrying out the provisions of section

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
24.1215, Florida Statutes.

From the funds provided in Specific Appropriation 2731, the Department of the Lottery shall not expend in excess of $650,000 for services provided in accordance with the "Agreement for Production Services and Related Commodities and Services" contract executed by the department on December 30, 2009.

2732 SPECIAL CATEGORIES
ONLINE GAMES CONTRACT
FROM OPERATING TRUST FUND 28,418,103

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2732 in the event on-line sales are greater than the projected sales used to calculate the amount appropriated.

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2732 to acquire up to 500 additional ticket terminals. Prior to the submission of any budget amendment that increases the size of the lottery retailer network, the Revenue Estimating Conference shall determine if sales will increase sufficiently to cover the cost of the machines, offset any losses to the existing network, and generate additional revenue that benefits the state. The budget amendments will be contingent upon the agency's submission of a plan that includes not only a positive Revenue Estimating Conference impact analysis, but also identifies the specific terminal needs and a plan for distribution of the additional terminals.

2733 SPECIAL CATEGORIES
LOTTERY INSTANT TICKET VENDING MACHINES
FROM OPERATING TRUST FUND 5,010,600

From the funds provided in Specific Appropriation 2733, the Department of the Lottery shall report the net amount of ticket sale revenue generated by each instant ticket vending machine, and in total for all machines. The report shall include the amount of instant ticket vending machine revenue that replaced the amount of counter ticket sale revenue. The report shall be provided to the chair of the Senate Budget Subcommittee on General Government Appropriations, the chair of the House Government Operations Appropriations Subcommittee, and the Executive Office of the Governor on a quarterly basis. The department shall submit a report on July 31, 2012, for ticket sale activity for the period April 1, 2012, through June 30, 2012, and for each quarter thereafter.

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2733 to acquire additional instant ticket vending machines. Prior to the submission of any amendment that increases the number of instant vending ticket machines, the Revenue Estimating Conference shall determine if sales will increase sufficiently to cover the cost of the machines and generate additional revenue that benefits the state. The budget amendments will be contingent upon the agency's submission of a plan that includes not only a positive Revenue Estimating Conference impact analysis, but also identifies the specific instant ticket machine needs and a plan for distribution of the additional machines.

2734 SPECIAL CATEGORIES
LOTTERY FULL SERVICE VENDING MACHINES
FROM OPERATING TRUST FUND 2,940,000

The funds in Specific Appropriation 2734 are contingent upon House Bill 843 or similar legislation, relating to Full Service Vending Machines, becoming law.

From the funds provided in Specific Appropriation 2734, the Department of the Lottery shall report quarterly the net amount of ticket sale revenue generated by each full service vending machine, and in total for all machines. The report shall include the amount of full service vending machine revenue that replaced the amount of counter ticket sale revenue. The report shall be provided 30 days following each quarter to

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
the chair of the Senate Budget Subcommittee on General Government Appropriations, the chair of the House Government Operations Appropriations Subcommittee, and the Executive Office of the Governor. The first report shall be due 30 days following the first quarter of complete deployment of the full service vending machines.

2735 SPECIAL CATEGORIES
RETAILER INCENTIVES
FROM OPERATING TRUST FUND 1,750,000

2736 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 355,498

2737 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM OPERATING TRUST FUND 16,060

2738 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM OPERATING TRUST FUND 120,000

2739 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM OPERATING TRUST FUND 125,000

2740 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 147,142

2741 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM OPERATING TRUST FUND 98,390

TOTAL: PROGRAM: LOTTERY OPERATIONS
FROM TRUST FUNDS 149,386,892

TOTAL POSITIONS 423.00
TOTAL ALL FUNDS 149,386,892

TOTAL: LOTTERY, DEPARTMENT OF THE
FROM TRUST FUNDS 149,386,892

TOTAL POSITIONS 423.00
TOTAL ALL FUNDS 149,386,892
TOTAL APPROVED SALARY RATE 17,529,440

MANAGEMENT SERVICES, DEPARTMENT OF

PROGRAM: ADMINISTRATION PROGRAM

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 4,361,256

2743 SALARIES AND BENEFITS POSITIONS 73.00
FROM ADMINISTRATIVE TRUST FUND . . . 5,619,073
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 150,335

2744 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 38,329

2745 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 638,059
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 41,497

2746 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 9,688

2747 SPECIAL CATEGORIES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 102,700
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 81,800

2748 SPECIAL CATEGORIES
MAIL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 113,424

2749 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 127,605
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 344

2750 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 1,150,000

2751 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM ADMINISTRATIVE TRUST FUND . . . 9,635

2752 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 29,107
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 734

2753 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM ADMINISTRATIVE TRUST FUND . . . 192,645
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 1,900

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 8,306,875

TOTAL POSITIONS 73.00
TOTAL ALL FUNDS 8,306,875

STATE EMPLOYEE LEASING

APPROVED SALARY RATE 110,210

2755 SALARIES AND BENEFITS POSITIONS 2.00
FROM ADMINISTRATIVE TRUST FUND . . . 226,547

2756 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 801

TOTAL: STATE EMPLOYEE LEASING
FROM TRUST FUNDS 227,348

TOTAL POSITIONS 2.00
TOTAL ALL FUNDS 227,348

PROGRAM: FACILITIES PROGRAM

FACILITIES MANAGEMENT

APPROVED SALARY RATE 9,270,775

2757 SALARIES AND BENEFITS POSITIONS 281.00
FROM SUPERVISION TRUST FUND 12,725,347

2758 OTHER PERSONAL SERVICES
FROM SUPERVISION TRUST FUND 17,000

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
2759 EXPENSES
FROM SUPERVISION TRUST FUND 4,511,753

2760 OPERATING CAPITAL OUTLAY
FROM SUPERVISION TRUST FUND 73,727

2761 SPECIAL CATEGORIES
TRANSFER TO THE FLORIDA DEPARTMENT OF LAW
ENFORCEMENT - CAPITOL POLICE
FROM SUPERVISION TRUST FUND 5,843,519

2762 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 294,820
FROM SUPERVISION TRUST FUND 8,895,794

From the general revenue funds in Specific Appropriation 2762, the department shall pay $294,820 for the services provided pursuant to Purchase Order Number 7200 A4F71E and the corresponding agreement for certain tenant broker consulting services and preparation of the Leon County Master Real Estate Plan pursuant to contract number DMS 06/07-115, which are hereby ratified.

2763 SPECIAL CATEGORIES
DEPARTMENT OF MANAGEMENT SERVICES
PROVISIONS FOR FACILITIES SECURITY
FROM SUPERVISION TRUST FUND 1,148,387

2764 SPECIAL CATEGORIES
INTERIOR REFURBISHMENT - LEASE SPACE
FROM SUPERVISION TRUST FUND 1,429,509

2765 SPECIAL CATEGORIES
MASTER LEASE SPACE TENANT IMPROVEMENT
FUNDS
FROM OPERATING TRUST FUND 754,367

Funds in Specific Appropriation 2765 shall be placed in reserve until the department submits to the chair of the Senate Budget Subcommittee on General Government Appropriations and the chair of the House Government Operations Appropriations Subcommittee an updated project plan that includes, but is not limited to, all expenditures related to the proposed projects and the associated funding sources. The plan shall also include: a prioritization of all outstanding requests by agencies for improvement projects in spaces leased under the Tallahassee area private sector master leases; identify all out-year projects required to improve and maintain the leased space for the duration of the 15-year leases; and provide an explanation of why improvements are required or not required for each fiscal year. No earlier than 14 days after submission of the plan to the legislative committees, the department may request the release of the funds pursuant to the provisions of chapter 216, Florida Statutes.

2766 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM SUPERVISION TRUST FUND 413,226

2767 SPECIAL CATEGORIES
STATE UTILITY PAYMENTS
FROM SUPERVISION TRUST FUND 19,348,977

The department is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2767, in the event utility costs exceed the amount appropriated.

2768 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM SUPERVISION TRUST FUND 1,657,550

2769 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM SUPERVISION TRUST FUND 73,318

2770 SPECIAL CATEGORIES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM SUPERVISION TRUST FUND 91,577

2771 SPECIAL CATEGORIES
STATE CAPITOL - MAINTENANCE AND REPAIRS
FROM SUPERVISION TRUST FUND 50,000

2772 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM SUPERVISION TRUST FUND 46,325

2774 FIXED CAPITAL OUTLAY
COMPLIANCE WITH THE AMERICANS WITH
DISABILITIES ACT
FROM SUPERVISION TRUST FUND 224,342

2775 FIXED CAPITAL OUTLAY
LIFE SAFETY CODE COMPLIANCE PROJECTS
STATEWIDE - DMS MGD
FROM SUPERVISION TRUST FUND 147,900

2776 FIXED CAPITAL OUTLAY
STATEWIDE CAPITAL DEPRECIATION - GENERAL -
DMS MGD
FROM SUPERVISION TRUST FUND 7,775,723

Funds provided in Specific Appropriation 2776 are for projects identified in the Department of Management Services' Capital Improvements Plan submitted October 2011 to the Executive Office of the Governor and the Legislature. The department may only depart from this plan when there is an unforeseen circumstance involving a building, facility grounds, or parking garage that affects facility code compliance; life safety or environment deficiencies; Americans with Disabilities Act compliance; mechanical, component or structural failures; or impacts a building's operations, integrity or habitability. In the event the department receives reimbursement for any of the projects in the plan, or if actual project costs are lower than the estimated costs shown in the plan, the department may use the funds to address deferred projects or projects that allow for additional occupancy of any non-occupied space that may exist in the Florida Facilities Pool.

2777 FIXED CAPITAL OUTLAY
OLD CAPITOL RENOVATION - DMS MGD
FROM GENERAL REVENUE FUND 1,109,000

2778 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM FLORIDA FACILITIES POOL
CLEARING TRUST FUND 38,255,689

TOTAL: FACILITIES MANAGEMENT
FROM GENERAL REVENUE FUND 1,403,820
FROM TRUST FUNDS 103,484,030

TOTAL POSITIONS 281.00
TOTAL ALL FUNDS 104,887,850

BUILDING CONSTRUCTION

Funds provided in Specific Appropriations 2779 through 2785 from the Architects Incidental Trust Fund are based on an assessment against each fixed capital outlay appropriation in which the Department of Management Services serves as the owner-representative on behalf of the state. The assessments for appropriations made for the 2012-2013 fiscal year shall be calculated in accordance with the formula submitted by the department to the Executive Office of the Governor on October 7, 1991, as required by chapter 91-193, Laws of Florida.

APPROVED SALARY RATE 528,835

2779 SALARIES AND BENEFITS POSITIONS 10.00

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SPECIFIC
APPROPRIATION
FROM ARCHITECTS INCIDENTAL TRUST
FUND 707,960

2780 EXPENSES
FROM ARCHITECTS INCIDENTAL TRUST
FUND 120,557

2781 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ARCHITECTS INCIDENTAL TRUST
FUND 46,341

2782 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ARCHITECTS INCIDENTAL TRUST
FUND 6,062

2783 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM ARCHITECTS INCIDENTAL TRUST
FUND 1,490

2784 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ARCHITECTS INCIDENTAL TRUST
FUND 3,353

2785 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM ARCHITECTS INCIDENTAL TRUST
FUND 5,789

TOTAL: BUILDING CONSTRUCTION
FROM TRUST FUNDS 891,552

TOTAL POSITIONS 10.00
TOTAL ALL FUNDS 891,552

PROGRAM: SUPPORT PROGRAM

FEDERAL PROPERTY ASSISTANCE

APPROVED SALARY RATE 141,876

2787 SALARIES AND BENEFITS POSITIONS 5.00
FROM SURPLUS PROPERTY REVOLVING
TRUST FUND 230,821

2788 EXPENSES
FROM SURPLUS PROPERTY REVOLVING
TRUST FUND 61,817

2789 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM SURPLUS PROPERTY REVOLVING
TRUST FUND 6,379

2790 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM SURPLUS PROPERTY REVOLVING
TRUST FUND 839

2791 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM SURPLUS PROPERTY REVOLVING
TRUST FUND 1,414

2792 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM SURPLUS PROPERTY REVOLVING

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
TRUST FUND 1,523

2793 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM SURPLUS PROPERTY REVOLVING
TRUST FUND 488

TOTAL: FEDERAL PROPERTY ASSISTANCE
FROM TRUST FUNDS 303,281

TOTAL POSITIONS 5.00
TOTAL ALL FUNDS 303,281

MOTOR VEHICLE AND WATERCRAFT MANAGEMENT

APPROVED SALARY RATE 333,595

2795 SALARIES AND BENEFITS POSITIONS 6.00
FROM OPERATING TRUST FUND 461,916

2796 EXPENSES
FROM OPERATING TRUST FUND 105,274

2797 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 4,332

2798 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 934

2799 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM OPERATING TRUST FUND 1,147

2800 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 2,744

2801 SPECIAL CATEGORIES
PAYMENT OF EXPENSES FROM SALE OF AGENCY
VEHICLES
FROM OPERATING TRUST FUND 750,000

2802 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM OPERATING TRUST FUND 81,255

TOTAL: MOTOR VEHICLE AND WATERCRAFT MANAGEMENT
FROM TRUST FUNDS 1,407,602

TOTAL POSITIONS 6.00
TOTAL ALL FUNDS 1,407,602

PURCHASING OVERSIGHT

From the funds in Specific Appropriation 2804 through 2816, the Department of Management Services, after completing the competitive procurement for the operation of the state's purchasing system, is authorized to submit budget amendments for funds relating to the costs of a new contract, transitioning, and/or resources in traditional categories, if the department determines all or a portion of the state purchasing system shall be provided by the department. The budget amendments for such funds shall be subject to the approval of the Legislative Budget Commission, pursuant to the provisions of chapter 216, Florida Statutes.

APPROVED SALARY RATE 2,495,169

2804 SALARIES AND BENEFITS POSITIONS 43.00
FROM OPERATING TRUST FUND 3,306,592

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
2805 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 10,000

2806 EXPENSES
FROM OPERATING TRUST FUND 272,473

2807 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 15,859

2808 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 91,267

2809 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 17,540

2810 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM OPERATING TRUST FUND 30,000

2811 SPECIAL CATEGORIES
WEB-BASED E-PROCUREMENT SYSTEM
FROM OPERATING TRUST FUND 7,400,000

2811A SPECIAL CATEGORIES
PROJECT MANAGEMENT PROFESSIONAL - TRAINING
FROM OPERATING TRUST FUND 60,000

2813 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM OPERATING TRUST FUND 3,219

2815 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 13,716

2815A SPECIAL CATEGORIES
TRANSFER TO THE DEPARTMENT OF FINANCIAL
SERVICES
FROM OPERATING TRUST FUND 350,000

2816 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM OPERATING TRUST FUND 292,731

TOTAL: PURCHASING OVERSIGHT
FROM TRUST FUNDS 11,863,397

TOTAL POSITIONS 43.00
TOTAL ALL FUNDS 11,863,397

OFFICE OF SUPPLIER DIVERSITY

APPROVED SALARY RATE 206,638

2818 SALARIES AND BENEFITS POSITIONS 6.00
FROM OPERATING TRUST FUND 304,893

2819 EXPENSES
FROM OPERATING TRUST FUND 33,399

2820 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 34,170

2821 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 2,654

2821A SPECIAL CATEGORIES
MATCHMAKER CONFERENCE

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM GRANTS AND DONATIONS TRUST
FUND 185,000

2822 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 3,272

2823 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM OPERATING TRUST FUND 6,682

TOTAL: OFFICE OF SUPPLIER DIVERSITY
FROM TRUST FUNDS 570,070

TOTAL POSITIONS 6.00
TOTAL ALL FUNDS 570,070

PRIVATE PRISON MONITORING

To improve vendor oversight and contract management, the department shall ensure that private prisons resolve any violations cited by the Department of Corrections related to security, infirmary, and contraband operations audits. The department must, through attrition of staff, hire managers and contract monitors with adult corrections expertise. The department must provide relevant training as recommended by the Department of Corrections to all current and future staff responsible for overseeing the private prisons, including training in prison safety and security procedures, inmate manipulation resistance, defensive tactics, and contraband detection and control.

APPROVED SALARY RATE 686,037

2824A SALARIES AND BENEFITS POSITIONS 14.00
FROM GENERAL REVENUE FUND 939,731

2824B OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,200

2824C EXPENSES
FROM GENERAL REVENUE FUND 76,914

2824D OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 3,890

2824E SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 13,056

2824F SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 305

2824G SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM GENERAL REVENUE FUND 23,169

2824H SPECIAL CATEGORIES
ADMINISTRATIVE OVERHEAD
FROM GENERAL REVENUE FUND 103,673

2824I SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 1,167

2824J SPECIAL CATEGORIES
PRIVATE PRISONS - MAINTENANCE AND REPAIR
REIMBURSEMENT
FROM OPERATING TRUST FUND 959,588

2824K SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 4,454

2824L DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 2,741

TOTAL: PRIVATE PRISON MONITORING
FROM GENERAL REVENUE FUND 1,184,300
FROM TRUST FUNDS 959,588

TOTAL POSITIONS 14.00
TOTAL ALL FUNDS 2,143,888

WORKFORCE PROGRAMS

PROGRAM: INSURANCE BENEFITS ADMINISTRATION

APPROVED SALARY RATE 1,291,953

2836 SALARIES AND BENEFITS POSITIONS 23.00
FROM PRETAX BENEFITS TRUST FUND . . 411,810
FROM STATE EMPLOYEES LIFE
INSURANCE TRUST FUND 20,155
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 1,286,075
FROM STATE EMPLOYEES DISABILITY
INSURANCE TRUST FUND 26,384

2837 OTHER PERSONAL SERVICES
FROM PRETAX BENEFITS TRUST FUND . . 2,500
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 140,772

2838 EXPENSES
FROM PRETAX BENEFITS TRUST FUND . . 48,832
FROM STATE EMPLOYEES LIFE
INSURANCE TRUST FUND 1,984
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 294,262
FROM STATE EMPLOYEES DISABILITY
INSURANCE TRUST FUND 2,875

2839 OPERATING CAPITAL OUTLAY
FROM PRETAX BENEFITS TRUST FUND . . 10,000
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 10,000

2840 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 5,820

2841 SPECIAL CATEGORIES
POST PAYMENT CLAIMS AUDIT SERVICES
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 1,300,000

The department is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2841 in the event the contractor identifies claim overpayments that result in compensation that exceeds the amount appropriated.

2842 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PRETAX BENEFITS TRUST FUND . . 348,505
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 1,699,157

From the funds provided in Specific Appropriation 2842, the department shall use certified or licensed professionals who are providing solicited services to other clients when contracting with benefit or actuarial consultants.

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2843 SPECIAL CATEGORIES
ADMINISTRATIVE SERVICES ONLY CONTRACT FOR
HEALTH INSURANCE
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 51,100,000

The department is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2843 in the event administrative service payments for health insurance exceed the amount of budget authority appropriated.

2844 SPECIAL CATEGORIES
PRESCRIPTION DRUG CLAIMS ADMINISTRATION
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 287,280

2845 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PRETAX BENEFITS TRUST FUND . . 10,313
FROM STATE EMPLOYEES LIFE
INSURANCE TRUST FUND 1,795
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 31,832
FROM STATE EMPLOYEES DISABILITY
INSURANCE TRUST FUND 896

2846 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 50,000

2846A SPECIAL CATEGORIES
PAYMENT OF EMPLOYER CONTRIBUTIONS TO
HEALTH SAVINGS ACCOUNT CUSTODIAN
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 786,443

2847 SPECIAL CATEGORIES
CONTRACTED BANK SERVICES
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 79,000

2848 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 4,269

2849 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PRETAX BENEFITS TRUST FUND . . 3,953
FROM STATE EMPLOYEES LIFE
INSURANCE TRUST FUND 276
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 10,879
FROM STATE EMPLOYEES DISABILITY
INSURANCE TRUST FUND 131

2850 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM PRETAX BENEFITS TRUST FUND . . 10,511
FROM STATE EMPLOYEES LIFE
INSURANCE TRUST FUND 2,217
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 26,404
FROM STATE EMPLOYEES DISABILITY
INSURANCE TRUST FUND 4,107

TOTAL: PROGRAM: INSURANCE BENEFITS ADMINISTRATION
FROM TRUST FUNDS 58,019,437

TOTAL POSITIONS 23.00
TOTAL ALL FUNDS 58,019,437

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
PROGRAM: RETIREMENT BENEFITS ADMINISTRATION

APPROVED SALARY RATE 7,526,130

2852 SALARIES AND BENEFITS POSITIONS 193.00
FROM GENERAL REVENUE FUND 694,189
FROM OPERATING TRUST FUND 9,559,036
FROM OPTIONAL RETIREMENT PROGRAM
TRUST FUND 135,334
FROM POLICE AND FIREFIGHTER'S
PREMIUM TAX TRUST FUND 743,039
FROM RETIREE HEALTH INSURANCE
SUBSIDY TRUST FUND 39,820

From the funds provided in Specific Appropriation 2852, the department shall expend available cash balances from the Police and Firefighter's Premium Tax Trust Fund prior to the use of general revenue funding.

Funds provided in Specific Appropriations 2852 through 2862 from the Optional Retirement Program Trust Fund are based on an assessment of .01 percent of the participants' salaries and shall be used only for administration of the Optional Retirement Program.

2853 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 6,029

2854 EXPENSES
FROM OPERATING TRUST FUND 3,112,141
FROM OPTIONAL RETIREMENT PROGRAM
TRUST FUND 17,633
FROM POLICE AND FIREFIGHTER'S
PREMIUM TAX TRUST FUND 84,299
FROM RETIREE HEALTH INSURANCE
SUBSIDY TRUST FUND 11,370

2855 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 100,000

2856 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM OPERATING TRUST FUND 13,581

2857 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 4,182,850
FROM OPTIONAL RETIREMENT PROGRAM
TRUST FUND 500
FROM POLICE AND FIREFIGHTER'S
PREMIUM TAX TRUST FUND 191,355
FROM RETIREE HEALTH INSURANCE
SUBSIDY TRUST FUND 30,000

2858 SPECIAL CATEGORIES
OVERTIME
FROM OPERATING TRUST FUND 122,571

2859 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 56,311

2860 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM OPERATING TRUST FUND 159,872

2861 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM OPERATING TRUST FUND 20,171
FROM POLICE AND FIREFIGHTER'S
PREMIUM TAX TRUST FUND 1,090

2862 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 55,918
FROM OPTIONAL RETIREMENT PROGRAM
TRUST FUND 566
FROM POLICE AND FIREFIGHTER'S
PREMIUM TAX TRUST FUND 4,033
FROM RETIREE HEALTH INSURANCE
SUBSIDY TRUST FUND 224

2863 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM OPERATING TRUST FUND 117,188

2865 PENSIONS AND BENEFITS
DISABILITY BENEFITS TO JUSTICES AND JUDGES
FROM GENERAL REVENUE FUND 806,947

2866 PENSIONS AND BENEFITS
FLORIDA NATIONAL GUARD
FROM GENERAL REVENUE FUND 16,906,959

2867 PENSIONS AND BENEFITS
STATE OFFICERS AND EMPLOYEES (NON-CONTRIBUTORY)
FROM GENERAL REVENUE FUND 572,021

2868 PENSIONS AND BENEFITS
TEACHER'S SPECIAL PENSIONS
FROM GENERAL REVENUE FUND 2,233

TOTAL: PROGRAM: RETIREMENT BENEFITS ADMINISTRATION
FROM GENERAL REVENUE FUND 18,982,349
FROM TRUST FUNDS 18,764,931

TOTAL POSITIONS 193.00
TOTAL ALL FUNDS 37,747,280

PROGRAM: STATE PERSONNEL POLICY ADMINISTRATION

APPROVED SALARY RATE 1,034,918

2868A SALARIES AND BENEFITS POSITIONS 16.00
FROM STATE PERSONNEL SYSTEM TRUST
FUND 1,308,704

Funds provided in Specific Appropriations 2868A through 2868O from the State Personnel System Trust Fund are based upon a human resources services assessment to state entities at the following rates:

FTE	$353.74
OPS	$117.42
Justice Administrative Commission	$257.02
State Court System	$222.26
County Health Department	$257.02

2868B OTHER PERSONAL SERVICES
FROM STATE PERSONNEL SYSTEM TRUST
FUND 5,000

2868C EXPENSES
FROM STATE PERSONNEL SYSTEM TRUST
FUND 120,916

2868D SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE PERSONNEL SYSTEM TRUST
FUND 22,576

2868E SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE PERSONNEL SYSTEM TRUST
FUND 9,258

2868F SPECIAL CATEGORIES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
CONTRACTED LEGAL SERVICES
FROM STATE PERSONNEL SYSTEM TRUST
FUND 100,000

2868G SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM STATE PERSONNEL SYSTEM TRUST
FUND 7,079

2868H DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM STATE PERSONNEL SYSTEM TRUST
FUND 6,161

TOTAL: PROGRAM: STATE PERSONNEL POLICY ADMINISTRATION
FROM TRUST FUNDS 1,579,694

TOTAL POSITIONS 16.00
TOTAL ALL FUNDS 1,579,694

PROGRAM: PEOPLE FIRST

APPROVED SALARY RATE 953,685

2868I SALARIES AND BENEFITS POSITIONS 15.00
FROM STATE PERSONNEL SYSTEM TRUST
FUND 1,229,927

2868J EXPENSES
FROM STATE PERSONNEL SYSTEM TRUST
FUND 106,692

2868K SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE PERSONNEL SYSTEM TRUST
FUND 22,575

2868L SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE PERSONNEL SYSTEM TRUST
FUND 8,169

2868M SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM STATE PERSONNEL SYSTEM TRUST
FUND 6,247

2868N SPECIAL CATEGORIES
HUMAN RESOURCES SERVICES / STATEWIDE CONTRACT
FROM STATE PERSONNEL SYSTEM TRUST
FUND 36,539,865

2868O DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM STATE PERSONNEL SYSTEM TRUST
FUND 5,789

TOTAL: PROGRAM: PEOPLE FIRST
FROM TRUST FUNDS 37,919,264

TOTAL POSITIONS 15.00
TOTAL ALL FUNDS 37,919,264

PROGRAM: TECHNOLOGY PROGRAM

TELECOMMUNICATIONS SERVICES

APPROVED SALARY RATE 3,898,376

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2869 SALARIES AND BENEFITS POSITIONS 72.00
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 4,733,664
FROM EMERGENCY COMMUNICATIONS
NUMBER E911 SYSTEM TRUST 417,489

2870 OTHER PERSONAL SERVICES
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 74,268
FROM EMERGENCY COMMUNICATIONS
NUMBER E911 SYSTEM TRUST 84,290

2871 EXPENSES
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 717,141
FROM EMERGENCY COMMUNICATIONS
NUMBER E911 SYSTEM TRUST 514,966

2872 AID TO LOCAL GOVERNMENTS
DISTRIBUTIONS TO COUNTIES - WIRELESS 911
TELEPHONE SYSTEMS
FROM EMERGENCY COMMUNICATIONS
NUMBER E911 SYSTEM TRUST 70,020,273

2873 AID TO LOCAL GOVERNMENTS
DISTRIBUTIONS TO SERVICE PROVIDERS -
WIRELESS 911 TELEPHONE SYSTEMS
FROM EMERGENCY COMMUNICATIONS
NUMBER E911 SYSTEM TRUST 15,484,846

2874 AID TO LOCAL GOVERNMENTS
DISTRIBUTIONS TO COUNTIES - NON-WIRELESS
E911
FROM EMERGENCY COMMUNICATIONS
NUMBER E911 SYSTEM TRUST 50,030,674

2875 OPERATING CAPITAL OUTLAY
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 92,159
FROM EMERGENCY COMMUNICATIONS
NUMBER E911 SYSTEM TRUST 3,600

2876 SPECIAL CATEGORIES
CENTREX AND SUNCOM PAYMENTS
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 108,035,421

The department is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2876, in the event that payments for telecommunications services exceed the amount appropriated.

2877 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 2,010,063
FROM FEDERAL GRANTS TRUST FUND . . . 1,392,228
FROM EMERGENCY COMMUNICATIONS
NUMBER E911 SYSTEM TRUST 420,827

2878 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 13,337

2879 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM EMERGENCY COMMUNICATIONS
NUMBER E911 SYSTEM TRUST 92,159

2880 SPECIAL CATEGORIES
NTIA - BROADBAND SERVICES DEPLOYMENT-
AMERICAN RECOVERY AND REINVESTMENT ACT OF
2009

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM FEDERAL GRANTS TRUST FUND . . . 2,008,376

From the funds provided in Specific Appropriation 2880, the department shall expedite the use of federal funds awarded and available as part of the State Broadband Data and Development Grant in order to advance broadband internet service throughout the state. In carrying out its authority granted in section 364.0135, Florida Statutes, relating to the promotion of broadband deployment, the department shall not expend in excess of 10 percent of grant funds for the cost of management and oversight of the grant.

2881 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 1,989
FROM EMERGENCY COMMUNICATIONS
NUMBER E911 SYSTEM TRUST 815

2882 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 23,080
FROM EMERGENCY COMMUNICATIONS
NUMBER E911 SYSTEM TRUST 770

2883 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 308,721
FROM EMERGENCY COMMUNICATIONS
NUMBER E911 SYSTEM TRUST 2,398

TOTAL: TELECOMMUNICATIONS SERVICES
FROM TRUST FUNDS 256,483,554

TOTAL POSITIONS 72.00
TOTAL ALL FUNDS 256,483,554

WIRELESS SERVICES

From the funds in Specific Appropriations 2885 through 2894A, the department shall submit a report that provides options and recommendations for avoiding a deficit in Fiscal Year 2013-2014 and for the long term solvency of the Statewide Law Enforcement Radio System Trust Fund. The report shall be submitted to the Executive Office of the Governor, the chair of the Senate Budget Subcommittee on General Government Appropriations and the chair of the House Government Operations Appropriations Subcommittee by November 1, 2012.

APPROVED SALARY RATE 779,892

2885 SALARIES AND BENEFITS POSITIONS 12.00
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 935,510

2886 OTHER PERSONAL SERVICES
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 20,000

2887 EXPENSES
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 7,723
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 264,146

2888 OPERATING CAPITAL OUTLAY
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 29,189

2889 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 4,500,000

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 1,500,000

2890 SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 5,000,000

From the funds in Specific Appropriation 2890, $3,000,000 from the State Law Enforcement Radio System Trust Fund is provided for Mutual Aid Build Out and $2,000,000 from the State Law Enforcement Radio System Trust Fund is provided for the Florida Interoperability Network. Should federal funding become available for the Mutual Aid Build Out or the Florida Interoperability Network, the department is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to release the federal funds and place an equal amount of state funds in reserve.

2891 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 512
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 1,275

2892 SPECIAL CATEGORIES
STATEWIDE LAW ENFORCEMENT RADIO SYSTEM
CONTRACT PAYMENT
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 18,220,000

2893 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 1,394

2894 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 692
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 3,639

2894A DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 550

TOTAL: WIRELESS SERVICES
FROM GENERAL REVENUE FUND 4,500,000
FROM TRUST FUNDS 25,984,630

TOTAL POSITIONS 12.00
TOTAL ALL FUNDS 30,484,630

PROGRAM: SOUTHWOOD SHARED RESOURCE CENTER

SOUTHWOOD SHARED RESOURCE CENTER

The funds in Specific Appropriation 2896 through 2905 include no appropriation for a contract executed June 29, 2011, by and between Affiliated Computer Services, State & Local Solutions, Incorporated and the Southwood Shared Resource Center for enterprise e-mail services. The Southwood Shared Resource Center shall expend no funds or make payments for such contract for enterprise e-mail services.

APPROVED SALARY RATE 6,267,792

2896 SALARIES AND BENEFITS POSITIONS 121.00
FROM WORKING CAPITAL TRUST FUND . . 8,260,162

2897 OTHER PERSONAL SERVICES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM WORKING CAPITAL TRUST FUND . . 45,600

2898 EXPENSES
FROM WORKING CAPITAL TRUST FUND . . 2,865,938

2899 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND . . 64,250

2900 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM WORKING CAPITAL TRUST FUND . . 15,014,483

2901 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM WORKING CAPITAL TRUST FUND . . 11,121

2901A SPECIAL CATEGORIES
ADMINISTRATIVE OVERHEAD
FROM WORKING CAPITAL TRUST FUND . . 125,000

2902 SPECIAL CATEGORIES
DATA PROCESSING CONTRACTS FOR DATA CENTER
FROM WORKING CAPITAL TRUST FUND . . 808,150

2903 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM WORKING CAPITAL TRUST FUND . . 1,094,602

2904 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM WORKING CAPITAL TRUST FUND . . 1,280,528

2905 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM WORKING CAPITAL TRUST FUND . . 46,992

TOTAL: SOUTHWOOD SHARED RESOURCE CENTER
FROM TRUST FUNDS 29,616,826

TOTAL POSITIONS 121.00
TOTAL ALL FUNDS 29,616,826

PROGRAM: PUBLIC EMPLOYEES RELATIONS COMMISSION

PUBLIC EMPLOYEES RELATIONS

APPROVED SALARY RATE 1,716,297

2908 SALARIES AND BENEFITS POSITIONS 26.00
FROM GENERAL REVENUE FUND 1,290,359
FROM PUBLIC EMPLOYEES RELATIONS
COMMISSION TRUST FUND 1,184,964

2909 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 9,277
FROM PUBLIC EMPLOYEES RELATIONS
COMMISSION TRUST FUND 53,628

2910 EXPENSES
FROM GENERAL REVENUE FUND 27,094
FROM PUBLIC EMPLOYEES RELATIONS
COMMISSION TRUST FUND 354,664

2911 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 7,399
FROM PUBLIC EMPLOYEES RELATIONS
COMMISSION TRUST FUND 5,721

2912 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 35,070
FROM PUBLIC EMPLOYEES RELATIONS

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
COMMISSION TRUST FUND 32,500

2913 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 10,493
FROM PUBLIC EMPLOYEES RELATIONS
COMMISSION TRUST FUND 15,903

2914 SPECIAL CATEGORIES
ADMINISTRATIVE OVERHEAD
FROM GENERAL REVENUE FUND 34,314

2915 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 5,825
FROM PUBLIC EMPLOYEES RELATIONS
COMMISSION TRUST FUND 4,778

2916 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 4,028
FROM PUBLIC EMPLOYEES RELATIONS
COMMISSION TRUST FUND 5,234

TOTAL: PUBLIC EMPLOYEES RELATIONS
FROM GENERAL REVENUE FUND 1,423,859
FROM TRUST FUNDS 1,657,392

TOTAL POSITIONS 26.00
TOTAL ALL FUNDS 3,081,251

PROGRAM: COMMISSION ON HUMAN RELATIONS

HUMAN RELATIONS

APPROVED SALARY RATE 2,017,764

2918 SALARIES AND BENEFITS POSITIONS 48.50
FROM GENERAL REVENUE FUND 1,878,606
FROM OPERATING TRUST FUND 887,894

2919 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 1,040

2920 EXPENSES
FROM OPERATING TRUST FUND 173,660

2921 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 139,286

From the funds in Specific Appropriation 2921, $100,000 shall be held in reserve. The Florida Commission on Human Relations is directed to coordinate with the Southwood Shared Resource Center to determine the need for servers and a timeline for consolidation into the primary data center. The Florida Commission on Human Relations may submit budget amendments in accordance with Chapter 216, Florida Statutes, requesting the release of funds upon submission of a server needs assessment and consolidation timeline.

2922 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM GENERAL REVENUE FUND 731,126

2923 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 3,506
FROM OPERATING TRUST FUND 16,000

2924 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 44,022

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM OPERATING TRUST FUND 33,340

2925 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM OPERATING TRUST FUND 49,163

2926 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 16,776
FROM OPERATING TRUST FUND 4,422

2927 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM OPERATING TRUST FUND 24,657

TOTAL: HUMAN RELATIONS
FROM GENERAL REVENUE FUND 2,813,322
FROM TRUST FUNDS 1,190,176

TOTAL POSITIONS 48.50
TOTAL ALL FUNDS 4,003,498

PROGRAM: NORTHWOOD SHARED RESOURCE CENTER

NORTHWOOD SHARED RESOURCE CENTER

From the funds in Specific Appropriations 2929 through 2943, the Northwood Shared Resource Center (NSRC) and the Department of Children and Family Services shall submit a report providing options and recommendations for reducing the data center service costs of the FLORIDA System. The NSRC and department shall base their report on the results of the feasibility study approved by the Legislative Budget Commission in accordance with Specific Appropriation 174.

The report shall be submitted to the Executive Office of the Governor, the chairs of the Senate Budget Subcommittee on Health and Human Services Appropriations, the Senate Budget Subcommittee on General Government Appropriations, the House Health Care Appropriations Subcommittee and the House Government Operations Appropriations Subcommittee by January 15, 2013.

APPROVED SALARY RATE 5,301,360

2929 SALARIES AND BENEFITS POSITIONS 99.00
FROM WORKING CAPITAL TRUST FUND . . 6,887,189

2930 OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND . . 197,967

2931 EXPENSES
FROM WORKING CAPITAL TRUST FUND . . 808,724

2932 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND . . 24,084

2933 SPECIAL CATEGORIES
COMPUTER RELATED EXPENSES
FROM WORKING CAPITAL TRUST FUND . . 12,885,542

2934 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM WORKING CAPITAL TRUST FUND . . 5,482,459

2935 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM WORKING CAPITAL TRUST FUND . . 12,136

2935A SPECIAL CATEGORIES
ADMINISTRATIVE OVERHEAD
FROM WORKING CAPITAL TRUST FUND . . 125,000

2936 SPECIAL CATEGORIES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM WORKING CAPITAL TRUST FUND . . 1,465,100

2937 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM WORKING CAPITAL TRUST FUND . . 51,561

2938 QUALIFIED EXPENDITURE CATEGORY
FLORIDA'S PUBLIC ASSISTANCE ELIGIBILITY SYSTEM
FROM WORKING CAPITAL TRUST FUND . . 1,133,985

2941 DATA PROCESSING SERVICES
CHILDREN AND FAMILIES DATA CENTER
FROM WORKING CAPITAL TRUST FUND . . 198,551

2943 DATA PROCESSING SERVICES
NORTHWOOD SHARED RESOURCE CENTER (NSRC)
DEPRECIATION FEDERAL SHARE BILLINGS
FROM WORKING CAPITAL TRUST FUND . . 569,034

TOTAL: NORTHWOOD SHARED RESOURCE CENTER
FROM TRUST FUNDS 29,841,332

TOTAL POSITIONS 99.00
TOTAL ALL FUNDS 29,841,332

ADMINISTRATIVE HEARINGS

PROGRAM: ADJUDICATION OF DISPUTES

APPROVED SALARY RATE 5,358,435

2944 SALARIES AND BENEFITS POSITIONS 65.00
FROM OPERATING TRUST FUND 6,590,418

2945 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 18,082

2946 EXPENSES
FROM OPERATING TRUST FUND 1,025,647

2947 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 65,000

2948 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 186,495

2949 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 67,092

2950 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM OPERATING TRUST FUND 31,500

2951 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 21,652

TOTAL: PROGRAM: ADJUDICATION OF DISPUTES
FROM TRUST FUNDS 8,005,886

TOTAL POSITIONS 65.00
TOTAL ALL FUNDS 8,005,886

PROGRAM: WORKERS' COMPENSATION APPEALS - JUDGES OF COMPENSATION CLAIMS

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
APPROVED SALARY RATE 9,381,374

2953 SALARIES AND BENEFITS POSITIONS 177.00
FROM OPERATING TRUST FUND 12,158,081

2954 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 17,836

2955 EXPENSES
FROM OPERATING TRUST FUND 2,735,743

2956 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 25,916

2957 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 983,324

2958 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 85,363

2959 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM OPERATING TRUST FUND 1,279

2960 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM OPERATING TRUST FUND 123,000

2961 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 63,079

TOTAL: PROGRAM: WORKERS' COMPENSATION APPEALS - JUDGES OF COMPENSATION CLAIMS
FROM TRUST FUNDS 16,193,621

TOTAL POSITIONS 177.00
TOTAL ALL FUNDS 16,193,621

TOTAL: MANAGEMENT SERVICES, DEPARTMENT OF
FROM GENERAL REVENUE FUND 30,307,650
FROM TRUST FUNDS 613,270,486

TOTAL POSITIONS 1,307.50
TOTAL ALL FUNDS 643,578,136
TOTAL APPROVED SALARY RATE 63,662,367

MILITARY AFFAIRS, DEPARTMENT OF

PROGRAM: READINESS AND RESPONSE

DRUG INTERDICTION AND PREVENTION

2963 EXPENSES
FROM FEDERAL GRANTS TRUST FUND . . . 75,000
FROM FEDERAL LAW ENFORCEMENT TRUST FUND 305,000

2964 OPERATING CAPITAL OUTLAY
FROM FEDERAL LAW ENFORCEMENT TRUST FUND 200,000

2965 SPECIAL CATEGORIES
PROJECTS, CONTRACTS AND GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 6,600,000

2966 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL LAW ENFORCEMENT TRUST FUND 10,000

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2967 SPECIAL CATEGORIES
MAINTENANCE AND OPERATIONS CONTRACTS
FROM FEDERAL LAW ENFORCEMENT TRUST FUND 10,000

TOTAL: DRUG INTERDICTION AND PREVENTION
FROM TRUST FUNDS 7,200,000

TOTAL ALL FUNDS 7,200,000

MILITARY READINESS AND RESPONSE

APPROVED SALARY RATE 3,963,557

2968 SALARIES AND BENEFITS POSITIONS 114.00
FROM GENERAL REVENUE FUND 4,278,793
FROM CAMP BLANDING MANAGEMENT TRUST FUND 1,063,821

2969 OTHER PERSONAL SERVICES
FROM CAMP BLANDING MANAGEMENT TRUST FUND 18,172

2970 EXPENSES
FROM GENERAL REVENUE FUND 4,690,563
FROM CAMP BLANDING MANAGEMENT TRUST FUND 90,000

2971 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 162,810

2972 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 15,000
FROM CAMP BLANDING MANAGEMENT TRUST FUND 63,678

2973 SPECIAL CATEGORIES
NATIONAL GUARD TUITION ASSISTANCE
FROM GENERAL REVENUE FUND 1,781,900

2974 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 333,500
FROM CAMP BLANDING MANAGEMENT TRUST FUND 25,000

2975 SPECIAL CATEGORIES
MAINTENANCE AND OPERATIONS CONTRACTS
FROM GENERAL REVENUE FUND 171,000
FROM CAMP BLANDING MANAGEMENT TRUST FUND 5,000

2976 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CAMP BLANDING MANAGEMENT TRUST FUND 191,943

2977 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 31,586
FROM CAMP BLANDING MANAGEMENT TRUST FUND 7,873

2978 FIXED CAPITAL OUTLAY
FLORIDA READINESS CENTERS REVITALIZATION PLAN - STATEWIDE
FROM GENERAL REVENUE FUND 13,500,000

2979 FIXED CAPITAL OUTLAY
DESIGN/BUILD - EXPLOSIVE ORDNANCE DISPOSAL FACILITY

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

FROM GENERAL REVENUE FUND 1,500,000

TOTAL: MILITARY READINESS AND RESPONSE
FROM GENERAL REVENUE FUND 26,465,152
FROM TRUST FUNDS 1,465,487

TOTAL POSITIONS 114.00
TOTAL ALL FUNDS 27,930,639

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 2,020,965

2980 SALARIES AND BENEFITS POSITIONS 29.00
FROM GENERAL REVENUE FUND 2,605,434

2981 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 54,533

2982 EXPENSES
FROM GENERAL REVENUE FUND 778,222

2983 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 83,126

2984 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 25,000

2985 SPECIAL CATEGORIES
INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 48,437

2986 SPECIAL CATEGORIES
LEGAL SERVICES CONTRACT
FROM GENERAL REVENUE FUND 5,000

2987 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 30,200

2988 SPECIAL CATEGORIES
MAINTENANCE AND OPERATIONS CONTRACTS
FROM GENERAL REVENUE FUND 22,000

2989 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 211,423

2990 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 10,000

2991 SPECIAL CATEGORIES
WORKER'S COMPENSATION FOR STATE ACTIVE DUTY - FLORIDA NATIONAL GUARD
FROM GENERAL REVENUE FUND 296,404

2992 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 9,148

2993 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 985

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 4,179,912

TOTAL POSITIONS 29.00
TOTAL ALL FUNDS 4,179,912

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FEDERAL/STATE COOPERATIVE AGREEMENTS

APPROVED SALARY RATE 8,435,936

2994 SALARIES AND BENEFITS POSITIONS 254.00
FROM FEDERAL GRANTS TRUST FUND . . . 10,954,198

2995 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 87,000

2996 EXPENSES
FROM GENERAL REVENUE FUND 221,540
FROM FEDERAL GRANTS TRUST FUND . . . 12,186,833

2997 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 527,538

2998 FOOD PRODUCTS
FROM FEDERAL GRANTS TRUST FUND . . . 450,000

2999 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL GRANTS TRUST FUND . . . 746,000

3000 SPECIAL CATEGORIES
LABORATORY SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 70,000

3001 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 443,150
FROM FEDERAL GRANTS TRUST FUND . . . 6,980,000

3001A SPECIAL CATEGORIES
GRANTS AND AIDS - WAGES CONTRACTING WITH
MILITARY AFFAIRS
FROM GENERAL REVENUE FUND 2,000,000

From the funds in Specific Appropriation 3001A, $1,250,000 of nonrecurring general revenue funds is provided for the Forward March Program, and $750,000 of nonrecurring general revenue funds is provided for the About Face Program.

3002 SPECIAL CATEGORIES
ENGINEERING CONSULTANTS
FROM FEDERAL GRANTS TRUST FUND . . . 30,000

3003 SPECIAL CATEGORIES
MAINTENANCE AND OPERATIONS CONTRACTS
FROM FEDERAL GRANTS TRUST FUND . . . 920,000

3004 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM FEDERAL GRANTS TRUST FUND . . . 30,000

3005 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM FEDERAL GRANTS TRUST FUND . . . 92,282

3005A FIXED CAPITAL OUTLAY
DESIGN - ARMY NATIONAL GUARD UNMANNED
AIRCRAFT SYSTEM (UAS) PLATOON FACILITY
FROM FEDERAL GRANTS TRUST FUND . . . 347,000

TOTAL: FEDERAL/STATE COOPERATIVE AGREEMENTS
FROM GENERAL REVENUE FUND 2,664,690
FROM TRUST FUNDS 33,420,851

TOTAL POSITIONS 254.00
TOTAL ALL FUNDS 36,085,541

TOTAL: MILITARY AFFAIRS, DEPARTMENT OF

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM GENERAL REVENUE FUND 33,309,754
FROM TRUST FUNDS 42,086,338

TOTAL POSITIONS 397.00
TOTAL ALL FUNDS 75,396,092
TOTAL APPROVED SALARY RATE 14,420,458

PUBLIC SERVICE COMMISSION

PROGRAM: COMMISSIONERS AND ADMINISTRATIVE SERVICES

PUBLIC SERVICE COMMISSIONERS

APPROVED SALARY RATE 1,498,559

3006 SALARIES AND BENEFITS POSITIONS 18.00
FROM REGULATORY TRUST FUND 1,919,175

3007 EXPENSES
FROM REGULATORY TRUST FUND 365,890

3008 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 6,859

3009 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 5,021

3010 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 5,476

TOTAL: PUBLIC SERVICE COMMISSIONERS
FROM TRUST FUNDS 2,302,421

TOTAL POSITIONS 18.00
TOTAL ALL FUNDS 2,302,421

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 3,445,170

3011 SALARIES AND BENEFITS POSITIONS 68.00
FROM REGULATORY TRUST FUND 4,367,767

3012 OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 117,258

3013 EXPENSES
FROM REGULATORY TRUST FUND 1,197,597

3014 OPERATING CAPITAL OUTLAY
FROM REGULATORY TRUST FUND 266,200

3015 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM REGULATORY TRUST FUND 72,055

From the funds provided in Specific Appropriation 3015, the Public Service Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in s. 287.14(3), Florida Statutes.

3016 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 263,067

3017 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM REGULATORY TRUST FUND 18,969

3018 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 24,655

3019 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM REGULATORY TRUST FUND 46,746

3020 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM REGULATORY TRUST FUND 7,856

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 6,382,170

TOTAL POSITIONS 68.00
TOTAL ALL FUNDS 6,382,170

LEGAL SERVICES

APPROVED SALARY RATE 1,837,445

3022 SALARIES AND BENEFITS POSITIONS 30.00
FROM REGULATORY TRUST FUND 2,199,169

3023 OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 17,000

3024 EXPENSES
FROM REGULATORY TRUST FUND 381,831

3025 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 37,955

3026 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 8,374

3027 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 10,345

TOTAL: LEGAL SERVICES
FROM TRUST FUNDS 2,654,674

TOTAL POSITIONS 30.00
TOTAL ALL FUNDS 2,654,674

PROGRAM: UTILITY REGULATION AND CONSUMER ASSISTANCE

UTILITY REGULATION

APPROVED SALARY RATE 6,810,507

3028 SALARIES AND BENEFITS POSITIONS 146.00
FROM REGULATORY TRUST FUND 9,022,226

3029 OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 66,330

3030 EXPENSES
FROM REGULATORY TRUST FUND 1,428,578

3031 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 181,968

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
3032 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 41,572

3033 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 47,911

3034 SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND
REINVESTMENT ACT OF 2009
FROM REGULATORY TRUST FUND 350,000

TOTAL: UTILITY REGULATION
FROM TRUST FUNDS 11,138,585

TOTAL POSITIONS 146.00
TOTAL ALL FUNDS 11,138,585

AUDITING AND PERFORMANCE ANALYSIS

APPROVED SALARY RATE 1,462,324

3035 SALARIES AND BENEFITS POSITIONS 31.00
FROM REGULATORY TRUST FUND 1,871,141

3036 EXPENSES
FROM REGULATORY TRUST FUND 421,398

3037 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 12,955

3038 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 8,646

3039 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 10,345

TOTAL: AUDITING AND PERFORMANCE ANALYSIS
FROM TRUST FUNDS 2,324,485

TOTAL POSITIONS 31.00
TOTAL ALL FUNDS 2,324,485

TOTAL: PUBLIC SERVICE COMMISSION
FROM TRUST FUNDS 24,802,335

TOTAL POSITIONS 293.00
TOTAL ALL FUNDS 24,802,335
TOTAL APPROVED SALARY RATE 15,054,005

REVENUE, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES PROGRAM

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 13,192,287

3039A SALARIES AND BENEFITS POSITIONS 257.00
FROM GENERAL REVENUE FUND 9,253,104
FROM FEDERAL GRANTS TRUST FUND . . . 5,537,152
FROM OPERATING TRUST FUND 2,193,587

3040A OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 73,740

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

3040B EXPENSES
FROM GENERAL REVENUE FUND 397,651
FROM FEDERAL GRANTS TRUST FUND . . . 461,726
FROM OPERATING TRUST FUND 1,346,164

3040C OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 6,929
FROM OPERATING TRUST FUND 17,985

3041 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM FEDERAL GRANTS TRUST FUND . . . 1,259,462
FROM OPERATING TRUST FUND 715,326

3041A SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 198,161
FROM FEDERAL GRANTS TRUST FUND . . . 281,028
FROM OPERATING TRUST FUND 1,153,170

3042 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 91,598
FROM FEDERAL GRANTS TRUST FUND . . . 10,943
FROM OPERATING TRUST FUND 101,157

3043 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 16,864

3044 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 1,456,480
FROM FEDERAL GRANTS TRUST FUND . . . 152,386
FROM OPERATING TRUST FUND 240,199

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 11,420,787
FROM TRUST FUNDS 13,544,025

TOTAL POSITIONS 257.00
TOTAL ALL FUNDS 24,964,812

PROGRAM: PROPERTY TAX OVERSIGHT PROGRAM

COMPLIANCE DETERMINATION

APPROVED SALARY RATE 5,434,843

3044A SALARIES AND BENEFITS POSITIONS 125.00
FROM GENERAL REVENUE FUND 7,041,856

3045A OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 11,455

3045B EXPENSES
FROM GENERAL REVENUE FUND 836,955

3045C OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 16,012

3045D SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 138,161

3046 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 155,462

3047 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 21,500

TOTAL: COMPLIANCE DETERMINATION
FROM GENERAL REVENUE FUND 8,221,401

TOTAL POSITIONS 125.00
TOTAL ALL FUNDS 8,221,401

COMPLIANCE ASSISTANCE

APPROVED SALARY RATE 2,373,761

3047A SALARIES AND BENEFITS POSITIONS 49.00
FROM GENERAL REVENUE FUND 3,116,318
FROM CERTIFICATION PROGRAM TRUST FUND 197,369

3048A OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 9,715

3048B EXPENSES
FROM GENERAL REVENUE FUND 90,945

3049 AID TO LOCAL GOVERNMENTS
AERIAL PHOTOGRAPHY AND MAPPING
FROM GENERAL REVENUE FUND 700,000
FROM CERTIFICATION PROGRAM TRUST FUND 876,266

From the funds in Specific Appropriation 3049, $700,000 in nonrecurring general revenue is provided to the Department of Revenue to fund aerial photography and mapping for counties with a population of 50,000 or less.

3050 SPECIAL CATEGORIES
PROPERTY APPRAISER AND TAX COLLECTOR CERTIFICATION PROGRAM
FROM CERTIFICATION PROGRAM TRUST FUND 485,000

3050A SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 145,901

3051 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 71,949

3052 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 500

3053 SPECIAL CATEGORIES
FISCALLY CONSTRAINED COUNTIES - CONSERVATION LANDS
FROM GENERAL REVENUE FUND 537,260

3054 SPECIAL CATEGORIES
FISCALLY CONSTRAINED COUNTIES
FROM GENERAL REVENUE FUND 25,800,000

TOTAL: COMPLIANCE ASSISTANCE
FROM GENERAL REVENUE FUND 30,472,588
FROM TRUST FUNDS 1,558,635

TOTAL POSITIONS 49.00
TOTAL ALL FUNDS 32,031,223

PROGRAM: CHILD SUPPORT ENFORCEMENT PROGRAM

CASE PROCESSING

APPROVED SALARY RATE 27,139,606

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

3054A SALARIES AND BENEFITS POSITIONS 931.00		
FROM GENERAL REVENUE FUND	11,053,561	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		827,970
FROM FEDERAL GRANTS TRUST FUND . . .		23,879,803
3055A OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	10,059	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		28,862
FROM FEDERAL GRANTS TRUST FUND . . .		330,912
3055B EXPENSES		
FROM GENERAL REVENUE FUND	3,806,492	
FROM CHILD SUPPORT INCENTIVE TRUST FUND		843
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		7,014
FROM FEDERAL GRANTS TRUST FUND . . .		7,590,352
3055C OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	67,563	
FROM FEDERAL GRANTS TRUST FUND . . .		164,777
3056 SPECIAL CATEGORIES		
CHILD SUPPORT ENFORCEMENT ANNUAL FEE		
FROM GENERAL REVENUE FUND	3,606,991	
3057 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT		
FROM GENERAL REVENUE FUND	4,860,269	
FROM CHILD SUPPORT INCENTIVE TRUST FUND		8,685,006
FROM FEDERAL GRANTS TRUST FUND . . .		21,633,787
3058 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	127,591	
FROM FEDERAL GRANTS TRUST FUND . . .		247,673
3059 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	46,713	
FROM FEDERAL GRANTS TRUST FUND . . .		90,678
3060 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		
FROM CHILD SUPPORT INCENTIVE TRUST FUND		17,399
FROM FEDERAL GRANTS TRUST FUND . . .		33,775
3061 DATA PROCESSING SERVICES		
NORTHWOOD SHARED RESOURCE CENTER		
FROM CHILD SUPPORT INCENTIVE TRUST FUND		16,760
FROM FEDERAL GRANTS TRUST FUND . . .		32,536
TOTAL: CASE PROCESSING		
FROM GENERAL REVENUE FUND	23,579,239	
FROM TRUST FUNDS		63,588,147
TOTAL POSITIONS	931.00	
TOTAL ALL FUNDS		87,167,386

REMITTANCE AND DISTRIBUTION

APPROVED SALARY RATE 2,513,762		
3061A SALARIES AND BENEFITS POSITIONS 79.00		
FROM GENERAL REVENUE FUND	1,231,497	

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FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		27,673
FROM FEDERAL GRANTS TRUST FUND . . .		2,447,299
3062A OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	8,298	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		8,720
FROM FEDERAL GRANTS TRUST FUND . . .		33,036
3062B EXPENSES		
FROM GENERAL REVENUE FUND	597,867	
FROM CHILD SUPPORT INCENTIVE TRUST FUND		819
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		786
FROM FEDERAL GRANTS TRUST FUND . . .		1,175,194
3062C OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	54,748	
FROM FEDERAL GRANTS TRUST FUND . . .		108,663
3063 SPECIAL CATEGORIES		
TRANSFER GENERAL REVENUE TO CHILD SUPPORT ENFORCEMENT		
FROM GENERAL REVENUE FUND	2,241,987	
3064 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT		
FROM GENERAL REVENUE FUND	3,814,074	
FROM CHILD SUPPORT INCENTIVE TRUST FUND		7,762,401
FROM CLERK OF THE COURT CHILD SUPPORT ENFORCEMENT COLLECTION SYSTEM TRUST FUND		1,457,098
FROM FEDERAL GRANTS TRUST FUND . . .		18,962,014
3065 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	11,025	
FROM FEDERAL GRANTS TRUST FUND . . .		21,401
3066 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	2,026	
FROM FEDERAL GRANTS TRUST FUND . . .		3,933
3067 FINANCIAL ASSISTANCE PAYMENTS		
CHILD SUPPORT INCENTIVE PAYMENTS - POLITICAL SUBDIVISIONS		
FROM CHILD SUPPORT INCENTIVE TRUST FUND		750,000
3068 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		
FROM CHILD SUPPORT INCENTIVE TRUST FUND		16,887
FROM FEDERAL GRANTS TRUST FUND . . .		32,781
3069 DATA PROCESSING SERVICES		
NORTHWOOD SHARED RESOURCE CENTER		
FROM CHILD SUPPORT INCENTIVE TRUST FUND		16,268
FROM FEDERAL GRANTS TRUST FUND . . .		31,578
TOTAL: REMITTANCE AND DISTRIBUTION		
FROM GENERAL REVENUE FUND	7,961,522	
FROM TRUST FUNDS		32,856,551
TOTAL POSITIONS	79.00	

SECTION 6 - GENERAL GOVERNMENT
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TOTAL ALL FUNDS 40,818,073

ESTABLISHMENT

APPROVED SALARY RATE 21,956,221

3069A SALARIES AND BENEFITS POSITIONS 659.00
FROM GENERAL REVENUE FUND 9,837,722
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND 273,383
FROM FEDERAL GRANTS TRUST FUND . . . 19,730,108

3070A OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 54,935
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND 36,844
FROM FEDERAL GRANTS TRUST FUND . . . 178,158

3070B EXPENSES
FROM GENERAL REVENUE FUND 2,060,369
FROM CHILD SUPPORT INCENTIVE TRUST FUND 819
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND 2,411
FROM FEDERAL GRANTS TRUST FUND . . . 4,097,415

3070C OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 60,474
FROM FEDERAL GRANTS TRUST FUND . . . 185,890

3071 SPECIAL CATEGORIES
PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT
FROM GENERAL REVENUE FUND 5,037,684
FROM CHILD SUPPORT INCENTIVE TRUST FUND 8,772,537
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND 710,773
FROM FEDERAL GRANTS TRUST FUND . . . 18,973,601

3072 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 90,882
FROM FEDERAL GRANTS TRUST FUND . . . 176,420

3073 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 20,391
FROM FEDERAL GRANTS TRUST FUND . . . 39,582

3074 DATA PROCESSING SERVICES
CHILDREN AND FAMILIES DATA CENTER
FROM CHILD SUPPORT INCENTIVE TRUST FUND 16,887
FROM FEDERAL GRANTS TRUST FUND . . . 32,781

3075 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 67,008
FROM FEDERAL GRANTS TRUST FUND . . . 130,091

3076 DATA PROCESSING SERVICES
NORTHWOOD SHARED RESOURCE CENTER
FROM CHILD SUPPORT INCENTIVE TRUST FUND 16,268
FROM FEDERAL GRANTS TRUST FUND . . . 31,578

3077 DATA PROCESSING SERVICES
NORTHWEST REGIONAL DATA CENTER (NWRDC)
FROM GENERAL REVENUE FUND 207,617

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FROM FEDERAL GRANTS TRUST FUND . . . 403,020

The funds provided in Specific Appropriation 3077, shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: ESTABLISHMENT
FROM GENERAL REVENUE FUND 17,437,082
FROM TRUST FUNDS 53,808,566

TOTAL POSITIONS 659.00
TOTAL ALL FUNDS 71,245,648

COMPLIANCE

APPROVED SALARY RATE 20,735,572

3077A SALARIES AND BENEFITS POSITIONS 627.00
FROM GENERAL REVENUE FUND 9,940,260
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND 226,457
FROM FEDERAL GRANTS TRUST FUND . . . 19,079,651

3078A OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 10,001
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND 88,774
FROM FEDERAL GRANTS TRUST FUND . . . 191,755

3078B EXPENSES
FROM GENERAL REVENUE FUND 2,393,394
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND 3,125
FROM FEDERAL GRANTS TRUST FUND . . . 4,746,318

3078C OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 8,544
FROM FEDERAL GRANTS TRUST FUND . . . 83,644

3079 SPECIAL CATEGORIES
PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT
FROM GENERAL REVENUE FUND 4,000,855
FROM CHILD SUPPORT INCENTIVE TRUST FUND 6,515,905
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND 371,449
FROM FEDERAL GRANTS TRUST FUND . . . 12,187,911

3080 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 86,397
FROM FEDERAL GRANTS TRUST FUND . . . 167,712

3081 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 29,864
FROM FEDERAL GRANTS TRUST FUND . . . 57,971

TOTAL: COMPLIANCE
FROM GENERAL REVENUE FUND 16,469,315
FROM TRUST FUNDS 43,720,672

TOTAL POSITIONS 627.00
TOTAL ALL FUNDS 60,189,987

PROGRAM: GENERAL TAX ADMINISTRATION PROGRAM

TAX PROCESSING

SECTION 6 - GENERAL GOVERNMENT
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APPROVED SALARY RATE	14,088,576		
3081A SALARIES AND BENEFITS POSITIONS	441.50		
FROM GENERAL REVENUE FUND	17,560,271		
FROM FEDERAL GRANTS TRUST FUND . . .		2,938,732	
FROM OPERATING TRUST FUND		3,083,497	
3082A OTHER PERSONAL SERVICES			
FROM OPERATING TRUST FUND		22,157	
3082B EXPENSES			
FROM GENERAL REVENUE FUND	421,130		
FROM FEDERAL GRANTS TRUST FUND . . .		824,254	
FROM OPERATING TRUST FUND		3,078,208	
3083 AID TO LOCAL GOVERNMENTS			
EMERGENCY DISTRIBUTIONS			
FROM LOCAL GOVERNMENT HALF-CENT			
SALES TAX CLEARING TRUST FUND . . .		16,307,042	
3084 AID TO LOCAL GOVERNMENTS			
INMATE SUPPLEMENTAL DISTRIBUTION			
FROM LOCAL GOVERNMENT HALF-CENT			
SALES TAX CLEARING TRUST FUND . . .		592,958	
3084A OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND	40,988		
FROM FEDERAL GRANTS TRUST FUND . . .		5,377	
FROM OPERATING TRUST FUND		140,466	
3085 SPECIAL CATEGORIES			
ONE STOP BUSINESS REGISTRATION PORTAL			
FROM GENERAL REVENUE FUND	3,000,000		
3086 SPECIAL CATEGORIES			
ADMINISTRATION OF UNEMPLOYMENT			
COMPENSATION TAX			
FROM FEDERAL GRANTS TRUST FUND . . .		387,700	
3086A SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	642,346		
FROM FEDERAL GRANTS TRUST FUND . . .		268,642	
FROM OPERATING TRUST FUND		722,581	
3087 SPECIAL CATEGORIES			
PURCHASE OF SERVICES - COLLECTION AGENCIES			
FROM OPERATING TRUST FUND		350,000	
3088 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND	114,600		
FROM OPERATING TRUST FUND		63,210	
3089 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND	20,036		
FROM OPERATING TRUST FUND		4,964	
TOTAL: TAX PROCESSING			
FROM GENERAL REVENUE FUND	21,799,371		
FROM TRUST FUNDS		28,789,788	
TOTAL POSITIONS	441.50		
TOTAL ALL FUNDS		50,589,159	

TAXPAYER AID

APPROVED SALARY RATE	5,081,978		
3089A SALARIES AND BENEFITS POSITIONS	127.00		
FROM GENERAL REVENUE FUND	6,236,591		
FROM FEDERAL GRANTS TRUST FUND . . .		140,379	
FROM OPERATING TRUST FUND		363,054	

SECTION 6 - GENERAL GOVERNMENT
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3090A OTHER PERSONAL SERVICES			
FROM OPERATING TRUST FUND			3,798
3090B EXPENSES			
FROM GENERAL REVENUE FUND	787,367		
FROM FEDERAL GRANTS TRUST FUND . . .			312,822
FROM OPERATING TRUST FUND			662,337
3090C OPERATING CAPITAL OUTLAY			
FROM FEDERAL GRANTS TRUST FUND . . .			2,161
FROM OPERATING TRUST FUND			54,485
3090D SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	297,651		
FROM FEDERAL GRANTS TRUST FUND . . .			126,315
FROM OPERATING TRUST FUND			138,216
3091 SPECIAL CATEGORIES			
PURCHASE OF SERVICES - COLLECTION AGENCIES			
FROM OPERATING TRUST FUND			50,000
3092 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND	46,051		
FROM OPERATING TRUST FUND			25,402
3093 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND	101,204		
FROM OPERATING TRUST FUND			20,796
TOTAL: TAXPAYER AID			
FROM GENERAL REVENUE FUND	7,468,864		
FROM TRUST FUNDS			1,899,765
TOTAL POSITIONS	127.00		
TOTAL ALL FUNDS			9,368,629

COMPLIANCE DETERMINATION

APPROVED SALARY RATE	49,765,765		
3093A SALARIES AND BENEFITS POSITIONS	1,148.00		
FROM GENERAL REVENUE FUND	32,355,326		
FROM FEDERAL GRANTS TRUST FUND . . .			11,227,698
FROM OPERATING TRUST FUND			15,235,482
3094A OTHER PERSONAL SERVICES			
FROM OPERATING TRUST FUND			11,147
3094B EXPENSES			
FROM GENERAL REVENUE FUND	296,756		
FROM FEDERAL GRANTS TRUST FUND . . .			2,329,249
FROM OPERATING TRUST FUND			8,904,580
3094C OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND	1,350		
FROM FEDERAL GRANTS TRUST FUND . . .			13,845
FROM OPERATING TRUST FUND			279,677
3094D SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	1,400,088		
FROM FEDERAL GRANTS TRUST FUND . . .			652,281
FROM OPERATING TRUST FUND			1,797,584
3095 SPECIAL CATEGORIES			
PURCHASE OF SERVICES - COLLECTION AGENCIES			
FROM OPERATING TRUST FUND			750,000
3096 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND	295,090		

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FROM OPERATING TRUST FUND		162,765
3097 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	70,000	
FROM OPERATING TRUST FUND		95,000
TOTAL: COMPLIANCE DETERMINATION		
FROM GENERAL REVENUE FUND	34,418,610	
FROM TRUST FUNDS		41,459,308
TOTAL POSITIONS	1,148.00	
TOTAL ALL FUNDS		75,877,918

COMPLIANCE RESOLUTION

APPROVED SALARY RATE 19,258,902

3097A SALARIES AND BENEFITS POSITIONS	537.50	
FROM GENERAL REVENUE FUND	15,697,887	
FROM FEDERAL GRANTS TRUST FUND . . .		3,845,714
FROM OPERATING TRUST FUND		9,031,223
3098A OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	6,292	
FROM OPERATING TRUST FUND		6,606
3098B EXPENSES		
FROM GENERAL REVENUE FUND	1,986,689	
FROM FEDERAL GRANTS TRUST FUND . . .		974,041
FROM OPERATING TRUST FUND		2,047,197
3098C OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	22,218	
FROM FEDERAL GRANTS TRUST FUND . . .		6,318
FROM OPERATING TRUST FUND		153,470
3098D SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	653,207	
FROM FEDERAL GRANTS TRUST FUND . . .		310,497
FROM OPERATING TRUST FUND		669,771
3099 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - COLLECTION AGENCIES		
FROM OPERATING TRUST FUND		350,000
3100 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	134,673	
FROM OPERATING TRUST FUND		74,286
3101 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	23,509	
FROM OPERATING TRUST FUND		6,491
TOTAL: COMPLIANCE RESOLUTION		
FROM GENERAL REVENUE FUND	18,524,475	
FROM TRUST FUNDS		17,475,614
TOTAL POSITIONS	537.50	
TOTAL ALL FUNDS		36,000,089

PROGRAM: INFORMATION SERVICES PROGRAM

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 7,577,963

3101A SALARIES AND BENEFITS POSITIONS	174.00	
FROM GENERAL REVENUE FUND	4,660,041	
FROM FEDERAL GRANTS TRUST FUND . . .		1,546,099
FROM OPERATING TRUST FUND		3,755,978

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3102A OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	172,260	
FROM FEDERAL GRANTS TRUST FUND . . .		82,328
FROM OPERATING TRUST FUND		29,252
3102B EXPENSES		
FROM GENERAL REVENUE FUND	1,000	
FROM FEDERAL GRANTS TRUST FUND . . .		225,369
FROM OPERATING TRUST FUND		2,249,004
3102C OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	2,233	
FROM FEDERAL GRANTS TRUST FUND . . .		227,029
FROM OPERATING TRUST FUND		277,752
3102D SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	300,688	
FROM FEDERAL GRANTS TRUST FUND . . .		1,977,349
FROM OPERATING TRUST FUND		2,390,614
3103 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	2,931	
FROM FEDERAL GRANTS TRUST FUND . . .		10,967
FROM OPERATING TRUST FUND		12,210
3104 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM FEDERAL GRANTS TRUST FUND . . .		7,100
FROM OPERATING TRUST FUND		240,000
3105 DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM GENERAL REVENUE FUND	74,714	
FROM OPERATING TRUST FUND		139,709
3106 DATA PROCESSING SERVICES		
SOUTHWOOD SHARED RESOURCE CENTER		
FROM GENERAL REVENUE FUND	1,225,369	
FROM OPERATING TRUST FUND		1,972,482
3107 DATA PROCESSING SERVICES		
NORTHWEST REGIONAL DATA CENTER (NWRDC)		
FROM GENERAL REVENUE FUND	271,283	
FROM OPERATING TRUST FUND		256,328

The funds provided in Specific Appropriation 3107 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: INFORMATION TECHNOLOGY		
FROM GENERAL REVENUE FUND	6,710,519	
FROM TRUST FUNDS		15,399,570
TOTAL POSITIONS	174.00	
TOTAL ALL FUNDS		22,110,089
TOTAL: REVENUE, DEPARTMENT OF		
FROM GENERAL REVENUE FUND	204,483,773	
FROM TRUST FUNDS		314,100,641
TOTAL POSITIONS	5,155.00	
TOTAL ALL FUNDS		518,584,414
TOTAL APPROVED SALARY RATE	189,119,236	

STATE, DEPARTMENT OF

PROGRAM: OFFICE OF THE SECRETARY AND ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 4,924,107

SECTION 6 - GENERAL GOVERNMENT
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3109	SALARIES AND BENEFITS POSITIONS	93.00	
	FROM GENERAL REVENUE FUND	4,573,729	
	FROM FEDERAL GRANTS TRUST FUND . . .		1,126,484
	FROM GRANTS AND DONATIONS TRUST FUND		411,559
	FROM RECORDS MANAGEMENT TRUST FUND .		78,212
3109A	OTHER PERSONAL SERVICES		
	FROM FEDERAL GRANTS TRUST FUND . . .		12,661
	FROM GRANTS AND DONATIONS TRUST FUND		67,733
3110	EXPENSES		
	FROM GENERAL REVENUE FUND	558,538	
	FROM FEDERAL GRANTS TRUST FUND . . .		6,555
3111	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	1,250	
3112	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND	324	
3113	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	28,640	
3114	SPECIAL CATEGORIES		
	LITIGATION EXPENSES		
	FROM GENERAL REVENUE FUND	500,000	
3115	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	43,576	
3116	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	28,529	
3117	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	28,157	
	FROM FEDERAL GRANTS TRUST FUND . . .		4,030
	FROM GRANTS AND DONATIONS TRUST FUND		280
3118	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	15,000	
3119	DATA PROCESSING SERVICES		
	NORTHWOOD SHARED RESOURCE CENTER		
	FROM GENERAL REVENUE FUND	898,793	
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	6,676,536	
	FROM TRUST FUNDS		1,707,514
	TOTAL POSITIONS	93.00	
	TOTAL ALL FUNDS		8,384,050

PROGRAM: ELECTIONS

ELECTIONS

APPROVED SALARY RATE 2,024,832

3121	SALARIES AND BENEFITS POSITIONS	54.00	
	FROM GENERAL REVENUE FUND	986,783	
	FROM FEDERAL GRANTS TRUST FUND . . .		1,768,112

SECTION 6 - GENERAL GOVERNMENT
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3122	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	87,150	
	FROM FEDERAL GRANTS TRUST FUND . . .		300,000
3123	EXPENSES		
	FROM GENERAL REVENUE FUND	740,950	
	FROM FEDERAL GRANTS TRUST FUND . . .		604,437
3124	AID TO LOCAL GOVERNMENTS		
	SPECIAL ELECTIONS		
	FROM GENERAL REVENUE FUND	2,000,000	
3125	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	73,086	
	FROM FEDERAL GRANTS TRUST FUND . . .		3,125
3126	SPECIAL CATEGORIES		
	ADVERTISING OF PROPOSED AMENDMENTS TO THE CONSTITUTION		
	FROM GENERAL REVENUE FUND	1,431,723	

From the funds provided in Specific Appropriation 3126, $211,855 is contingent upon House Joint Resolution 55 or similar legislation becoming law.

3127	SPECIAL CATEGORIES		
	VOTING SYSTEMS ASSISTANCE		
	FROM FEDERAL GRANTS TRUST FUND . . .		525,000
3128	SPECIAL CATEGORIES		
	STATEWIDE VOTER REGISTRATION SYSTEM - HELP AMERICA VOTE ACT (HAVA)		
	FROM FEDERAL GRANTS TRUST FUND . . .		2,787,751
3129	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	283,541	
	FROM FEDERAL GRANTS TRUST FUND . . .		300,058
3130	SPECIAL CATEGORIES		
	ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES		
	FROM FEDERAL GRANTS TRUST FUND . . .		800,000
3131	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	79,721	
3132	SPECIAL CATEGORIES		
	ELECTION FRAUD PREVENTION		
	FROM GENERAL REVENUE FUND	445,379	
3133	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	29,669	
3134	SPECIAL CATEGORIES		
	GRANTS AND AIDS - FEDERAL ELECTION ACTIVITIES (HELP AMERICA VOTE ACT)		
	FROM FEDERAL GRANTS TRUST FUND . . .		3,000,000

Funds in Specific Appropriation 3134 shall be distributed to county supervisors of elections to be used for election administration activities such as voter education; pollworker training; standardizing elections results reporting; or other federal election administrative activities as approved by the Department of State.

County supervisors of elections will receive funds only after providing the Department of State a detailed description of the programs that will be implemented. Funds distributed to county supervisors of elections require a certification from the county that matching funds will be provided in an amount equal to fifteen percent of the amount to be received from the state.

SECTION 6 - GENERAL GOVERNMENT
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APPROPRIATION

To be eligible, a county must segregate federal funds and required county matching dollars in a separate account established to hold only such funds. Funds in this account must be used only for the activities for which the funds were received. Funds shall remain in the account to be used for the same purposes for subsequent years or until such funds are expended. Supervisors of elections shall report to the Department of State any unspent funds remaining on June 30 of each fiscal year.

3135 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 8,544
FROM FEDERAL GRANTS TRUST FUND . . . 6,037

3136 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 65,773

3137 DATA PROCESSING SERVICES
NORTHWOOD SHARED RESOURCE CENTER
FROM FEDERAL GRANTS TRUST FUND . . . 39,701

TOTAL: ELECTIONS
FROM GENERAL REVENUE FUND 6,232,319
FROM TRUST FUNDS 10,134,221

TOTAL POSITIONS 54.00
TOTAL ALL FUNDS 16,366,540

PROGRAM: HISTORICAL RESOURCES

HISTORICAL RESOURCES PRESERVATION AND EXHIBITION

APPROVED SALARY RATE 1,876,003

3138 SALARIES AND BENEFITS POSITIONS 51.00
FROM GENERAL REVENUE FUND 1,016,731
FROM FEDERAL GRANTS TRUST FUND . . . 316,310
FROM GRANTS AND DONATIONS TRUST FUND 1,275,719

3139 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 59,317
FROM FEDERAL GRANTS TRUST FUND . . . 376,251
FROM GRANTS AND DONATIONS TRUST FUND 1,262,019

3140 EXPENSES
FROM GENERAL REVENUE FUND 226,941
FROM FEDERAL GRANTS TRUST FUND . . . 565,690
FROM GRANTS AND DONATIONS TRUST FUND 920,608

3141 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 15,625

3141A LUMP SUM
HISTORIC PROPERTIES MAINTENANCE
FROM GENERAL REVENUE FUND 200,000

3141B SPECIAL CATEGORIES
HISTORIC PROPERTY PLANNING
FROM GENERAL REVENUE FUND 250,000

From the funds in Specific Appropriation 3141B, $250,000 of nonrecurring general revenue is provided for the Division of Historical Resources to develop, in consultation with the Department of Environmental Protection, Division of State Lands, a long-range master plan to ensure the long-term preservation and interpretation of archeological and historic resources located on the Wallwood Plantation property in Leon County. This plan shall be submitted to the Governor, the Speaker of the House of Representatives and the President of the Senate by December 1, 2012.

SECTION 6 - GENERAL GOVERNMENT
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3142 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 226,275
FROM FEDERAL GRANTS TRUST FUND . . . 189,307
FROM GRANTS AND DONATIONS TRUST FUND 236,162

3143 SPECIAL CATEGORIES
GRANTS AND AIDS - HISTORIC PRESERVATION GRANTS
FROM GENERAL REVENUE FUND 4,143,600
FROM FEDERAL GRANTS TRUST FUND . . . 118,250

Funds from the General Revenue Fund in Specific Appropriation 3143 shall be allocated as follows:

Government House Interpretive Film and Exhibit - St. Augustine..... 1,500,000
Government House Museum Phase I Renovations - St. Augustine..... 1,000,000
Apollo School Building - Hobe Sound..... 150,000
Historic Hampton House - Miami..... 100,000
Historic Preservation Small Matching Grants (statewide)..... 1,200,000
Historical Log Cabin - The Village of Biscayne Park..... 150,000
Captain Hendry House Rehabilitation - LaBelle..... 43,600

3144 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 29,734

3145 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 9,088
FROM FEDERAL GRANTS TRUST FUND . . . 3,610
FROM GRANTS AND DONATIONS TRUST FUND 11,553

3146 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 11,178
FROM FEDERAL GRANTS TRUST FUND . . . 2,078
FROM GRANTS AND DONATIONS TRUST FUND 8,688

3147 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GRANTS AND DONATIONS TRUST FUND 34,746

3148 FIXED CAPITAL OUTLAY
THE GROVE - REPAIR/MAINTENANCE/ADA COMPLIANCE - DMS MGD
FROM GENERAL REVENUE FUND 1,370,047

3148A FIXED CAPITAL OUTLAY
THE GROVE - PURCHASE OF ADJACENT PROPERTIES AND DEVELOPMENT - DMS MGD
FROM GENERAL REVENUE FUND 2,500,000

3149 FIXED CAPITAL OUTLAY
REPAIRS AND RENOVATIONS, ROOF REPAIRS - DMS MGD
FROM GENERAL REVENUE FUND 275,000

3149A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
HISTORIC PROJECT - HOLOCAUST DOCUMENTATION AND EDUCATION CENTER RAIL CAR RENOVATION
FROM GENERAL REVENUE FUND 500,000

TOTAL: HISTORICAL RESOURCES PRESERVATION AND EXHIBITION
FROM GENERAL REVENUE FUND 10,817,911

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FROM TRUST FUNDS			5,336,616
TOTAL POSITIONS	51.00		
TOTAL ALL FUNDS			16,154,527

PROGRAM: CORPORATIONS

COMMERCIAL RECORDINGS AND REGISTRATIONS

APPROVED SALARY RATE 3,515,749

3150 SALARIES AND BENEFITS	POSITIONS	104.00	
FROM GENERAL REVENUE FUND		4,672,631	
3152 EXPENSES			
FROM GENERAL REVENUE FUND		1,970,588	
3153 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND		25,920	
3154 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND		206,712	
3155 SPECIAL CATEGORIES			
RICO ACT - ALIEN CORPORATIONS			
FROM GENERAL REVENUE FUND		322,797	
3156 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND		16,167	
3157 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND		5,880	
3158 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND		40,664	
3159 DATA PROCESSING SERVICES			
SOUTHWOOD SHARED RESOURCE CENTER			
FROM GENERAL REVENUE FUND		8,796	
TOTAL: COMMERCIAL RECORDINGS AND REGISTRATIONS			
FROM GENERAL REVENUE FUND		7,270,155	
TOTAL POSITIONS	104.00		
TOTAL ALL FUNDS			7,270,155

PROGRAM: LIBRARY AND INFORMATION SERVICES

LIBRARY, ARCHIVES AND INFORMATION SERVICES

APPROVED SALARY RATE 2,788,197

3160 SALARIES AND BENEFITS	POSITIONS	70.00	
FROM GENERAL REVENUE FUND		1,231,292	
FROM FEDERAL GRANTS TRUST FUND . . .			1,349,304
FROM RECORDS MANAGEMENT TRUST FUND .			1,028,094
3161 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND		73,251	
FROM FEDERAL GRANTS TRUST FUND . . .			213,770
FROM RECORDS MANAGEMENT TRUST FUND .			52,412
3162 EXPENSES			
FROM GENERAL REVENUE FUND		1,753,403	
FROM FEDERAL GRANTS TRUST FUND . . .			320,574
FROM RECORDS MANAGEMENT TRUST FUND .			604,423
3162A AID TO LOCAL GOVERNMENTS			

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GRANTS AND AIDS - LIBRARY COOPERATIVES		
FROM GENERAL REVENUE FUND	1,500,000	
3163 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - LIBRARY GRANTS		
FROM GENERAL REVENUE FUND	21,300,000	
FROM FEDERAL GRANTS TRUST FUND . . .		2,400,606
3164 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	24,960	
FROM FEDERAL GRANTS TRUST FUND . . .		40,498
FROM RECORDS MANAGEMENT TRUST FUND .		9,740
3165 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	126,764	
FROM FEDERAL GRANTS TRUST FUND . . .		494,687
FROM GRANTS AND DONATIONS TRUST FUND		100,000
FROM RECORDS MANAGEMENT TRUST FUND .		187,059
3166 SPECIAL CATEGORIES		
LIBRARY RESOURCES		
FROM GENERAL REVENUE FUND	484,388	
FROM FEDERAL GRANTS TRUST FUND . . .		3,167,945
3167 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	40,504	
3168 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	18,101	
FROM FEDERAL GRANTS TRUST FUND . . .		7,308
FROM RECORDS MANAGEMENT TRUST FUND .		3,724
3169 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	17,607	
FROM FEDERAL GRANTS TRUST FUND . . .		8,948
FROM RECORDS MANAGEMENT TRUST FUND .		8,343
TOTAL: LIBRARY, ARCHIVES AND INFORMATION SERVICES		
FROM GENERAL REVENUE FUND	26,570,270	
FROM TRUST FUNDS		9,997,435
TOTAL POSITIONS	70.00	
TOTAL ALL FUNDS		36,567,705

PROGRAM: CULTURAL AFFAIRS

CULTURAL AFFAIRS

APPROVED SALARY RATE 1,204,553

3170 SALARIES AND BENEFITS	POSITIONS	35.00	
FROM GENERAL REVENUE FUND		521,616	
FROM FEDERAL GRANTS TRUST FUND . . .			524,272
FROM GRANTS AND DONATIONS TRUST FUND			655,955
3171 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND		14,163	
FROM FEDERAL GRANTS TRUST FUND . . .			117
FROM GRANTS AND DONATIONS TRUST FUND			81,244
3172 EXPENSES			
FROM GENERAL REVENUE FUND		242,597	
FROM FEDERAL GRANTS TRUST FUND . . .			24,568
FROM GRANTS AND DONATIONS TRUST FUND			676,418

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3173 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ARTS GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 297,200

3174 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 675

3174A SPECIAL CATEGORIES
GRANTS AND AIDS - CULTURAL AND MUSEUM GRANTS
FROM GENERAL REVENUE FUND 6,950,000

From the funds in Specific Appropriation 3174A, $1,950,000 of nonrecurring general revenue shall be allocated as follows:

Florida Aquarium 500,000
Firehouse Cultural Center - LaBelle..... 25,000
Spence Lanier Pioneer Enrichment Center..... 150,000
Lake Wales Arts Council..... 50,000
Family Empowerment and Intervention - North Miami..... 100,000
Haitian Heritage Museum Project..... 75,000
Bay of Pigs Museum..... 500,000
Science and Discovery Center of Northwest Florida..... 250,000
Heritage Trail Net Work Black History House - Tallahassee... 300,000

3174B SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA AFRICAN-AMERICAN HERITAGE PRESERVATION NETWORK
FROM GENERAL REVENUE FUND 250,000

3175 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 91,089
FROM FEDERAL GRANTS TRUST FUND . . . 28,000

3176A SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA HUMANITIES COUNCIL
FROM GENERAL REVENUE FUND 350,000

3177 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 14,302

3178 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 2,094
FROM FEDERAL GRANTS TRUST FUND . . . 321
FROM GRANTS AND DONATIONS TRUST FUND 5,796

3179 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 11,777
FROM FEDERAL GRANTS TRUST FUND . . . 1,822

3180A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SPECIAL CATEGORIES - CULTURAL FACILITIES PROGRAM
FROM GENERAL REVENUE FUND 3,980,822

Funds in Specific Appropriation 3180A shall be allocated as follows:

Straz Center Renovations Project, Tampa Bay Performing Arts Center, Inc. (Hillsborough County)..... 500,000
Dunedin Fine Art Center Multi Phase Construction Project, Phase 2 (Pinellas County)..... 500,000
Accessibility Enhancement and Facility Improvements, Hippodrome State Theater, Inc. (Alachua County)..... 99,822
Sidney and Berne Davis Art Center Restoration, Florida Arts, Inc. (Lee County)..... 650,000

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Children's Museum Boardwalk, The Children's Museum, Inc. (Palm Beach County)..... 36,000
Mound House: History from the Ground Up, Town of Fort Myers Beach (Lee County)..... 445,000
Atrium for All Seasons, Philharmonic Center for the Arts, Inc. (Collier County)..... 300,000
The New Elliott Museum, Historical Society of Martin County, Inc..... 500,000
Renovation of the Original Galleries, Museum of Fine Arts of St. Petersburg, Florida, Inc. (Pinellas County) 100,000
Veterinary Hospital and Animal Conservation and Science Center at Tampa's Lowry Park Zoo (Hillsborough County) ... 500,000
Hotel Ponce de Leon Solarium - Flagler College, St. Augustine (St. Johns County) 350,000

TOTAL: CULTURAL AFFAIRS
FROM GENERAL REVENUE FUND 12,429,135
FROM TRUST FUNDS 2,295,713
TOTAL POSITIONS 35.00
TOTAL ALL FUNDS 14,724,848

TOTAL: STATE, DEPARTMENT OF
FROM GENERAL REVENUE FUND 69,996,326
FROM TRUST FUNDS 29,471,499
TOTAL POSITIONS 407.00
TOTAL ALL FUNDS 99,467,825
TOTAL APPROVED SALARY RATE 16,333,441

TOTAL OF SECTION 6

FROM GENERAL REVENUE FUND 710,841,022
FROM TRUST FUNDS 3,159,378,508
TOTAL POSITIONS 18,769.75
TOTAL ALL FUNDS 3,870,219,530

SECTION 7 - JUDICIAL BRANCH

The moneys contained herein are appropriated from the named funds to the State Courts System as the amounts to be used to pay salaries, other operational expenditures and fixed capital outlay.

STATE COURT SYSTEM

PROGRAM: SUPREME COURT

COURT OPERATIONS - SUPREME COURT

APPROVED SALARY RATE 5,848,635

3181 SALARIES AND BENEFITS POSITIONS 97.00
FROM GENERAL REVENUE FUND 2,954,816
FROM STATE COURTS REVENUE TRUST FUND 4,350,177

3182 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 90,059

3183 EXPENSES
FROM GENERAL REVENUE FUND 681,252

3184 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 19,371

3185 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 332,179

3186 SPECIAL CATEGORIES
DISCRETIONARY FUNDS OF THE CHIEF JUSTICE

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APPROPRIATION
FROM GENERAL REVENUE FUND 15,000

Funds in Specific Appropriation 3186 may be spent at the discretion of the Chief Justice to carry out the official duties of the court. These funds shall be disbursed by the Chief Financial Officer upon receipt of vouchers authorized by the Chief Justice.

3187 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 65,562

3187A SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 8,044

3188 SPECIAL CATEGORIES
SUPREME COURT LAW LIBRARY
FROM GENERAL REVENUE FUND 248,018

3189 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 44,068

3190 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 23,356

3190A FIXED CAPITAL OUTLAY
FACILITY REPAIRS, RENOVATIONS AND
IMPROVEMENTS FOR STATE COURTS - DMS MGD
FROM GENERAL REVENUE FUND 1,000,000

TOTAL: COURT OPERATIONS - SUPREME COURT
FROM GENERAL REVENUE FUND 5,481,725
FROM TRUST FUNDS 4,350,177

TOTAL POSITIONS 97.00
TOTAL ALL FUNDS 9,831,902

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 8,879,510

3191 SALARIES AND BENEFITS POSITIONS 174.50
FROM GENERAL REVENUE FUND 2,480,025
FROM ADMINISTRATIVE TRUST FUND . . . 315,214
FROM STATE COURTS REVENUE TRUST
FUND 6,261,418
FROM COURT EDUCATION TRUST FUND . . 1,142,798
FROM FEDERAL GRANTS TRUST FUND . . . 1,175,941

3192 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 235,981
FROM ADMINISTRATIVE TRUST FUND . . . 225,104
FROM COURT EDUCATION TRUST FUND . . 105,540
FROM FEDERAL GRANTS TRUST FUND . . . 115,003

3193 EXPENSES
FROM GENERAL REVENUE FUND 1,313,204
FROM ADMINISTRATIVE TRUST FUND . . . 284,676
FROM COURT EDUCATION TRUST FUND . . 1,859,606
FROM FEDERAL GRANTS TRUST FUND . . . 510,204
FROM GRANTS AND DONATIONS TRUST
FUND 142,355

3194 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 494,329
FROM ADMINISTRATIVE TRUST FUND . . . 50,000
FROM COURT EDUCATION TRUST FUND . . 10,000
FROM FEDERAL GRANTS TRUST FUND . . . 111,376

3195 SPECIAL CATEGORIES

SECTION 7 - JUDICIAL BRANCH
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APPROPRIATION
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 479,290
FROM ADMINISTRATIVE TRUST FUND . . . 151,000
FROM COURT EDUCATION TRUST FUND . . 158,448
FROM FEDERAL GRANTS TRUST FUND . . . 400,195
FROM GRANTS AND DONATIONS TRUST
FUND 102,000

3196 SPECIAL CATEGORIES
FLORIDA CASES SOUTHERN 2ND REPORTER
FROM GENERAL REVENUE FUND 589,570

3197 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 41,144

3198 SPECIAL CATEGORIES
COMPUTER SUBSCRIPTION SERVICES
FROM GENERAL REVENUE FUND 181,450

3199 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 23,943

3200 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 33,265
FROM ADMINISTRATIVE TRUST FUND . . . 220
FROM COURT EDUCATION TRUST FUND . . 4,116
FROM FEDERAL GRANTS TRUST FUND . . . 4,205

3201 SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND
REINVESTMENT ACT OF 2009
FROM FEDERAL GRANTS TRUST FUND . . . 874,304

3202 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 1,349,617
FROM ADMINISTRATIVE TRUST FUND . . . 150,000
FROM FEDERAL GRANTS TRUST FUND . . . 80,000

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 7,221,818
FROM TRUST FUNDS 14,233,723

TOTAL POSITIONS 174.50
TOTAL ALL FUNDS 21,455,541

ADMINISTERED FUNDS - JUDICIAL

COURT OPERATIONS - ADMINISTERED FUNDS

3202A AID TO LOCAL GOVERNMENTS
SMALL COUNTY COURTHOUSE FACILITIES
FROM GENERAL REVENUE FUND 2,275,000

Funds in Specific Appropriation 3202A are provided for courthouse facilities in the following counties:

Gadsden..... 50,000
Glades..... 400,000
Hardee..... 325,000
Hendry..... 1,500,000

3203 SPECIAL CATEGORIES
DUE PROCESS CONTINGENCY FUND
POSITIONS 21.00

The positions authorized in Specific Appropriation 3203 shall be held in reserve as a contingency in the event the state courts determine that some portion of Article V due process services needs to be shifted from

SECTION 7 - JUDICIAL BRANCH
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APPROPRIATION

a contractual basis to an employee model in one or more judicial circuits. The Chief Justice of the Supreme Court may request transfer of these positions to the salaries and benefits appropriation category within any of the state courts budget entities, consistent with requests for transfers of funds into those same budget entities. Such transfers are subject to the notice, review, and objection provisions of section 216.177, Florida Statutes.

PROGRAM: DISTRICT COURTS OF APPEAL

COURT OPERATIONS - APPELLATE COURTS

APPROVED SALARY RATE 28,143,009

3204	SALARIES AND BENEFITS POSITIONS 433.00		
	FROM GENERAL REVENUE FUND	18,965,137	
	FROM ADMINISTRATIVE TRUST FUND . . .		1,595,289
	FROM STATE COURTS REVENUE TRUST FUND		14,437,965
3205	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	66,767	
3206	EXPENSES		
	FROM GENERAL REVENUE FUND	2,995,509	
	FROM ADMINISTRATIVE TRUST FUND . . .		94,669
3207	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	85,364	
	FROM ADMINISTRATIVE TRUST FUND . . .		27,000
3208	SPECIAL CATEGORIES		
	COMPENSATION TO RETIRED JUDGES		
	FROM GENERAL REVENUE FUND	51,790	
3209	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	726,645	
3210	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	114,417	
3211	SPECIAL CATEGORIES		
	DISTRICT COURT OF APPEAL LAW LIBRARY		
	FROM GENERAL REVENUE FUND	162,797	
3212	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	58,331	
3213	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	98,946	
	FROM ADMINISTRATIVE TRUST FUND . . .		2,216
3214	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	171,100	
	TOTAL: COURT OPERATIONS - APPELLATE COURTS		
	FROM GENERAL REVENUE FUND	23,496,803	
	FROM TRUST FUNDS		16,157,139
	TOTAL POSITIONS	433.00	
	TOTAL ALL FUNDS		39,653,942

PROGRAM: TRIAL COURTS

COURT OPERATIONS - CIRCUIT COURTS

The budget for each judicial circuit and the approved unit costs for the state Fiscal Year 2012-13 are contained in the document entitled "Fiscal Year 2011-12 and Fiscal Year 2012-13 Trial Courts Unit Cost Budgets" dated March 6, 2012 and on file with the Clerk of the House of Representatives. This document is hereby incorporated by reference in the Fiscal Year 2012-13 General Appropriations Act.

APPROVED SALARY RATE 191,071,773

3215	SALARIES AND BENEFITS POSITIONS 2,948.00		
	FROM GENERAL REVENUE FUND	176,269,508	
	FROM ADMINISTRATIVE TRUST FUND . . .		67,138
	FROM STATE COURTS REVENUE TRUST FUND		54,760,452
	FROM FEDERAL GRANTS TRUST FUND . . .		5,688,903
3216	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	38,000	
	FROM FEDERAL GRANTS TRUST FUND . . .		125,748
3217	EXPENSES		
	FROM GENERAL REVENUE FUND	8,207,605	
	FROM ADMINISTRATIVE TRUST FUND . . .		3,928
	FROM FEDERAL GRANTS TRUST FUND . . .		110,616
	FROM GRANTS AND DONATIONS TRUST FUND		23,750
3218	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	804,635	
3218A	LUMP SUM		
	FORECLOSURE AND ECONOMIC RECOVERY		
	FROM GENERAL REVENUE FUND	4,000,000	

The funds in Specific Appropriation 3218A are appropriated in nonrecurring general revenue funds to assist with the backlog of foreclosure cases.

3219	SPECIAL CATEGORIES		
	CIVIL TRAFFIC INFRACTION HEARING OFFICERS		
	FROM GENERAL REVENUE FUND	1,339,864	
3220	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CHILD ADVOCACY CENTERS		
	FROM GENERAL REVENUE FUND	3,438,240	

From the funds in Specific Appropriation 3220, $3,200,000 in nonrecurring general revenue funds shall be distributed to the 25 Children's Advocacy Centers throughout Florida based on the proportion of children served by each center during calendar year 2010.

3221	SPECIAL CATEGORIES		
	COMPENSATION TO RETIRED JUDGES		
	FROM GENERAL REVENUE FUND	2,130,834	
	FROM GRANTS AND DONATIONS TRUST FUND		51,250
3222	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,292,534	
3222A	SPECIAL CATEGORIES		
	DOMESTIC VIOLENCE OFFENDER MONITORING PROGRAM		
	FROM GENERAL REVENUE FUND	1,264,720	

From the funds in Specific Appropriation 3222A, $948,720 in nonrecurring general revenue funds is distributed to the First Judicial Circuit ($316,000), the Ninth Judicial Circuit ($316,720), the Tenth Judicial Circuit ($316,000), and $316,000 in recurring general revenue funds is distributed to the Eighteenth Judicial Circuit to implement 4 pilot projects using Active Global Positioning Satellite (GPS) technology to protect victims of domestic violence. The courts shall issue a report on the benefits and limitations of the pilot projects to the chair of the Senate Budget Committee and the chair of the House

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Appropriation Committee by June 30, 2013.

3223 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,174,772

3224 SPECIAL CATEGORIES
STATEWIDE GRAND JURY - EXPENSES
FROM GENERAL REVENUE FUND 143,310

3225 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 152,423

3226 SPECIAL CATEGORIES
MEDIATION/ARBITRATION SERVICES
FROM GENERAL REVENUE FUND 3,307,332

3227 SPECIAL CATEGORIES
STATE COURTS DUE PROCESS COSTS
FROM GENERAL REVENUE FUND 19,915,601
FROM ADMINISTRATIVE TRUST FUND . . . 1,104,930

3228 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 652,324
FROM FEDERAL GRANTS TRUST FUND . . . 32,715

3229 SPECIAL CATEGORIES
GRANTS AND AIDS - DRUG COURTS - AMERICAN
RECOVERY AND REINVESTMENT ACT OF 2009
FROM FEDERAL GRANTS TRUST FUND . . . 10,685,523

3230 SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND
REINVESTMENT ACT OF 2009
FROM FEDERAL GRANTS TRUST FUND . . . 1,212,158

3231 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 97,902

TOTAL: COURT OPERATIONS - CIRCUIT COURTS
FROM GENERAL REVENUE FUND 224,229,604
FROM TRUST FUNDS 73,867,111

TOTAL POSITIONS 2,948.00
TOTAL ALL FUNDS 298,096,715

COURT OPERATIONS - COUNTY COURTS

APPROVED SALARY RATE 54,968,832

3232 SALARIES AND BENEFITS POSITIONS 644.00
FROM GENERAL REVENUE FUND 64,050,273
FROM STATE COURTS REVENUE TRUST
FUND 6,196,348

3233 EXPENSES
FROM GENERAL REVENUE FUND 3,197,614

3234 SPECIAL CATEGORIES
ADDITIONAL COMPENSATION FOR COUNTY JUDGES
FROM GENERAL REVENUE FUND 75,000

3235 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 204,000

3236 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 100,336

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3237 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 19,550

3238 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 144,070

TOTAL: COURT OPERATIONS - COUNTY COURTS
FROM GENERAL REVENUE FUND 67,790,843
FROM TRUST FUNDS 6,196,348

TOTAL POSITIONS 644.00
TOTAL ALL FUNDS 73,987,191

PROGRAM: JUDICIAL QUALIFICATIONS COMMISSION

JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS

APPROVED SALARY RATE 306,608

3239 SALARIES AND BENEFITS POSITIONS 5.00
FROM GENERAL REVENUE FUND 379,422

3240 EXPENSES
FROM GENERAL REVENUE FUND 148,338

3241 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 1,638

3242 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 190,475

3243 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 767

3244 SPECIAL CATEGORIES
LITIGATION EXPENSES
FROM GENERAL REVENUE FUND 181,294

Funds in Specific Appropriation 3244 are to be used only for case expenditures associated with the filing and prosecution of formal charges. These costs shall consist of attorney's fees, court reporting fees, investigators' fees, and similar charges associated with the adjudicatory process.

3245 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 1,114

TOTAL: JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS
FROM GENERAL REVENUE FUND 903,048

TOTAL POSITIONS 5.00
TOTAL ALL FUNDS 903,048

TOTAL: STATE COURT SYSTEM
FROM GENERAL REVENUE FUND 331,398,841
FROM TRUST FUNDS 114,804,498

TOTAL POSITIONS 4,322.50
TOTAL ALL FUNDS 446,203,339
TOTAL APPROVED SALARY RATE 289,218,367

TOTAL OF SECTION 7

FROM GENERAL REVENUE FUND 331,398,841

SECTION 7 - JUDICIAL BRANCH
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FROM TRUST FUNDS 114,804,498

TOTAL POSITIONS 4,322.50

TOTAL ALL FUNDS 446,203,339

SECTION 8. SALARIES AND BENEFITS - FISCAL YEAR 2012-2013

Statement of Purpose:

This section provides instructions for implementing the Fiscal Year 2012-2013 salary and benefit adjustments provided in this act. All allocations, distributions and uses of these funds are to be made in strict accordance with the provisions of this act.

(1) EMPLOYEE AND OFFICER COMPENSATION

The elected officers, members of commissions, and designated employees shall be paid at the annual rate, listed below, for the 2012-13 fiscal year; however, these salaries may be reduced on a voluntary basis.

	7/1/12
Governor	$ 130,273
Lieutenant Governor	124,851
Chief Financial Officer	128,972
Attorney General	128,972
Agriculture, Commissioner of	128,972
Supreme Court Justice	157,976
Judges - District Courts of Appeal	150,077
Judges - Circuit Courts	142,178
Judges - County Courts	134,280
State Attorneys	150,077
Public Defenders	150,077
Commissioner - Public Service Commission	130,036
Public Employees Relations Commission Chair	95,789
Public Employees Relations Commission Commissioners	45,362
Commissioner - Parole and Probation	90,724
Criminal Conflict and Civil Regional Counsels	98,000

None of the officers, commission members, or employees whose salaries have been fixed in this section shall receive any supplemental salary or benefits from any county or municipality.

(2) SPECIAL PAY ISSUES

(a) Effective July 1, 2012, the Florida Fish and Wildlife Commission is authorized to implement pay parity adjustments from current agency trust funds in an amount not to exceed $249,000. Employees in the following job classes, making less than the associated annual base salary, shall have their salaries increased to that amount: Law Enforcement Officer - $32,836.18; Law Enforcement Corporal - $36,119.72; Law Enforcement Investigator II - $40,746.16; Law Enforcement Lieutenant - $45,822.40; Law Enforcement Captain - $60,770.06; and Duty Officer - $29,640.00. The Commission is authorized to adjust current critical market pay additives as necessary to achieve equity among law enforcement officers working in Monroe and Lee Counties; notwithstanding paragraph (4)(e) to the contrary. This paragraph is contingent upon House Bill 1383 or similar legislation becoming law.

(b) Effective July 1, 2012, the Department of Highway Safety and Motor Vehicles is authorized to implement pay parity adjustments from current agency trust funds, not to exceed $661,252, to increase the base rate of pay for Office of Motor Carrier Compliance Law Enforcement Officers from $31,879.92 to $33,977.04. In addition, the Department is authorized to increase the salaries of the Office of Motor Carrier Compliance Law Enforcement Sergeants, Lieutenants and Captains by $2,097.12.

(3) BENEFITS: HEALTH, LIFE, AND DISABILITY INSURANCE

(a) State Life Insurance and State Disability Insurance

Funds are provided in each agency's budget to continue paying the state share of the current State Life Insurance Program and the State

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Disability Insurance Program premiums.

(b) State Health Insurance Plans and Benefits

1. For the period July 1, 2012, through June 30, 2013, the Department of Management Services shall continue within the State Group Insurance Program a State Group Health Insurance Standard Plan, a State Group Insurance High Deductible Plan, State Group Health Maintenance Organization Standard Plans and State Group Health Maintenance Organization High Deductible Plans.

2. For the period July 1, 2012, through June 30, 2013, the benefits provided under each of the plans shall be those benefits as provided in the current State Employee's' PPO Plan Group Health Insurance Plan Booklet and Benefit Document, current Health Maintenance Organization contracts and benefit documents, and other such health benefits as approved by the Legislature.

3. The high deductible health plans shall continue to include an integrated Health Savings Account (HSA). Such plans and accounts shall be administered in accordance with the requirements and limitations of federal provisions related to the Medicare Prescription Drug Improvement, and Modernization Act of 2003. The state shall make a monthly contribution to an employee's health savings account as authorized in section 110.123(12), Florida Statutes.

(c) State Health Insurance Premiums for the Period July 1, 2012, through June 30, 2013.

1. State Paid Premiums

a. For the coverage period beginning July 1, 2012, through May 31, 2013, the state share of the State Group Health Insurance Program premiums to the executive, legislative and judicial branch agencies shall continue at $499.80 per month for individual coverage and $1,063.34 per month for family coverage.

b. For the coverage period beginning June 1, 2013, the state share of the State Group Health Insurance Program premiums to the executive, legislative and judicial branch agencies shall increase, effective May 1, 2013 from $499.80 to $537.74 per month for individual coverage and from $1,063.34 to $1,149.14 for family coverage.

c. Funds are provided in each state agency and university's budget to continue paying the State Group Health Insurance Program premiums for the fiscal year. Funds are provided in Specific Appropriation 2028 for distribution to agencies to pay the incremental cost of the premium increase, effective May 1, 2013.

d. The agencies shall continue to pay premiums on behalf of employees who have enhanced benefits, including those employees participating in the Spouse Program in accordance with section 60P-2.0036, Florida Administrative Code, and those employees filling positions with "agency pay-all" benefits.

i. For the coverage period beginning July 1, 2012, through May 31, 2013, the state share of the State Group Insurance Premiums to the executive, legislative and judicial branch agencies for employees with enhanced benefits, excluding Spouse Program participants, shall be $541.46 per month for individual coverage and $1,213.34 per month for family coverage.

ii. For the coverage period beginning June 1, 2013, the state share of the State Group Health Insurance Program premiums to the executive, legislative, and judicial branch agencies for employees with enhanced benefits, excluding Spouse Program participants, shall increase, effective May 1, 2013, from $541.46 per month to $579.40 per month for individual coverage and $1,213.34 to $1,299.14 per month for family coverage.

iii. For the coverage period July 1, 2012 to May 31, 2013, the state share of the State Group Health Insurance Program premiums to the executive, legislative and executive branch agencies, for each employee participating in the Spouse Program shall be $606.68 per month for

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family coverage.

iv. For the coverage period beginning June 1, 2013, the state share of the State Group Health Insurance Program premiums to the executive, legislative and judicial branch agencies for employees participating in the Spouse Program shall increase, effective May 1, 2013, from $606.68 to $649.58 per month for family coverage.

2. Premiums Paid by Employees

a. For the coverage period July 1, 2012, through June 30, 2013, the employee's share of the health insurance premiums for the standard plans shall continue at $50 per month for individual coverage and $180 per month for family coverage.

b. For the coverage period July 1, 2012, through June 30, 2013, the employee's share of the health insurance premium for the high deductible health plans shall continue at $15 per month for individual coverage and $64.30 per month for family coverage.

c. For the coverage period July 1, 2012, through June 30, 2013, the employee's share of the health insurance premiums for the standard plans and the high deductible health plans shall continue at $8.34 for individual coverage and $30 per month for family coverage for employees filling positions with "agency payall" benefits.

d. For the coverage period July 1, 2012, through June 30, 2013, the employee's share of the health insurance premiums for the standard plans and the high deductible plans shall continue at $15 per month for each employee participating in the Spouse Program in accordance with section 60P-2.0036, Florida Administrative Code.

3. Premiums paid by Medicare Participants

a. For the coverage period July 1, 2012, through May 31, 2013, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall continue to be $305.82 for "one eligible", $881.80 for "one under/one over", and $611.64 for "both eligible."

b. For the coverage period beginning June 1, 2013, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall increase, effective May 1, 2013, from $305.82 to $326.92 for "one eligible", from $881.80 to $942.64 for "one under/one over", and from $611.64 to $653.84 for "both eligible."

c. For the coverage period July 1, 2012, through May 31, 2013, the monthly premiums for Medicare participants participating in the State Group Health Insurance High Deductible Plan shall continue to be $230.52 for "one eligible", $722.16 for "one under/one over", and $461.04 for "both eligible."

d. For the coverage period beginning June 1, 2013, the monthly premiums for Medicare participants participating in the State Group Health Insurance High Deductible Plan shall increase, effective May 1, 2013, from $230.52 to $246.43 for "one eligible", from $722.16 to $771.99 for "one under/one over", and from $461.04 to $492.85 for "both eligible."

e. Effective July 1, 2012, for the coverage period beginning August 1, 2012, the monthly premiums for Medicare participants enrolled in a Health Maintenance Organization Standard Plan or High Deductible Health Plan shall be equal to the negotiated monthly premium for the selected state-contracted Health Maintenance Organization.

4. Premiums paid by Early Retirees

a. Effective July 1, 2012, for the coverage period beginning August 1, 2012, an "early retiree" participating in the State Group Health Standard Plan shall pay a monthly premium equal to 100 percent of the total premium charged (state and employee contributions) for an active employee participating in the standard plan.

b. Effective July 1, 2012, for the coverage period August 1, 2012 through May 31, 2013, an "early retiree" participating in the State

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Group Health Insurance High Deductible Plan shall pay a monthly premium equal to $473.12 for individual coverage and $1,044.32 for family coverage.

c. For the coverage period beginning June 1, 2013, the monthly premium for an early retiree participating in the State Group Health Insurance High Deductible Plan shall increase, effective May 1, 2013, from $473.12 to $511.08 for individual coverage and from $1,044.32 to $1,130.11 for family coverage.

5. Premiums paid by COBRA participants

a. Effective July 1, 2012, for the coverage period beginning August 1, 2012, a COBRA participant participating in the State Group Health Insurance Program shall continue to pay a premium equal to 102 percent of the total premium charged (state and employee contributions) for an active employee participating in the Program.

(d) Under the State Employees' Prescription Drug Program, the following shall apply:

1. Supply limits shall continue as provided in subsection 110.12315, Florida Statutes.

2. For the period July 1, 2012, through June 30, 2013, co-payments for the State Group Health Insurance Standard Plan shall be as follows:

a. $7 co-payment for generic drugs with card;
b. $30 for preferred brand name drug with card;
c. $50 for nonpreferred brand name drug with card;
d. $14 for generic mail-order drug;
e. $60 for preferred brand name mail order drug;
f. $100 for nonpreferred brand name mail order drug.

3. For the period July 1, 2012, through June 30, 2013, coinsurance for the State Group Health Insurance High Deductible Plan shall continue as provided in section 110.12315(7), Florida Statutes.

4. Effective July 1, 2012, and notwithstanding the provisions of subparagraph 2, to the contrary, for the purpose of encouraging an individual to change from brand name drugs to generic drugs, the department may continue to waive co-payments for a six month supply of a generic statin or a generic proton pump inhibitor.

5. The Department of Management Services shall maintain the preferred brand name drug list to be used in the administration of the State Employees' Prescription Drug Program.

6. The Department of Management Services shall maintain a listing of certain maintenance drugs that must be filled through mail order by participants of the Preferred Provider Organization option only. Effective July 1, 2012, those drugs on the maintenance list may initially be filled three times in a retail pharmacy; thereafter, any covered prescriptions must be filled through mail order, unless the Department of Management Services develops a program per House Bill 5003 to allow retail pharmacies to provide 90 day prescriptions for such drugs. This paragraph is contingent upon House Bill 5003 becoming law.

(e) The State Employees' Prescription Drug Program shall provide coverage for smoking cessation prescription drugs; however, members shall be responsible for appropriate copayments and deductibles when applicable. The smoking cessation prescription drug benefit shall be limited to up to six month supply within any plan year and maximum lifetime benefit of no more than nine months supplied.

(4) OTHER BENEFITS

(a) The following items shall be implemented in accordance with the provisions of this act and with the applicable negotiated collective bargaining agreement:

1. The state shall provide up to six (6) credit hours of tuition-free courses per term at a state university, state college or community college to full-time employees on a space available basis as authorized

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by law.

2. The state shall continue to reimburse, at current levels, for replacement of personal property.

3. Each agency, at the discretion of the agency head, may expend funds provided in this act for bar dues and for legal education courses for employees who are required to be a member of the Florida Bar as a condition of employment.

4. The state shall continue to provide, at current levels, clothing allowances and uniform maintenance and shoe allowances.

(b) All state branches, departments, and agencies which have established or approved personnel policies for the payment of accumulated and unused annual leave, shall not provide payment which exceeds a maximum of 480 hours of actual payment to each employee for accumulated and unused annual leave.

(c) Upon termination of employees in the Senior Management Service, Selected Exempt Service, or positions with comparable benefits, payments for unused annual leave credits accrued on the member's last anniversary date shall be prorated at 1/12th of the last annual amount credited for each month, or portion thereof, worked subsequent to the member's last anniversary date.

(5) PAY ADDITIVES AND OTHER INCENTIVE PROGRAMS

The following pay additives and other incentive programs are authorized for the 2012-2013 fiscal year from existing agency resources consistent with provisions of sections 110.2035 and 216.251, Florida Statutes , the applicable rules promulgated by the Department of Management Services, and negotiated collective bargaining agreements.

(a) Each agency is authorized to continue to pay, at the levels in effect on June 30, 2007, on-call fees and shift differentials as necessary to perform normal operations of the agency.

(b) Each agency that had a training program in existence on June 30, 2006, which included granting pay additives to participating employees, is authorized to continue such training program for the 2012-2013 fiscal year. Such additives shall be granted under the provisions of the law, administrative rules, and collective bargaining agreements.

(c) The Department of Corrections may continue to grant hazardous duty pay additives, as necessary, to those employees assigned to the Department of Corrections institutions' Rapid Response Teams (including the baton, shotgun, and chemical agent teams) and the Correctional Emergency Response Teams.

(d) The Fish and Wildlife Conservation Commission may continue to grant temporary special duty pay additives to law enforcement officers who perform additional duties as K-9 handlers, as regional recruiters/media coordinators and as breath test operators/inspectors.

(e) The Fish and Wildlife Conservation Commission and the Department of Highway Safety and Motor Vehicles are authorized to grant critical market pay additives to employees residing in and assigned to Lee County, Collier County, or Monroe County, at the levels that the employing agency granted salary increases for similar purposes prior to July 1, 2006. These pay additives shall be granted only during the time in which the employee resides in, and is assigned to duties within, those counties. In no instance may the employee receive an adjustment to the employee's base rate of pay and a critical market pay additive based on the employee residing in and being assigned in the specified counties.

(f) The Department of Transportation is authorized to continue its training program for employees in the field of transportation engineering under the same guidelines established for the training program prior to June 30, 2006.

(g) The Department of Transportation is authorized to continue its training program for employees in the areas of right-of-way acquisition,

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relocation benefits administration, right-of-way property management, real estate appraisal, and business valuation under the same guidelines established for the training program prior to June 30, 2006.

(h) The Department of Highway Safety and Motor Vehicles is authorized to continue to grant a pay additive of $162.50 per pay period for law enforcement officers assigned to the Office of Motor Carrier Compliance who maintain certification by the Commercial Vehicle Safety Alliance.

(i) Each agency is authorized to continue to grant temporary special duties pay additives to employees assigned additional duties as a result of another employee being absent from work pursuant to the Family Medical Leave Act or authorized military leave. The notification process described in section 110.2035(6)(c), Florida Statutes, does not apply to additives authorized in this paragraph.

(j) Each agency is authorized to grant merit pay increases based on the employee's exemplary performance as evidenced by a performance evaluation conducted pursuant to chapter 60L-35, Florida Administrative Code, or a similar performance evaluation applicable to other pay plans.

(k) Contingent upon the availability of funds and at the agency head's discretion, each agency is authorized to grant a temporary special duties pay additive, of up to 15 percent of the employee's base rate of pay, to each employee temporarily deployed to a facility or area closed due to emergency conditions from another area of the state that is not closed.

(6) COLLECTIVE BARGAINING

(a) All collective bargaining issues at impasse between the State of Florida and AFSCME Council 79, the Federation of Public Employees, the Federation of Physicians and Dentists, the Florida State Fire Service Association, the Police Benevolent Association, the Teamsters Local Union No. 2011 and the Florida Nurses Association relating to wages and other economic issues shall be resolved herein pursuant to the instructions provided under Item "(1) EMPLOYEE AND OFFICER COMPENSATION", Item "(2) Special Pay Issues", Item "(4) OTHER BENEFITS", and Item "(5) PAY ADDITIVES AND OTHER INCENTIVE PROGRAMS" and any legislation enacted to implement this act.

Florida and AFSCME Council 79, the Federation of Public Employees, the Federation of Physicians and Dentists, the Florida State Fire Service Association, the Police Benevolent Association, the Teamsters Local Union No. 2011, and the Florida Nurses Association relating to insurance benefits shall be resolved herein pursuant to the instructions provided under Item "(3) BENEFITS: HEALTH, LIFE, AND DISABILITY INSURANCE" and the relevant provisions of any legislation enacted to implement this act.

SECTION 9. Pursuant to s. 1013.74 and s. 1013.78, Florida Statutes, the following facilities may be constructed or acquired from non-appropriated sources, which upon completion will require general revenue funds for operation.

UF - Medical Education Simulation Building
UF - College of Business Undergraduate Studies Building
UF - Reitz Student Union
UF - Veterinary Medicine Equine Testing Facility
UF - CLAS ELI Assessment Building
FSU - NHMFL Storage Building
FSU - Lake Bradford Waste Management & Recycling Center
FSU - Talla-Com Building
FSU - Gunter Building
FSU - 3000 Commonwealth
FSU - Donald L. Tucker Civic Center
FAU - Hazardous Waste Expansion
FIU - Ambulatory Care Center
NCF - Physical Plant Shop Annex
NCF - Physical Plant Warehouse
UCF - Flexible Residential Test Structures 1 & 2
UCF - Applications Test Facility
UNF - WJCTV Building
UNF - WJCTV Transmitter Buildings

SECTION 9
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APPROPRIATION
UWF - School of Allied Health & Life Sciences
UWF - School of Allied Health Temporary Building

SECTION 10. The unexpended balance of funds appropriated in Specific Appropriation 20 of chapter 2010-152, Laws of Florida, for the University of Central Florida for the Interdisciplinary Research and Incubator Facility shall revert and is appropriated for the 2012-2013 fiscal year to the University of Central Florida for Classroom Building II.

SECTION 11. Pursuant to section 1010.62, Florida Statutes, and section 11(d) and (f), Art. VII of the State Constitution, the following fixed capital outlay projects may be constructed, acquired, and financed by a university or university direct support organization. Financing mechanisms include any form of approved debt or bonds authorized by the Board of Governors.

FSU - Earth, Ocean and Atmospheric Sciences Building (EOAS)
FSU - Athletic Facility
UCF - NE Campus Mixed-Use Development
UCF - Bookstore Expansion
UCF - Research Lab, Lake Nona
UCF - Life Sciences Incubator, Lake Nona
USF - International Student Center
USF - Tennis Complex
UWF - East Campus University, Graduate, Veteran and Greek Student Housing

SECTION 12. Pursuant to section 1013.40, Florida Statutes, the specified Florida College System institutions are authorized to acquire or construct the following facilities from non-PECO sources, which could require general revenue funds for operation and maintenance. If existing facilities are part of these projects, each such building or site must be certified to be free of asbestos or other hazardous materials before the stated college may acquire or expend construction funds on the facility. If the property to be acquired is not adjacent to an existing approved center or campus, then all necessary approvals from the State Board of Education must be received before any funds may be expended to acquire the property.

1. Brevard Community College - Construct a Natural Science building from local funds at the State Board of Education approved Cocoa Campus.

2. College of Central Florida - Construct an Automotive Technology Annex and Storage building from local funds at the State Board of Education approved Ocala Campus.

3. Daytona State College - Construct a Thermal Storage facility from local funds at the State Board of Education approved Daytona Beach Campus.

4. Daytona State College - Construct a Scene Shop addition to the News Journal Center from local funds at the State Board of Education approved Daytona Beach Campus.

5. Daytona State College - Construct a Chemical Storage/Mixing facility from local funds at the State Board of Education approved Daytona Beach Campus.

6. Daytona State College - Acquire relocatable lab space for the State Board of Education approved South Volusia (New Smyrna Beach/Edgewater) Center.

7. Daytona State College - Acquire land/facilities and construct/remodel/renovate facilities of classrooms, labs, offices, support space, and parking for the State Board of Education approved Daytona Beach Campus and Advanced Technology Center.

8. Edison State College - Acquire land/facilities and construct/remodel/renovate facilities of classrooms, labs, offices, support space, and parking for the State Board of Education approved Main (Ft. Myers, Lee County) Campus.

9. Florida State College at Jacksonville - Acquire land/facilities and construct/remodel/ renovate facilities of classrooms, labs, offices, support space, and parking for the State Board of Education approved Bartram Special Purpose Center and North Campus.

10. Florida State College at Jacksonville - Acquire land/facilities and construct/remodel/ renovate facilities of classrooms, labs, offices, support space, and parking for the Institute for Food Safety Phase II at the State Board of Education approved Downtown Campus.

11. Indian River State College - Acquire land/facilities and construct/remodel/renovate facilities of classrooms, labs, offices, support space, and parking for the State Board of Education approved Main (Ft. Pierce) Campus, Chastain (Stuart) Center, Mueller (Vero Beach) Special Purpose Center, St. Lucie West (Port St. Lucie) Center, Marine Science Special Purpose Center, Human Development & Resources Special Purpose Center, and the Dixon Hendry (Okeechobee) Center.

12. Florida Gateway College - Acquire unimproved land for future expansion and development adjacent (south) to the State Board of Education approved Main (Lake City) Campus.

13. Lake-Sumter Community College - Acquire land/facilities and remodel/renovate facilities of offices, support space, and parking for the State Board of Education approved Leesburg (Main) Campus.

14. Miami Dade College - Acquire land/facilities and construct/remodel/renovate facilities of classrooms, labs, offices, support space, and parking for the State Board of Education approved North Campus, Kendall Campus, Wolfson Campus, Homestead Campus, InterAmerican Campus, Hialeah Campus, West Campus, Entrepreneurial Center, and Medical Center Campus.

15. North Florida Community College - Acquire land/facilities and construct/remodel/ renovate facilities of classrooms, labs, offices, support space, and parking for the State Board of Education approved Main (Madison) Campus.

16. Polk State College - Acquire land/facilities (Lake Wales Art Center) and remodel/renovate facilities of classrooms, labs, exhibition, office and support spaces, and parking for the State Board of Education approved Lake Wales Special Purpose Center.

17. St. Petersburg College - Acquire land/facilities and construct/remodel/renovate facilities of classrooms, labs, offices, support space, and parking for the State Board of Education approved Midtown Special Purpose Center and Health Education Special Purpose Center.

18. Santa Fe College - Acquire land/facilities and construct/remodel/renovate facilities of classrooms, labs, offices, support space, and parking for the State Board of Education approved Blount Downtown Center.

19. Tallahassee Community College - Acquire land/facilities and remodel/renovate facilities of classrooms, labs, offices, support space and parking for the State Board of Education approved Gadsden Special Purpose Center.

20. Valencia College - Acquire land/facilities and remodel/renovate facilities of classrooms, labs, offices, support space and parking for the State Board of Education approved West Campus and Sand Lake Special Purpose Center.

SECTION 13. The authorization to expend the remaining $250,000,000 in unissued bonds for the enumerated authorized capital outlay projects in the Department of Education Specific Appropriations 15A through 28A of chapter 2008-152, Laws of Florida, and Specific Appropriations 17 through 26 of chapter 2010-152, Laws of Florida, from the Public Education Capital Outlay and Debt Service Trust Fund is revoked. There is hereby appropriated $120,000,000 in nonrecurring General Revenue and $130,000,000 in nonrecurring Educational Enhancement Trust Fund to be transferred to the Public Education Capital Outlay and Debt Service Trust Fund to pay for any and all project obligations of the fund. This section is effective upon becoming law.

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SECTION 14. The unexpended balance of funds provided to the Agency for Workforce Innovation for the Early Learning Information System in Specific Appropriation 2248 of chapter 2010-152, Laws of Florida, and subsequently allocated and realigned by budget amendments EOG #B2011-0026, EOG #B2011-0344, EOG #2011-0611, and EOG #B2011-0612, and reverted and appropriated to the Agency for Workforce Innovation pursuant to Section 57 of chapter 2011-69, Laws of Florida, and transferred to the Office of Early Learning in the Department of Education by budget amendment EOG #B2011-0144 and EOG #B2011-0366, pursuant to chapter 2011-142, Laws of Florida, is hereby reverted and reappropriated for Fiscal Year 2012-2013 to the Office of Early Learning for the same purpose.

SECTION 15. The unexpended balance of funds provided to the Agency for Workforce Innovation for the State Early Childhood Advisory Council pursuant to budget amendment EOG #B2011-0158, and reverted and appropriated to the Agency for Workforce Innovation pursuant to section 58 of chapter 2011-69, Laws of Florida, and transferred to the Office of Early Learning in the Department of Education by budget amendment EOG #B2011-0144 and EOG #B2011-0366, pursuant to chapter 2011-142, Laws of Florida, is hereby reverted reappropriated for Fiscal Year 2012-2013 to the Office of Early Learning for the same purpose.

SECTION 16. The unexpended balance of funds provided to the Agency for Workforce Innovation for the State Early Childhood Advisory Council in Specific Appropriation 2037A, Specific Appropriation 2037B, and Specific Appropriation 2037C of chapter 2011-69, Laws of Florida, and transferred to the Office of Early Learning in the Department of Education by budget amendment EOG #B2011-0144 and EOG #B2011-0366, pursuant to chapter 2011-142, Laws of Florida, is hereby reverted and reappropriated for Fiscal Year 2012-2013 to the Office of Early Learning for the same purpose.

SECTION 17. The unexpended balance of funds provided to the Agency for Workforce Innovation for statewide quality enhancements in Specific Appropriation 2243 of chapter 2010-152, Laws of Florida, reverted and appropriated to the Agency for Workforce Innovation pursuant to Section 54 of chapter 2011-69, Laws of Florida, and transferred to the Office of Early Learning in the Department of Education by budget amendment EOG #B2011-0144 and EOG #B2011-0366, pursuant to chapter 2011-142, Laws of Florida, is hereby reverted and reappropriated for Fiscal Year 2012-2013 to the Office of Early Learning for the same purpose.

SECTION 18. There is hereby appropriated to the Office of Early Learning within the Department of Education $10,315,172 in nonrecurring funds from the General Revenue Fund to cover the Fiscal Year 2011-2012 Voluntary Prekindergarten Program costs. This section is effective upon becoming law.

SECTION 19. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0358 as submitted on January 25, 2012, by the Governor on behalf of the Department of Education for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 20. The unexpended balance of funds provided to the Department of Education pursuant to budget amendment EOG #B2012-0358 for the Early Learning Information System shall revert and is appropriated for Fiscal Year 2012-2013 to the Office of Early Learning for the same purpose.

SECTION 21. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0366 as submitted on February 6, 2012, by the Governor on behalf of the Department of Education for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 22. The unexpended balance of funds provided to the Department of Education in Specific Appropriations 28 through 148 from the Federal Grants Trust Fund and the Federal Rehabilitation Trust Fund for grants funded by the American Recovery and Reinvestment Act of 2009 in chapter

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2010-152, Laws of Florida, and reverted and reappropriated to the Department of Education pursuant to section 13 of chapter 2011-69, Laws of Florida, are hereby reverted and reappropriated for Fiscal Year 2012-2013 for the purpose of the original appropriation within the Department of Education. If it is determined that any entity designated to receive an appropriation from State Fiscal Stabilization Funds is ineligible to receive such funds in accordance with the American Recovery and Reinvestment Act of 2009, the Executive Office of the Governor may adjust allocations from state funds and State Fiscal Stabilization Funds among eligible recipients, based upon the recommendation of the Department of Education, or Board of Governors as appropriate, in a manner that ensures the combined total of state funds and State Fiscal Stabilization Funds remains consistent with the intent of the General Appropriations Act. Any such adjustments shall be subject to the notice and objection requirements of section 216.177, Florida Statutes.

SECTION 23. The unexpended balance of funds provided to the Department of Education in Specific Appropriation 90B, chapter 2011-69, Laws of Florida and pursuant to budget amendment EOG #B2011-0204 for Race to the Top Strategic Education Initiatives and Statewide Longitudinal Data Systems reverted and reappropriated to the Department of Education pursuant to section 17 of chapter 2011-69, Laws of Florida, is hereby reverted and reappropriated for Fiscal Year 2012-2013 to the Department of Education for the same purpose.

SECTION 24. The unexpended balance of funds provided to the Department of Education in Specific Appropriation 90C, chapter 2011-69, Laws of Florida and pursuant to budget amendment EOG #B2011-0203 for the Partnership for Assessment of Readiness for Colleges and Careers reverted and reappropriated to the Department of Education pursuant to section 18 of chapter 2011-69, Laws of Florida, is hereby reverted and reappropriated for Fiscal Year 2012-2013 to the Department of Education for the same purpose.

SECTION 25. The unexpended balance of funds provided pursuant to budget amendment EOG #B2011-0146 for the Florida Education Finance Program (FEFP) Supplement for Education Jobs, and reverted and reappropriated to the Department of Education pursuant to section 16 of chapter 2011-69, Laws of Florida, is hereby reverted and reappropriated for Fiscal Year 2012-2013 to the Department of Education for the same purpose.

SECTION 26. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0345 as submitted on January 25, 2012, by the Governor on behalf of the Department of Education for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 27. The unexpended balance appropriated from the General Revenue Fund in Specific Appropriations 101 and 129 of chapter 2011-69, Laws of Florida, for Florida Academic Counseling and Tracking for Students (FACTS.org) is hereby reverted and reappropriated to the Division of Florida Colleges and the State University System to be used in Fiscal Year 2012-2013 for the administration of services previously provided by FACTS.org.

SECTION 28. The unexpended balance or $10,800,000, whichever is less, from the Educational Enhancement Trust Fund in Specific Appropriation 3 of chapter 2011-69, Laws of Florida, for the Florida's Bright Futures Scholarship Program is hereby reverted.

SECTION 29. Following the reversion required pursuant to section 28 of this act, the unexpended balance of funds appropriated from the Educational Enhancement Trust Fund in Specific Appropriation 3 of chapter 2011-69, Laws of Florida, for the Florida's Bright Futures Scholarship Program is hereby reverted and is reappropriated for the Fiscal Year 2012-2013 for the same purpose.

SECTION 30. The unexpended balance or $100,000, whichever is less, from the General Revenue Fund in Specific Appropriation 48 of chapter 2011-69, Laws of Florida, for Access to Better Learning and Education is hereby reverted.

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SECTION 31. The unexpended balance or $6,700,000, whichever is less, from the General Revenue Fund in Specific Appropriation 53 of chapter 2011-69, Laws of Florida, for the Florida Resident Access Grant is hereby reverted.

SECTION 32. The following funds shall be transferred immediately:

A. The sum of $1,066,029 from the General Revenue Fund in Specific Appropriation 119 of chapter 2011-69, Laws of Florida, is hereby transferred from the University of Florida to the University of Florida Institute of Food and Agricultural Sciences.

B. The sum of $1,899,558 from the General Revenue Fund in Specific Appropriation 119 of chapter 2011-69, Laws of Florida, is hereby transferred from the University of Florida to the University of Florida Health Center.

C. The sum of $534,447 from the General Revenue Fund in Specific Appropriation 119 of chapter 2011-69, Laws of Florida, is hereby transferred from the Florida State University to the Florida State University Medical School.

D. The sum of $892,482 from the General Revenue Fund in Specific Appropriation 119 of chapter 2011-69, Laws of Florida, is hereby transferred from the University of South Florida to the University of South Florida Medical School.

This section shall become effective upon becoming law.

SECTION 33. There is hereby appropriated $47,345,174 in nonrecurring funds from the General Revenue Fund to the Agency for Health Care Administration to cover Fiscal Year 2011-2012 Medicaid Program costs. This section shall take effect upon becoming law.

SECTION 34. The sum of $1,000,000 from the General Revenue Fund and $2,239,235 from the Medical Care Trust Fund, in Specific Appropriation 146, of Chapter 2011-69, Laws of Florida, provided to the Agency for Health Care Administration shall revert immediately. This section shall take effect upon becoming law.

SECTION 35. The unexpended balance in Specific Appropriation 159 of Chapter 2011-69, Laws of Florida, for Enhanced Detection Technology shall revert and is reappropriated for Fiscal Year 2012-2013 for the same purpose.

SECTION 36. The unexpended balance in Specific Appropriation 159 of Chapter 2011-69, Laws of Florida, to contract with a private consultant, who has at least 15 years experience in the development of statewide managed care models in other states shall revert and is reappropriated for Fiscal Year 2012-2013 for the same purpose.

SECTION 37. The unexpended balance in Specific Appropriation 218 of Chapter 2011-69, Laws of Florida, for the Online Licensing and Reconciliation System shall revert and is reappropriated for Fiscal Year 2012-2013 for the same purpose.

SECTION 38. There is hereby appropriated $20,500,000 in nonrecurring General Revenue Funds and $26,027,463 in nonrecurring Operations and Maintenance Trust Funds to the Agency for Persons with Disabilities to cover the Fiscal Year 2011-2012 Home and Community Based Services Waiver costs. This section shall take effect upon becoming law.

SECTION 39. The sum of $9,200,000 from General Revenue funds in Specific Appropriation 300, of Chapter 2011-69, Laws of Florida, provided to the Department of Children and Family Services shall revert immediately. This section shall take effect upon becoming law.

SECTION 40. The sum of $9,000,000 from unexpended funds in Specific Appropriations 269A and 281A of Chapter 2011-69, Laws of Florida, provided to the Department of Children and Family Services for the redesign of the Florida Abuse Hotline shall revert immediately and is reappropriated as follows: Fiscal Year 2011-2012, $2,193,739 from the Working Capital Trust Fund to the Special Category Computer Related Expenses and $2,193,739 from the Operations and Maintenance Trust Fund

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to the Data Processing Services, Children and Families Data Center category for the redesign of the Florida Abuse Hotline; for Fiscal Year 2012-2013, $2,306,261 from the Operations and Maintenance Trust Fund and $2,306,261 from the Working Capital Trust Fund to the Special Category Qualified Expenditure, Florida Abuse Hotline Redesign.

SECTION 41. The nonrecurring sum of $563,752 shall be transferred from the Medical Quality Assurance Trust Fund within the Department of Health to the Florida Drug, Device and Cosmetic Trust Fund within Department of Business and Professional Regulation. The funds shall be used to meet the operating expenditures of the Drug, Device and Cosmetic program in Fiscal Year 2011-2012. This section is effective upon becoming law.

SECTION 42. The nonrecurring sum of $3,662,634 shall be transferred from the Medical Quality Assurance Trust Fund within the Department of Health to the Brain and Spinal Cord Injury Program Trust Fund within the Department of Health. This section is effective upon becoming law.

SECTION 43. From the unexpended balance of funds provided to the Department of Corrections in Specific Appropriation 688 of chapter 2011-69, Laws of Florida, $5,800,000 shall revert immediately and is hereby appropriated for Fiscal Year 2011-2012 to the Department of Corrections to address the projected current year operational deficits. This section is effective upon becoming law.

SECTION 44. The sum of $10,900,000 from nonrecurring general revenue funds is hereby appropriated to the Department of Corrections for Fiscal Year 2011-2012 to address the operational deficits due to savings associated with privatization efforts in Region IV not being realized. This section is effective upon becoming law.

SECTION 45. From the unexpended balance of funds provided to the Department of Corrections in Specific Appropriation 760 of chapter 2008-152, Laws of Florida, $4,210,000 for land acquisition, planning, development and permitting of future prison sites; $50,000 for Sago Palm renovations, $2,614,000 for environmental and water deficiencies at Martin Correctional Institution; and $1,306,000 for construction of open bay dormitories at Mayo Correctional Institution shall revert immediately.

SECTION 46. The sum of $57,600,000 in nonrecurring funds from the General Revenue Fund is appropriated to the Clerks of Court Trust Fund within the Justice Administrative Commission to cover Fiscal Year 2011-2012 trust fund deficits. The Clerk of Court approved unit costs required under section 28.36, Florida Statutes, for Fiscal Year 2012-2013 are contained in the document entitled "2011-2012 and 2012-2013 Clerk of Court Unit Cost Budgets" dated March 6, 2012, and on file with the Clerk of the House of Representatives. This document is hereby incorporated by reference into the 2012-2013 General Appropriations Act. This section is effective upon becoming law.

SECTION 47. Specific Appropriation 774 of chapter 2011-69, Laws of Florida, is reduced by $6,662,794. Specific Appropriation 776 of chapter 2011-69, Laws of Florida, is reduced by $904,451. Specific Appropriation 766 of chapter 2011-69, Laws of Florida, is reduced by $907,633. Specific Appropriation 778 of chapter 2011-69, Laws of Florida, is reduced by $100,000. Specific Appropriation 1057 of chapter 2011-69, is reduced by $37,197. The sum of $3,867,135 in general revenue is appropriated to the Justice Administration Commission for Attorney Payments Over Flat Fee in Fiscal Year 2011-2012. The sum of $1,686,783 in general revenue is appropriated to the Justice Administrative Commission for Child Dependency and Civil Conflict Case Costs in Fiscal Year 2011-2012. The sum of $1,804,834 in general revenue is appropriated to the Justice Administrative Commission for Criminal Conflict Case Costs in Fiscal Year 2011-2012. The sum of $276,317 in general revenue is appropriated to the Regional Conflict Counsel - First for contracted services in Fiscal Year 2011-2012. The sum of $144,400 in general revenue is appropriated to the Regional Conflict Counsel - Second for contracted service in Fiscal Year 2011-2012. The sum of $134,850 in general revenue is appropriated to the Regional Conflict Counsel - Third for salaries and benefits for Fiscal Year 2011-2012. The sum of $326,244 in general revenue is appropriated to the Regional Conflict Counsel - Third for contracted services in Fiscal Year 2011-2012. The sum of $371,512 in general revenue is appropriated to the Regional Conflict

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Counsel - Fourth for contracted services in Fiscal Year 2011-2012. This section is effective upon becoming law.

SECTION 48. The unexpended balance of funds appropriated for domestic security and American Recovery and Reinvestment Act of 2009 issues in sections 103 and 104 of chapter 2011-69, Laws of Florida, and subsequently distributed to the Department of Law Enforcement pursuant to EOG #B2011-0005, is hereby reverted and reappropriated for Fiscal Year 2012-2013 for the purpose of the original appropriation within the Department of Law Enforcement. This section is effective upon becoming law.

SECTION 49. The unexpended balance of funds provided to the Department of Law Enforcement for domestic security issues in Specific Appropriation 1978C of chapter 2011-69, Laws of Florida, and subsequently distributed to the Department of Law Enforcement pursuant to budget amendment EOG #B2011-0014, is hereby reverted and reappropriated for Fiscal Year 2012-2013 for the purpose of the original appropriation within the Department of Law Enforcement. This section is effective upon becoming law.

SECTION 50. The sum of $121,700,000 in nonrecurring funds from the General Revenue Fund is appropriated to the State Courts Revenue Trust Fund within the state court system to cover Fiscal Year 2011-2012 trust fund deficits. The State Courts approved unit costs for Fiscal Year 2012-2013 are contained in the document entitled "2011-2012 and 2012-2013 Trial Court Unit Cost Budgets" dated March 6, 2012, and on file with the Clerk of the House of Representatives. This document is hereby incorporated by reference into the 2012-2013 General Appropriations Act. This section is effective upon becoming law.

SECTION 51. The unexpended balance of funds appropriated to the Florida Energy and Climate Commission in the Grants and Donations Trust Fund in Specific Appropriation 2561A of chapter 2009-81, Laws of Florida, and subsequently transferred to the Department of Agriculture and Consumer Services by budget amendment EOG #B2011-0041, shall revert immediately and is appropriated for Fiscal Year 2012-2013 to the Department of Agriculture and Consumer Services for the same purpose.

SECTION 52. The unexpended balance of funds appropriated to the Florida Energy and Climate Commission in the Grants and Donations Trust Fund in Specific Appropriation 2561B of chapter 2009-81, Laws of Florida, and subsequently transferred to the Department of Agriculture and Consumer Services by budget amendment EOG #B2011-0041, shall revert immediately and is appropriated for Fiscal Year 2012-2013 to the Department of Agriculture and Consumer Services for the same purpose.

SECTION 53. The unexpended balance of funds provided to the Department of Agriculture and Consumer Services for domestic security issues in Specific Appropriation 1978C of chapter 2011-69, Laws of Florida, and subsequently distributed to the Department of Agriculture and Consumer Services pursuant to budget amendment EOG #B2012 - 0014, shall revert and is appropriated for Fiscal Year 2012-2013 to the Department of Agriculture and Consumer Services for the same purpose.

SECTION 54. The unexpended balance of funds appropriated to the Department of Agriculture and Consumer Services in the General Revenue Fund in section 51 of chapter 2007-72, Laws of Florida, shall revert immediately and is appropriated to the Office of Energy within the Department of Agriculture and Consumer Services for energy efficiency measures and renewable energy deployment for Fiscal Year 2012-2013.

SECTION 55. The unexpended balance of funds appropriated to the Department of Agriculture and Consumer Services in the General Revenue Fund in Specific Appropriation 1335 of chapter 2011-69, Laws of Florida, shall revert immediately and $1,500,000 is appropriated for Fiscal Year 2012-13 to the Department of Agriculture and Consumer Services for nutrient reduction practices and $2,000,000 is appropriated for Fiscal Year 2012-13 to the Department of Environmental Protection for the following water projects:

City of LaBelle 1.5 MGD RO Membrane Water Treatment
Plant Phase 1a..... 300,000
Port LaBelle Gravity Sewer Rehab..... 500,000

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City of Minneola Waste Water Line Extension..... 300,000
Cape Coral/Fort Myers Reclaimed Interconnect..... 900,000

SECTION 56. The unexpended balance of funds provided to the Department of Community Affairs in Specific Appropriation 1524 of Chapter 2011-69, Laws of Florida, from the Grants and Donations Trust Fund, and subsequently transferred to the Department of Business and Professional Regulation, pursuant to Chapter 2011-142, Laws of Florida, shall revert and is reappropriated for Fiscal Year 2012-2013 to the Department of Business and Professional Regulation to continue a federal grant from the U.S. Department of Energy awarded to the State Energy Program.

SECTION 57. The unexpended balance of funds in the Coastal Protection Trust Fund provided to the Department of Environmental Protection in section 41, chapter 2011-69, Laws of Florida, by BP for Natural Resource Damage Assessment shall revert on June 30, 2012, and is appropriated for Fiscal Year 2012-2013 to the Department of Environmental Protection for the same purpose.

SECTION 58. There is hereby appropriated $4,022,241 in nonrecurring funds from the Federal Grants Trust Fund in the Department of Environmental Protection for Fiscal Year 2012-2013 to allow the department to utilize federal funding provided by the United States Environmental Protection Agency for the Petroleum Tank Cleanup Program.

SECTION 59. From prior year appropriations, the Department of Environmental Protection, on behalf of the Board of Trustees of the Internal Improvement Trust Fund, shall purchase the two adjacent lots to The Grove in Tallahassee, Florida, for which the Board of Trustees has the right of first refusal pursuant to a January 1985 agreement. This section is effective upon becoming law.

SECTION 60. The sums from unexpended funds in the Specific Appropriations/Laws of Florida listed and provided to the Department of Environmental Protection for the following beach projects shall revert immediately.

A. The sum of $16,800 from unexpended funds in Specific Appropriation 1696 of chapter 2005-70, Laws of Florida, provided to the Department of Environmental Protection for Mexico Beach Inlet Management Plan Implementation.

B. The sum of $348,550 from unexpended funds in Specific Appropriation 1696 of chapter 2005-70, Laws of Florida, provided to the Department of Environmental Protection for Lee County Shore Protection.

C. The sum of $1,746,950 from unexpended funds in Specific Appropriation 1796 of chapter 2006-25, Laws of Florida, provided to the Department of Environmental Protection for Anna Maria Island Beach Nourishment.

D. The sum of $3,773,213 from unexpended funds in Specific Appropriation 1796 of chapter 2006-25, Laws of Florida, provided to the Department of Environmental Protection for Singer Island Shore Protection.

E. The sum of $368,690 from unexpended funds in Specific Appropriation 1796 of chapter 2006-25, Laws of Florida, provided to the Department of Environmental Protection for Bay County Beach Nourishment.

F. The sum of $25,000 from unexpended funds in Specific Appropriation 1796 of chapter 2006-25, Laws of Florida, provided to the Department of Environmental Protection for Sand Key Beach Nourishment.

G. The sum of $8,147 from unexpended funds in Specific Appropriation 1796 of chapter 2006-25, Laws of Florida, provided to the Department of Environmental Protection for Jupiter Beach Erosion Control.

H. The sum of $492,744 from unexpended funds in Specific Appropriation 1796 of chapter 2006-25, Laws of Florida, provided to the Department of Environmental Protection for Juno Beach Nourishment.

I. The sum of $123,709 from unexpended funds in Specific Appropriation 1796 of chapter 2006-25, Laws of Florida, provided to the Department of Environmental Protection for Lee County Shore Protection.

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J. The sum of $1,036,707 from unexpended funds in Specific Appropriation 1796 of chapter 2006-25, Laws of Florida, provided to the Department of Environmental Protection for statewide beach projects.

K. The sum of $168,371 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for Anna Maria Island Beach Nourishment.

L. The sum of $49,615 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for Hutchinson Island Beach Nourishment.

M. The sum of $1,396,592 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for Palm Beach Restoration (Reach 8).

N. The sum of $63,676 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for Venice Beach Nourishment.

O. The sum of $1,789,799 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for statewide beach projects.

P. The sum of $38,384 from unexpended funds in Specific Appropriation 1748 of chapter 2008-152, Laws of Florida, provided to the Department of Environmental Protection for Hutchinson Island Beach Nourishment.

Q. The sum of $62,878 from unexpended funds in Specific Appropriation 1748 of chapter 2008-152, Laws of Florida, provided to the Department of Environmental Protection for Bay County Beach Nourishment.

R. The sum of $142,596 from unexpended funds in Specific Appropriation 1748 of chapter 2008-152, Laws of Florida, provided to the Department of Environmental Protection for Sebastian Inlet Management Plan Implementation.

S. The sum of $20,000 from unexpended funds in Specific Appropriation 1748 of chapter 2008-152, Laws of Florida, provided to the Department of Environmental Protection for Venice Beach Inlet Management Plan Implementation.

T. The sum of $56,144 from unexpended funds in Specific Appropriation 1748 of chapter 2008-152, Laws of Florida, provided to the Department of Environmental Protection for Gasparilla Island Beach Restoration.

U. The sum of $5,306 from the unexpended funds in Specific Appropriation 1748 of chapter 2008-152, Laws of Florida, provided to the Department of Environmental Protection for Lee County Shore Protection.

V. The sum of $4,668 from unexpended funds in Specific Appropriation 1748 of chapter 2008-152, Laws of Florida, provided to the Department of Environmental Protection for statewide beach projects.

W. The sum of $15,000 from unexpended funds in Specific Appropriation 1695 of chapter 2009-81, Laws of Florida, provided to the Department of Environmental Protection for Lido Key Beach Nourishment.

X. The sum of $43,432 from unexpended funds in Specific Appropriation 1695 of chapter 2009-81, Laws of Florida, provided to the Department of Environmental Protection for Bay County Beach Nourishment.

Y. The sum of $66,843 from unexpended funds in Specific Appropriation 1695 of chapter 2009-81, Laws of Florida, provided to the Department of Environmental Protection for Ambersand Beach Nourishment.

From the total sum of funds reverted in this section, there is appropriated $1,923,141 in nonrecurring funds from the General Revenue Fund and $9,940,673 in nonrecurring funds from the Ecosystem Management and Restoration Trust Fund for the purpose of providing funds to the Department of Environmental Protection for the Beach Management Funding Assistance program for Fiscal Year 2012-2013. These funds are in addition to the funds provided in Specific Appropriation 1669.

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All funds shall be allocated to the seven highest prioritized projects on the department's Beach Restoration and Nourishment Projects list and funded in the amounts as indicated in the agency's submittal with the exception of priority project number four. The state's share for this project is reduced 50 percent from the submitted request based on local project sponsor modifications, project eligibility, and reduced total project costs. Additionally, pursuant to section 161.143(5)(a), Florida Statutes, 10 percent of the amount appropriated for beach restoration and nourishment projects will be used for the three highest ranked projects on the department's separate Inlet Sand Bypassing/Management Projects list. Of this 10 percent, the department may allocate up to $300,000 in support of sand source needs assessment and management pursuant to section 161.144, Florida Statutes. Furthermore, post-construction monitoring will be funded at 50 percent of the department's request.

SECTION 61. The unexpended balance of funds provided to the Department of Financial Services in sections 44 and 45 of Chapter 2011-69, Laws of Florida, for strengthening domestic security shall hereby revert and is reappropriated for Fiscal Year 2012-2013 to the department for the same purpose.

SECTION 62. The unexpended balance of funds provided in Specific Appropriation 1978C of chapter 2011-69, Laws of Florida, and distributed to the Department of Financial Services in budget amendment EOG #B2012-0014 is hereby reverted and reappropriated for Fiscal Year 2012-2013 to the department for its original purpose.

SECTION 63. The unexpended balance of funds provided to the Fish and Wildlife Conservation Commission in Specific Appropriation 2174A of chapter 2008-152, Laws of Florida, for the Statewide Waterborne Response Teams/Equip Buildout shall revert immediately and is appropriated for Fiscal Year 2012-2013 to the Fish and Wildlife Conservation Commission for the same purpose.

SECTION 64. The unexpended balance of funds provided to the Fish and Wildlife Conservation Commission in Specific Appropriation 1978C of chapter 2011-069, Laws of Florida, for the State Waterborne Response Team shall revert on June 30, 2012, and is appropriated for Fiscal Year 2012-2013 to the Fish and Wildlife Conservation Commission for the same purpose.

SECTION 65. Effective upon becoming law and notwithstanding the proviso associated with Specific Appropriation 2623 of chapter 2011-69, Laws of Florida, which requires approval of the business case plan by the Legislative Budget Commission, the Department of Management Services is authorized to competitively procure a contract for operation of the state purchasing system. The procurement, at a minimum, must include a clearly delineated plan addressing the following issues and the cost for each: disaster recovery site hosting, billing and collection operations, help desk services, application development, program management and support, change order development, software and hardware licensing and maintenance agreements, hardware refresh calculations, and technical infrastructure support. The business case plan as submitted by the Governor on behalf of the Department of Management Services on January 25, 2012, as Budget Amendment EOG #2012-00072, is not approved by the Legislative Budget Commission.

SECTION 66. The unexpended balance of funds provided to the Department of Management Services in section 50 of chapter 2011-69, Laws of Florida, for the Florida Interoperability Network Sustainment and Maintenance, and Mutual Aid Build-out, Reg. 5, Signaling, Software upgrade shall hereby revert and is reappropriated for Fiscal Year 2012-2013 to the department for the same purpose.

SECTION 67. The unexpended balance of funds provided to the Department of Management Services in Specific Appropriation 1978C of chapter 2011-69, Laws of Florida, for the Florida Interoperability Network Sustainment and Maintenance shall hereby revert and is reappropriated for Fiscal Year 2012-2013 to the department for the same purpose.

SECTION 68. The unexpended balance of funds provided to the Executive Office of the Governor, Office of Tourism, Trade, and Economic Development, for the Florida Defense Support Task Force in section 39 of

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chapter 2011-76, Laws of Florida, and transferred to the Department of Economic Opportunity by budget amendment EOG #B2012-0144, pursuant to chapter 2011-142, Laws of Florida, shall revert immediately and is appropriated for the 2012-2013 fiscal year to the Department of Economic Opportunity for the same purpose.

SECTION 69. The unexpended balance of funds provided to the Agency for Workforce Innovation in section 62 of chapter 2011-69, Laws of Florida, previously provided in Specific Appropriation 2226 of chapter 2010-152, Laws of Florida, and subsequently allocated by budget amendments EOG #B2011-0025, EOG #B2011-0154, EOG #B2011-0345, and EOG #B2011-0610, and funds remaining unallocated in that specific appropriation, for the Unemployment Compensation Claims and Benefits Replacement Project and transferred to the Department of Economic Opportunity by budget amendment EOG #B2012-0144, pursuant to chapter 2011-142, Laws of Florida, shall revert and are appropriated for Fiscal Year 2012-2013 to the Department of Economic Opportunity for the same purpose.

SECTION 70. The unexpended balance of funds provided to the Agency for Workforce Innovation for a National Emergency Grant for on-the-job training and other employment-related assistance in section 59 of chapter 2011-69, Laws of Florida, and transferred to the Department of Economic Opportunity by budget amendments EOG #B2012-0144 and EOG #B2012-0366, pursuant to chapter 2011-142, Laws of Florida, shall revert and is appropriated for Fiscal Year 2012-2013 to the Department of Economic Opportunity for the same purpose.

SECTION 71. The unexpended balance of funds provided to the Agency for Workforce Innovation for an American Recovery and Reinvestment Act (ARRA) of 2009 grant award to conduct a Health Care Pilot project on improving the health care awareness of farmworkers through training and outreach in section 60 of chapter 2011-69, Laws of Florida, and transferred to the Department of Economic Opportunity by budget amendments EOG #B2012-0144 and EOG #B2012-0366, pursuant to chapter 2011-142, Laws of Florida, shall revert and is appropriated for Fiscal Year 2012-2013 to the Department of Economic Opportunity for the same purpose.

SECTION 72. The unexpended balance of funds provided to the Agency for Workforce Innovation in Specific Appropriation 2017A of chapter 2011-69, Laws of Florida, and subsequently allocated by budget amendments EOG #B2012-0023 and EOG #B2012-0110, and funds remaining in the Qualified Expenditure Category for the Unemployment Compensation Claims and Benefits Replacement Project, and subsequently transferred to the Department of Economic Opportunity by budget amendment EOG #B2012-0144, pursuant to chapter 2011-0142, Laws of Florida, shall revert and are appropriated for Fiscal Year 2012-13 to the Department of Economic Opportunity for the same purpose.

SECTION 73. The unexpended balance of funds provided to the Department of Economic Opportunity pursuant to budget amendment EOG #B2012-0140 for the State Small Business Credit Initiative, including the unreleased balance of funds held in reserve, shall revert and is appropriated for Fiscal Year 2012-13 to the Department of Economic Opportunity for the same purpose.

SECTION 74. The unexpended balance of funds provided for the 2011-2012 fiscal year in section 39 of Chapter 2011-76, Laws of Florida, for the Quick Action Closing Fund and the Innovation Incentive Fund shall revert on June 30, 2012, and are appropriated to the Department of Economic Opportunity for the 2012-2013 fiscal year for the same purpose. This section shall be effective upon this act becoming law.

SECTION 75. The unexpended balance of funds transferred to the Department of Economic Opportunity in the Qualified Expenditure Category for the Unemployment Compensation Claims and Benefits Replacement Project by budget amendment EOG #B2012-0144, pursuant to chapter 2011-0142, Laws of Florida, and subsequently allocated by budget amendment EOG #B2012-0445, and funds remaining in the Qualified Expenditure Category for that project, shall revert and are appropriated for Fiscal Year 2012-13 to the Department of Economic Opportunity for the same purpose.

SECTION 76. (1) For purposes of this section, the term
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"Disproportionally Affected Community" means those communities and municipalities in Brevard County in close proximity to the Kennedy Space Center, including but not limited to Titusville, Cocoa, Rockledge, Eau Gallie, Cape Canaveral, Satellite Beach, Merritt Island, Cocoa Beach, Melbourne and Palm Bay.

(2) There is appropriated for the 2012-2013 fiscal year the sum of $10 million in nonrecurring funds from the General Revenue Fund to the Department of Economic Opportunity. The Department of Economic Opportunity shall use these funds to execute a contract for $10 million, with the Economic Development Commission of Florida's Space Coast for the charitable purpose of developing and implementing an innovative economic development program for promoting research and development, commercialization of research, economic diversification, and job creation in a Disproportionally Affected Community.

(3) The contract between the Department of Economic Opportunity and the Economic Development Commission of Florida's Space Coast shall, at a minimum, require the Economic Development Commission to report quarterly to the Department of Economic Opportunity and to collaborate with educational entities, economic development organizations, local governments, and relevant state agencies to create a program framework and strategy, including specific criteria governing the expenditure of funds. The criteria for the expenditure of funds shall, at a minimum, require a funding preference for any Disproportionally Affected Community which provides for expedited permitting in order to promote research and development, commercialization of research, economic diversification, and job creation within their respective jurisdictions. The criteria for the expenditure of funds shall, at a minimum, also require a funding preference for any Disproportionally Affected Community which combines its permitting processes and expedites permitting in order to promote research and development, commercialization of research, economic diversification, and job creation within their respective jurisdictions.

(4) The funds appropriated in this section shall be placed in reserve by the Executive Office of the Governor, and may be released as authorized by law or the Legislative Budget Commission.

SECTION 77. The sum of $500,000 is appropriated from General Revenue Fund to the Department of Environmental Protection for the 2011-2012 fiscal year for the Commission on Oil Spill Response Coordination, created by Section 496 of chapter 2011-142, Laws of Florida. This section shall become effective upon this act becoming law.

SECTION 78. The unexpended balance of funds provided to the Department of Community Affairs, Division of Emergency Management, for domestic security projects in Specific Appropriation 1978C of chapter 2011-69, Laws of Florida, subsequently distributed through budget amendment EOG #B2012-0014, and pursuant to budget amendment EOG #B2011-0014 and the unexpended balance of funds provided to the Department of Community Affairs, Division of Emergency Management, pursuant to section 65 of chapter 2011-69, Laws of Florida shall revert and are appropriated for Fiscal Year 2012-2013 to the Executive Office of the Governor, Division of Emergency Management, for the same purpose.

SECTION 79. The unexpended balance of funds provided to the Department of Community Affairs, Division of Emergency Management, for a federal Emergency Management Performance Grant in Specific Appropriation 1503A of chapter 2011-69, Laws of Florida, and subsequently distributed to the Department of Community Affairs, Division of Emergency Management, pursuant to budget amendment EOG #B2012-0077, and the unexpended balance of funds provided to the Department of Community Affairs, Division of Emergency Management, pursuant to section 66 of chapter 2011-69, Laws of Florida, shall revert and are appropriated for Fiscal Year 2012-2013 to the Executive Office of the Governor, Division of Emergency Management, for the same purpose.

SECTION 80. There is hereby appropriated the nonrecurring sum of $413,159 from the Highway Safety Operating Trust Fund in the Department of Highway Safety and Motor Vehicles for Fiscal Year 2011-2012. The department shall use the funds for data center services provided by the Kirkman Data Center. This section is effective upon becoming law.

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SECTION 81. The unexpended balance of state funds appropriated to the Office of Motor Carrier Compliance in the Department of Highway Safety and Motor Vehicles in Specific Appropriations 2673 through 2678 and 2679 through 2682 in Fiscal Year 2012-13 shall, upon reversion, be deposited into the State Transportation Trust Fund in the Department of Transportation by a nonoperating transfer.

SECTION 82. The sum of $85,635 is appropriated from the General Revenue Fund to the Department of State for the 2011-2012 fiscal year for a library grant to the Okaloosa County Library. This section shall be effective upon this act becoming law.

SECTION 83. The sum of $500,000 is appropriated from the General Revenue Fund to the Department of State for the 2011-2012 fiscal year for construction of a Frank Lloyd Wright House at Florida Southern College. This section shall be effective upon this act becoming law.

SECTION 84. The unexpended balance of funds provided pursuant to chapter 2011-69, section 70, Laws of Florida, and approved budget amendment: EOG #2009-0082, dated April 15, 2009, for the Transportation Infrastructure - American Recovery and Reinvestment Act of 2009 (088825) appropriation category in the Department of Transportation, shall revert immediately and is appropriated for Fiscal Year 2012-2013 to the department for the same purpose.

SECTION 85. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0131 as submitted on January 25, 2012, by the Governor on behalf of the Agency for Health Care Administration for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 86. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0430 as submitted on February 22, 2012, by the Governor on behalf of the Agency for Health Care Administration and the Agency for Persons with Disabilities for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 87. The Legislature hereby adopts by reference the changes to the special terms and conditions relating to the low-income pool as set forth in Budget Amendment EOG #B2012-00094 as submitted on February 14, 2012 by the Governor on behalf of the Agency for Health Care Administration for approval by the Legislative Budget Commission. This section is effective upon becoming law.

SECTION 88. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0248 as submitted on January 25, 2012, by the Governor on behalf of the Department of Agriculture and Consumer Services and the Department of Education. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section shall become effective upon becoming law.

SECTION 89. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0346 as submitted on January 25, 2012, by the Governor on behalf of the Department of Agriculture and Consumer Services for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 90. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0357 as submitted on January 25, 2012, by the Governor on behalf of the Department of Agriculture and Consumer Services for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 91. The Legislature hereby adopts by reference the changes to

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the approved operating budget as set forth in Budget Amendment EOG #B2012-0360 as submitted on January 25, 2012, by the Governor on behalf of the Department of Agriculture and Consumer Services for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 92. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0365 as submitted on January 26, 2012, by the Governor on behalf of the Department of Agriculture and Consumer Services for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 93. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0240 as submitted on January 25, 2012, by the Governor on behalf of the Department of Children and Family Services for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 94. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0362 as submitted on January 26, 2012, by the Governor on behalf of the Department of Children and Family Services for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 95. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0425 as submitted on February 17, 2012, by the Governor on behalf of the Department of Citrus for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section shall become effective upon becoming law.

SECTION 96. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0303 as submitted on January 25, 2012, by the Governor on behalf of the Department of Corrections for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 97. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0344 as submitted on January 25, 2012, by the Governor on behalf of the Department of Corrections for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 98. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0380 as submitted on February 3, 2012, by the Governor on behalf of the Department of Corrections for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 99. Unless Budget Amendment EOG #B2012-0238 is approved by the Legislative Budget Commission prior to this act becoming law, the Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0238 as submitted on January 25, 2012, by the Governor on behalf of the Department of Corrections for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 100. The Legislature hereby adopts by reference the changes to

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the approved operating budget as set forth in Budget Amendment EOG #B2012-0413 as submitted on February 14, 2012, by the Governor on behalf of the Department of Economic Opportunity for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 101. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0426 as submitted on February 21, 2012, by the Governor on behalf of the Department of Economic Opportunity for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 102. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0427 as submitted on February 21, 2012, by the Governor on behalf of the Department of Economic Opportunity for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 103. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0445 as submitted on February 28, 2012, by the Governor on behalf of the Department of Economic Opportunity for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 104. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0448 as submitted on March 1, 2012, by the Governor on behalf of the Department of Economic Opportunity for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 105. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0366 as submitted on February 7, 2012, by the Governor on behalf of the Department of Economic Opportunity for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budgets for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon this act becoming law.

SECTION 106. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0373 as submitted on January 31, 2012, by the Governor on behalf of the Department of Economic Opportunity for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budgets for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon this act becoming law.

SECTION 107. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0213 as submitted on January 25, 2012, by the Governor on behalf of the Department of Environmental Protection for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 108. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0347 as submitted on January 25, 2012, by the Governor on behalf of the Department of Financial Services for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 109. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0417 as submitted on February 15, 2012, by the Governor on behalf

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of the Office of Insurance Regulation for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 110. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0359 as submitted on January 25, 2012, by the Governor on behalf of the Fish and Wildlife Conservation Commission for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 111. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0247 as submitted on January 25, 2012, by the Governor on behalf of the Division of Emergency Management for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 112. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0407 as submitted on February 10 2012, by the Governor on behalf of the Division of Emergency Management for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 113. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0431 as submitted on February 23, 2012, by the Governor on behalf of the Division of Emergency Management for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 114. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0432 as submitted on February 23, 2012, by the Governor on behalf of the Division of Emergency Management for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 115. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0137 as submitted on January 25, 2012, by the Governor on behalf of the Department of Health for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 116. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0233 as submitted on January 25, 2012, by the Governor on behalf of the Department of Health for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 117. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0311 as submitted on January 25, 2012, by the Governor on behalf of the Department of Health for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 118. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0384 as submitted on February 6, 2012, by the Governor on behalf of the Department of Health for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for

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Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 119. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0385 as submitted on February 6, 2012, by the Governor on behalf of the Department of Health for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 120. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0386 as submitted on February 6, 2012, by the Governor on behalf of the Department of Health for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 121. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0387 as submitted on February 6, 2012, by the Governor on behalf of the Department of Health for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 122. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0388 as submitted on February 6, 2012, by the Governor on behalf of the Department of Health for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 123. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0245 as submitted on January 25, 2012, by the Governor on behalf of the Department of Juvenile Justice for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 124. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0253 as submitted on January 25, 2012, by the Governor on behalf of the Department of Juvenile Justice for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 125. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0287 as submitted on January 25, 2012, by the Governor on behalf of the Department of Juvenile Justice for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 126. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0288 as submitted on January 25, 2012, by the Governor on behalf of the Department of Law Enforcement for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 127. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0348 as submitted on January 25, 2012, by the Governor on behalf of the Department of the Lottery for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

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SECTION 128. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0349 as submitted on January 25, 2012, by the Governor on behalf of the Department of the Lottery for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 129. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0241 as submitted on January 25, 2012, by the Governor on behalf of the Department of Management Services for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 130. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0242 as submitted on February 1, 2012, by the Governor on behalf of the Southwood Shared Resource Center for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 131. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2012-0339 as submitted on January 25, 2012, by the Governor on behalf of the Department of Revenue for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2011-2012 consistent with the amendment. This section is effective upon becoming law.

SECTION 132. Pursuant to section 215.32(2)(b)4.a., Florida Statutes, $542,139,317 from unobligated cash balance amounts specified from the following trust funds shall be transferred to the General Revenue Fund for Fiscal Year 2012-2013:

DEPARTMENT OF ENVIRONMENTAL PROTECTION	
Florida Communities Trust Fund	521,455
Internal Improvement Trust Fund	5,000,000
Inland Protection Trust Fund	8,000,000
Land Acquisition Trust Fund	10,204,349
Solid Waste Management Trust Fund	3,500,000
Water Management Lands Trust Fund	10,000,000
Water Quality Assurance Trust Fund	1,000,000
FISH AND WILDLIFE CONSERVATION COMMISSION	
Invasive Plant Control Trust Fund	6,500,000
Marine Resources Conservation Trust Fund	1,000,000
PUBLIC SERVICE COMMISSION	
Regulatory Trust Fund	300,000
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION	
Alcoholic Beverages and Tobacco Trust Fund	317,862
Division of Florida Condominiums, Timeshares and Mobile Homes Trust Fund	3,000,000
Hotels and Restaurants Trust Fund	5,000,000
Professional Regulation Trust Fund	1,000,000
DEPARTMENT OF FINANCIAL SERVICES	
Anti-Fraud Trust Fund	3,000,000
Financial Institutions Regulatory Trust Fund	2,000,000
Insurance Regulatory Trust Fund	5,600,000
Regulatory Trust Fund/Office of Financial Regulation	2,500,000
DEPARTMENT OF MANAGEMENT SERVICES	
Operating/Purchasing Trust Fund	1,500,000
Bureau of Aircraft Trust Fund	35,651
AGENCY FOR HEALTH CARE ADMINISTRATION	
Health Care Trust Fund	12,000,000
DEPARTMENT OF HEALTH	
Medical Quality Assurance Trust Fund	10,000,000
DEPARTMENT OF ECONOMIC OPPORTUNITY	
Local Government Housing Trust Fund	66,845,000
State Housing Trust Fund	29,815,000
EXEC OFFICE OF THE GOVERNOR - Division of Emergency Mgmt	
Emergency Management Preparedness and Assistance Trust Fund	3,500,000
STATE BOARD OF ADMINISTRATION	

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Lawton Chiles Endowment Fund..... 350,000,000

Funds specified above from each trust fund shall be transferred in four equal installments on a quarterly basis during the fiscal year, except as noted:

1. Funds from the Alcoholic Beverages and Tobacco Trust Fund shall be transferred by April 30, 2013.

2. Funds from the Bureau of Aircraft Trust Fund shall be transferred on July 1, 2012.

3. Funds from the Lawton Chiles Endowment Fund shall be transferred on June 15, 2013.

SECTION 133. The Chief Financial Officer is hereby authorized to transfer $214,500,000 from the General Revenue Fund to the Budget Stabilization Fund for Fiscal Year 2012-2013 as required by section 215.32(2)(c), Florida Statutes.

SECTION 134. Any section of this act, or any appropriation herein contained, if found to be invalid shall in no way affect other sections or specific appropriations contained in this act.

SECTION 135. Except as otherwise provided herein, this act shall take effect July 1, 2012, or upon becoming law, whichever occurs later; however, if this act becomes law after July 1, 2012, then it shall operate retroactively to July 1, 2012.

TOTAL THIS GENERAL APPROPRIATION ACT

FROM GENERAL REVENUE FUND	24,766,534,523	
FROM TRUST FUNDS		45,270,117,568
TOTAL POSITIONS	117,881.75	
TOTAL ALL FUNDS		70,036,652,091
TOTAL APPROVED SALARY RATE	4,927,510,073	

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2012, and ending June 30, 2013, to pay salaries, and other expenses, capital outlay – buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

SENATOR FLORES PRESIDING

THE PRESIDENT PRESIDING

On motion by Senator Alexander, the Conference Committee Report on **HB 5001** was adopted. **HB 5001** as amended by the Conference Committee Report passed. The action of the Senate was certified to the House. The vote on passage was:

Yeas—32

Mr. President	Fasano	Montford
Alexander	Flores	Negron
Altman	Gaetz	Norman
Benacquisto	Garcia	Richter
Bogdanoff	Gardiner	Ring
Braynon	Gibson	Simmons
Bullard	Hays	Siplin
Dean	Jones	Storms
Detert	Latvala	Thrasher
Diaz de la Portilla	Lynn	Wise
Evers	Margolis	

Nays—8

Bennett	Oelrich	Smith
Dockery	Rich	Sobel
Joyner	Sachs	

DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **HB 5001** which comes before the Senate floor for a vote on March 9, 2012.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 4th District

SPECIAL ORDER CALENDAR

On motion by Senator Altman, by unanimous consent—

CS for SB 1858—A bill to be entitled An act relating to water storage and water quality improvements; creating s. 373.4591, F.S.; requiring a specified determination as a condition of an agreement for water storage and water quality improvements on private agricultural lands; providing a methodology for such determination; providing for regulation of such lands for the duration of the agreement and after its expiration; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 1858**, on motion by Senator Altman, by two-thirds vote **CS for HB 1389** was withdrawn from the Committees on Environmental Preservation and Conservation; Agriculture; Budget Subcommittee on General Government Appropriations; and Budget.

On motion by Senator Altman—

CS for HB 1389—A bill to be entitled An act relating to water storage and water quality improvements; creating s. 373.4591, F.S.; requiring a specified determination as a condition of an agreement for water storage and water quality improvements on private agricultural lands; providing a methodology for such determination; providing for regulation of such lands for the duration of the agreement and after its expiration; creating the Study Committee on Investor-Owned Water and Wastewater Utility Systems; providing for membership and terms of service; prohibiting compensation of the members; providing for reimbursement of the members for certain expenses; providing for removal or suspension of members by the appointing authority; requiring the Public Service Commission to provide staff, information, assistance, and facilities that are deemed necessary for the committee to perform its duties; providing for funding from the Florida Public Service Regulatory Trust Fund; providing duties of the committee; providing for public meetings; requiring the committee to report its findings to the Governor, the Legislature, and appropriate agencies and make certain recommendations; providing for future termination of the committee; providing an effective date.

—a companion measure, was substituted for **CS for SB 1858** and read the second time by title.

MOTION

On motion by Senator Altman, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Altman moved the following amendment which was adopted:

Amendment 1 (189078) (with title amendment)—Between lines 29 and 30 insert:

Section 2. *Study Committee on Investor-Owned Water and Wastewater Utility Systems.—*

(1) There is created a Study Committee on Investor-Owned Water and Wastewater Utility Systems, which shall be composed of 18 residents of the state designated and appointed as follows:

(a) The chair of the Public Service Commission or a commissioner designated by the chair, who shall serve as chair of the committee and shall be a nonvoting member of the committee.

(b) The Secretary of Environmental Protection or his or her designee, who shall be a nonvoting member of the committee.

(c) The Public Counsel or his or her designee, who shall be a nonvoting member of the committee.

(d) One member of the Senate appointed by the President of the Senate.

(e) One member of the House of Representatives appointed by the Speaker of the House of Representatives.

(f) Two representatives of Class A investor-owned water or wastewater utilities appointed by the Governor.

(g) One representative of a Class B investor-owned water or wastewater utility appointed by the Governor.

(h) One representative of a Class C investor-owned water or wastewater utility appointed by the Governor.

(i) One customer of a Class A investor-owned water or wastewater utility appointed by the Governor.

(j) One customer of a Class B or Class C investor-owned water or wastewater utility appointed by the Governor.

(k) One representative of a water management district appointed by the Governor.

(l) One representative of the Florida Section of the American Water Works Association appointed by the Governor.

(m) One representative of the Florida Rural Water Association appointed by the Governor.

(n) One representative of a water or wastewater system owned or operated by a municipal or county government appointed by the Governor.

(o) One representative of a governmental authority that is created pursuant to chapter 163, Florida Statutes, appointed by the Governor.

(p) The chair of a county commission that regulates investor-owned water or wastewater utility systems appointed by the Governor.

(q) One representative of a county health department appointed by the Governor.

(2) The members shall serve until the work of the committee is complete and the committee is terminated, except that if a member no longer serves in the position required for appointment, the member shall be replaced by the individual who serves in such position.

(3) Members of the committee shall serve without compensation, but are entitled to reimbursement for all reasonable and necessary expenses, including travel expenses, in the performance of their duties as provided in s. 112.061, Florida Statutes.

(4) An appointing authority may remove or suspend a member appointed by it for cause, including, but not limited to, failure to attend two or more meetings of the committee.

(5) The Public Service Commission shall provide the staff, information, assistance, and facilities as are deemed necessary for the committee to carry out its duties under this section. Funding for the committee shall be paid from the Florida Public Service Regulatory Trust Fund.

(6) The committee shall identify issues of concern of investor-owned water and wastewater utility systems, particularly small systems, and their customers and research possible solutions. In addition, the committee shall consider:

(a) The ability of a small investor-owned water or wastewater utility to achieve economies of scale when purchasing equipment, commodities, or services.

(b) The availability of low interest loans to a small, privately owned water or wastewater utility.

(c) Any tax incentives or exemptions, temporary or permanent, which are available to a small water or wastewater utility.

(d) The impact on customer rates if a utility purchases an existing water or wastewater utility system.

(e) The impact on customer rates of a utility providing service through the use of a reseller.

(f) Other issues that the committee identifies during its investigation.

(7) The committee shall meet at the time and location as the chair determines, except that the committee shall meet a minimum of four times. At least two meetings must be held in an area that is centrally located to utility customers who have recently been affected by a significant increase in water or wastewater utility rates. The public shall be given the opportunity to speak at the meetings.

(8) By February 15, 2013, the committee shall prepare and submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report detailing its findings pursuant to subsection (6) and making specific legislative recommendations, including proposed legislation intended to implement its recommendations. If the committee, in its report, finds that an issue may effectively be addressed through agency rulemaking, the committee shall submit to the appropriate agencies its report and recommendations, including proposed rules.

(9) This section expires and the committee terminates June 30, 2013.

And the title is amended as follows:

Delete line 9 and insert: its expiration; creating the Study Committee on Investor-Owned Water and Wastewater Utility Systems; providing for membership and terms of service; prohibiting compensation of the members; providing for reimbursement of the members for certain expenses; providing for removal or suspension of members by the appointing authority; requiring the Public Service Commission to provide staff, information, assistance, and facilities that are deemed necessary for the committee to perform its duties; providing for funding from the Florida Public Service Regulatory Trust Fund; providing duties of the committee; providing for public meetings; requiring the committee to report its findings to the Governor, the Legislature, and appropriate agencies and make certain recommendations; providing for future termination of the committee; providing an effective date.

On motion by Senator Altman, by two-thirds vote **CS for HB 1389** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 2, concurred in the same as amended, and passed CS for CS for CS for HB 799 as further amended, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for CS for CS for HB 799—A bill to be entitled An act relating to physical therapy; creating ss. 486.0715 and 486.1065, F.S.; authorizing issuance of a temporary permit to practice as a physical therapist or physical therapist assistant; providing requirements for issuing a temporary permit; providing for voiding of a temporary permit; providing requirements for the supervision of temporary permittees; providing an effective date.

House Amendment 1 to Senate Amendment 2 (839835)—Remove line 26 of the amendment and insert: *the permittee does not pass a national examination*

Remove line 61 of the amendment and insert: *the permittee does not pass a national examination*

On motion by Senator Montford, the Senate concurred in House Amendment 1 to Senate Amendment 2.

CS for CS for CS for HB 799 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Gibson	Ring
Bogdanoff	Hays	Sachs
Braynon	Jones	Simmons
Bullard	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SPECIAL ORDER CALENDAR

On motion by Senator Hays, by unanimous consent—

CS for SB 774—A bill to be entitled An act relating to physician assistants; amending ss. 458.307 and 459.004, F.S.; revising the composition of the membership on the Board of Medicine and the Board of Osteopathic Medicine; providing for the appointment of new members as vacancies occur and allow; amending ss. 458.347 and 459.022, F.S.; deleting the requirement that the Department of Health issue a license to a physician assistant to prescribe medicinal drugs and requiring only a prescription number; requiring that a physician assistant seeking to prescribe medicinal drugs submit certain evidence at the time of initial licensure of completion of a course in pharmacotherapeutics from an accredited program; providing that a physician assistant wishing to apply for a prescriber number must submit course transcripts and a copy of the course description in addition to other licensure application requirements; requiring that a physician assistant seeking to apply for a prescriber number upon biennial licensure renewal submit evidence of completion of at least a certain number of classroom hours in an approved program that covers prescribing limitations, responsibilities, and privileges involved in prescribing medicinal drugs; conforming provisions to changes made by the act; providing an effective date.

—was taken up out of order and read the second time by title.

An amendment was considered and adopted to conform **CS for SB 774** to **CS for CS for CS for HB 363**.

Pending further consideration of **CS for SB 774** as amended, on motion by Senator Hays, by two-thirds vote **CS for CS for CS for HB 363** was withdrawn from the Committees on Health Regulation; Budget Subcommittee on Health and Human Services Appropriations; and Budget.

On motion by Senator Hays, the rules were waived and—

CS for CS for CS for HB 363—A bill to be entitled An act relating to physician assistants; amending ss. 458.347 and 459.022, F.S.; revising requirements for physician assistants to prescribe or dispense medicinal drugs; authorizing, rather than requiring, the Department of Health to issue a prescriber number to physician assistants granting authority to prescribe medicinal drugs; providing that a physician assistant applying for prescribing authority must submit course transcripts and a copy of the course description in addition to other licensure application requirements; conforming provisions to changes made by the act; amending ss. 458.348 and 459.025, F.S.; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **CS for SB 774** as amended and read the second time by title.

On motion by Senator Hays, by two-thirds vote **CS for CS for CS for HB 363** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Rich
Bennett	Gardiner	Richter
Bogdanoff	Gibson	Ring
Braynon	Hays	Sachs
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher

Nays—None

The Senate resumed consideration of—

CS for SB 1346—A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; revising the definition of "retention"; providing for the calculation of an insurer's reimbursement premium and retention under the reimbursement contract; revising coverage levels available under the reimbursement contract; revising aggregate coverage limits; providing for the phase-in of changes to coverage levels and limits; amending s. 627.351, F.S.; conforming cross-references; reducing to 2 percent from 6 percent the amount of the projected deficit in the coastal account for the prior calendar year which is recovered through regular assessments; requiring that remaining projected deficits in personal and commercial lines accounts be recovered through emergency assessments after accounting for the Citizens policyholder surcharge; requiring the Office of Insurance Regulation of the Financial Services Commission to notify assessable insurers and the Florida Surplus Lines Service Office of the dates assessable insurers shall collect and pay emergency assessments; removing reference to recoupment of residual market deficit assessments; requiring the board of governors to make a determination that an account has a projected deficit before it levies a Citizens policyholder surcharge; requiring that a limited apportionment company begin collecting regular assessments within 90 days and pay in full within 15 months after the assessment is levied; authorizing the Office of Insurance Regulation to assist the Citizens Property Insurance Corporation in the collection of assessments; replacing the term "market equalization surcharge" with the term "policyholder surcharge"; providing effective dates.

—which was previously considered and amended this day.

Senator Fasano moved the following amendment which was adopted:

Amendment 2 (282292) (with title amendment)—Delete lines 1254-1256 and insert:

Section 3. This act shall take effect July 1,

And the title is amended as follows:

Delete line 34 and insert: "policyholder surcharge"; providing an effective date.

Pending further consideration of **CS for SB 1346** as amended, on motion by Senator Oelrich, by two-thirds vote **HB 1127** was withdrawn from the Committees on Banking and Insurance; Budget Subcommittee on General Government Appropriations; and Budget.

On motion by Senator Oelrich, the rules were waived and—

HB 1127—A bill to be entitled An act relating to Citizens Property Insurance Corporation; amending s. 627.351, F.S.; conforming cross-references; reducing to 2 percent from 6 percent the amount of the projected deficit in the coastal account for the prior calendar year which is recovered through regular assessments; requiring that remaining projected deficits in personal and commercial lines accounts be recovered through emergency assessments after accounting for the Citizens policyholder surcharge; requiring the Office of Insurance Regulation of the Financial Services Commission to notify assessable insurers and the Florida Surplus Lines Service Office of the dates assessable insurers shall collect and pay emergency assessments; removing reference to recoupment of residual market deficit assessments; requiring the board of governors to make a determination that an account has a projected deficit before it levies a Citizens policy holder surcharge; requiring that a limited apportionment company begin collecting regular assessments within 90 days and pay in full within 15 months after the assessment is levied; authorizing the Office of Insurance Regulation to assist the Citizens Property Insurance Corporation in the collection of assessments; replacing the term "market equalization surcharge" with the term "policyholder surcharge"; providing an effective date.

—a companion measure, was substituted for **CS for SB 1346** as amended and read the second time by title.

On motion by Senator Oelrich, by two-thirds vote **HB 1127** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Gibson	Ring
Bogdanoff	Hays	Sachs
Braynon	Jones	Simmons
Bullard	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	

Nays—None

On motion by Senator Storms, by unanimous consent—

CS for SB 2048—A bill to be entitled An act relating to the Department of Children and Family Services; amending s. 20.04, F.S.; changing the name of the department to the "Department of Children and Families"; requiring that the department be geographically organized into circuits and regions; amending s. 20.19, F.S.; revising provisions relating to the establishment of the department; revising the mission of the department; providing for a Director for Substance Abuse and Mental Health, appointed by the secretary of the department; revising the services provided by the department and abolishing the program offices; deleting provisions establishing service districts; deleting provisions providing for a prototype region; deleting provisions providing an exemption from competitive bids for certain health services; amending s. 20.43, F.S., relating to the service areas of the Department of Health; conforming provisions to the abolishment of the service districts of the Department of Children and Family Services; amending s. 39.01, F.S.; conforming a cross-reference; amending s. 394.78, F.S.; removing an obsolete reference to health and human services boards; amending s. 420.622, F.S., relating to the State Office on Homelessness within the Department of Children and Families; removing a requirement that the executive director of the office be appointed by the Governor; providing for legislation to conform the Florida Statutes to changes made by the act; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 2048**, on motion by Senator Storms, by two-thirds vote **CS for CS for HB 1229** was withdrawn from the Committees on Children, Families, and Elder Affairs; Governmental Oversight and Accountability; Budget Subcommittee on Health and Human Services Appropriations; and Budget.

On motion by Senator Storms—

CS for CS for HB 1229—A bill to be entitled An act relating to the reorganization of the Department of Children and Family Services; amending s. 20.04, F.S.; changing the name of the Department of Children and Family Services to the Department of Children and Families; authorizing the department to restructure its organizational units to establish circuits, which are aligned geographically with judicial circuits, and regions, which include multiple circuits in geographical proximity to each other; revising requirements relating to community alliances; deleting provisions relating to service districts, the prototype region, and the procurement of health services; amending s. 20.19, F.S.; revising the mission of the department; providing for the appointment of a Director for Substance Abuse and Mental Health to head the state's Substance Abuse and Mental Health Program Office; deleting provisions establishing service districts; revising provisions relating to the structure of and services provided by the department; amending s. 20.43, F.S.; revising provisions aligning the boundaries of service areas for the Department of Health to those of the service districts of the department to conform to changes made by this act; amending s. 420.622, F.S.; deleting authority of the Governor to appoint the executive director of the State Office on Homelessness; amending s. 394.78, F.S.; deleting obsolete references; providing for future legislation to conform the Florida Statutes to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 2048** and read the second time by title.

On motion by Senator Storms, by two-thirds vote **CS for CS for HB 1229** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Rich
Bennett	Gardiner	Richter
Bogdanoff	Gibson	Ring
Braynon	Hays	Sachs
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher

Nays—None

CS for SB 2052—A bill to be entitled An act relating to sexually violent predators; amending s. 394.912, F.S.; clarifying the definition of

the term "sexually violent offense" to include only a felony criminal act that has been determined beyond a reasonable doubt to have been sexually motivated; amending s. 394.913, F.S.; requiring that the Department of Children and Family Services give priority to the assessment of persons who will be released from total confinement at the earliest date under certain circumstances; amending s. 394.9135, F.S.; revising the period within which the department's multidisciplinary team is required to provide an assessment to the state attorney; revising the period within which the state attorney may file a petition with the circuit court alleging that an offender is a sexually violent predator; amending s. 394.917, F.S.; deleting a provision relating to the deportation of a sexually violent predator; creating s. 394.933, F.S.; prohibiting the introduction or attempted introduction of certain items into any facility for the detention of sexually violent predators; prohibiting the transmission or attempted transmission of prohibited items to a person incarcerated in the facility; providing that a person or vehicle entering the grounds of the facility is subject to reasonable search for and seizure of prohibited items; subjecting a person to criminal penalties for introducing or attempting to introduce a prohibited item on the grounds of a facility for the detention of sexually violent predators; creating the Statewide Workgroup on the Conditional Release of Sexually Violent Predators; providing that the workgroup is created for the purposes of assessing the appropriateness of placing sexually violent predators on conditional release in the community and, based upon its assessment, making policy recommendations to the Governor and the Legislature; providing for membership on the workgroup; providing for the payment of per diem and travel expenses; requiring the Department of Children and Family Services to provide support to the workgroup; requiring the workgroup to hold its organizational meeting by a specified date; describing the duties and responsibilities of the workgroup; requiring the workgroup to submit its report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by a specified date; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 2052** to **CS for CS for HB 1097**.

Pending further consideration of **CS for SB 2052** as amended, on motion by Senator Storms, by two-thirds vote **CS for CS for HB 1097** was withdrawn from the Committees on Children, Families, and Elder Affairs; Criminal Justice; Budget Subcommittee on Health and Human Services Appropriations; and Budget.

On motion by Senator Storms—

CS for CS for HB 1097—A bill to be entitled An act relating to sexually violent predators; amending s. 394.913, F.S.; providing for prioritization of written assessment and recommendation for a person scheduled or up for review for release when the assessment and recommendation have not been completed within a specified period; amending s. 394.9135, F.S.; revising provisions relating to petitions to hold a person in custody following release and transfer to the Department of Children and Family Services to provide for extension of certain time periods that expire after normal business hours; amending s. 394.917, F.S.; deleting an exception for detainers for deportation by the United States Bureau of Citizenship and Immigration Services to provisions requiring sexually violent predators to be committed to the custody of the Department of Children and Family Services upon the expiration of the incarcerative portion of all criminal sentences and disposition of any detainers; creating s. 394.9265, F.S.; prohibiting the knowing and intentional bringing of contraband into or its removal from the grounds of any facility for commitment or detention of sexually violent predators; specifying items that constitute contraband; providing criminal penalties for violations; providing exceptions; providing an effective date.

—a companion measure, was substituted for **CS for SB 2052** as amended and read the second time by title.

On motion by Senator Storms, by two-thirds vote **CS for CS for HB 1097** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Alexander	Altman
Benacquisto	Gaetz	Norman
Bennett	Garcia	Oelrich
Bogdanoff	Gardiner	Rich
Braynon	Gibson	Richter
Bullard	Hays	Ring
Dean	Jones	Sachs
Detert	Joyner	Simmons
Diaz de la Portilla	Latvala	Siplin
Dockery	Lynn	Smith
Evers	Margolis	Sobel
Fasano	Montford	Storms
Flores	Negron	Thrasher

Nays—None

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Special Order Calendar for Friday, March 9, 2012: HB 7087, CS for CS for SB 208, CS for SB 670, CS for CS for SB 738, CS for SB 774, CS for CS for CS for SB 834, CS for SB 876, CS for CS for CS for SB 888, SB 148, CS for CS for SB 448, CS for SB 462, CS for CS for SB 680, CS for CS for SB 1042, CS for CS for CS for SB 1060, CS for SB 1086, CS for SB 1292, CS for SB 1388, SJR 1740, CS for SB 212, CS for SB 1658, CS for CS for CS for SB 956, CS for SB 962, CS for SJR 1056, CS for CS for SB 1058, CS for SB 1120, CS for CS for SB 1122, CS for SB 1144, CS for SB 1202, CS for SB 1228, CS for SB 1242, CS for CS for CS for SB 1254, CS for CS for SB 1256, CS for CS for SB 1298, CS for CS for SB 1304, CS for SB 1324, CS for SB 1346, CS for CS for SB 1382, CS for CS for SB 1402, CS for CS for SB 1428, SB 1456, CS for SB 1738, SB 1768, SB 1814, CS for SB 1858, CS for SB 1862, CS for CS for SB 1884, CS for SB 2026, SB 2080, SB 2082, CS for CS for SB 2084, CS for SB 2048, CS for SB 2052.

Respectfully submitted,
John Thrasher, Chair

Pursuant to Rule 4.18 the Chair of the Committee on Rules submits the following bills to be placed on the Local Bill Calendar for Friday, March 9, 2012: HB 865, CS for HB 891, HB 1153, CS for HB 1211, CS for HB 1253, HB 1297, HB 1381, CS for CS for HB 1299.

Respectfully submitted,
John Thrasher, Chair

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

Ms. Debbie Brown March 9, 2012
Secretary, The Florida Senate

Dear Secretary Brown:

The following executive appointments were referred to the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Rules Subcommittee on Ethics and Elections did not consider the following appointments and the appointees were left pending and were not acted on by the Senate upon adjournment of the 2012 Regular Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Board of Architecture and Interior Design		
Appointee:	Rodriguez, Miguel A.	10/31/2015
Florida State Boxing Commission		
Appointee:	Kearney, Wayne W.	09/30/2015
Florida Commission on Community Service		
Appointee:	Ottino III, John P.	09/14/2012
Board of Trustees of Gulf Coast State College		
Appointee:	Roberson, Ralph C.	05/31/2014

Office and Appointment		*For Term Ending*
Board of Trustees of Miami-Dade College		
Appointees:	Leon III, Benjamin	05/31/2014
	Olivera, Armando J.	05/31/2015
Board of Trustees of Pasco-Hernando Community College		
Appointee:	Young, Victor	05/31/2014
Board of Trustees of St. Johns River State College		
Appointee:	Duren, Joseph M.	05/31/2014
Board of Trustees of South Florida Community College		
Appointee:	Bryan, Derren J.	05/31/2015
Board of Trustees of Tallahassee Community College		
Appointees:	Callaway, Donna G.	05/31/2015
	Moore, Karen B.	05/31/2014
Board of Trustees of Valencia State College		
Appointee:	Hansen, Guillermo "Bill"	05/31/2014
Florida Elections Commission		
Appointees:	Jean-Bart, Leslie Scott	12/31/2015
	Stern, Esquire, Barbra A.	12/31/2015
Electrical Contractors' Licensing Board		
Appointees:	Flaherty, Brian	10/31/2015
	Sandefer, Paul W.	10/31/2013
Board of Professional Engineers		
Appointees:	Fiorillo, Anthony Joseph	10/31/2014
	Todd, Jr., Kenneth S.	10/31/2015
Commission on Ethics		
Appointee:	Weston, Esquire, Stanley M.	06/30/2013
Board of Trustees of South Lake County Hospital District		
Appointees:	Ballesteros, Tomas J.	07/05/2015
	Smith, Linda J.	07/05/2015
Florida Commission on Human Relations		
Appointees:	Johns, James C.	09/30/2014
	Sharp, Joanna	09/30/2013
Florida Inland Navigation District		
Appointees:	Kavanagh, Gail	01/09/2015
	Sansom, Jerry H.	01/09/2015
Board of Landscape Architecture		
Appointee:	Lambeth, Charles Christopher	10/31/2013
Board of Massage Therapy		
Appointee:	Clark, Randall W.	10/31/2015
Board of Pilot Commissioners		
Appointee:	Frudaker, Richard N.	10/31/2012
Tampa Port Authority		
Appointee:	Swindal, Stephen W.	02/06/2016
Florida Prepaid College Board		
Appointee:	O'Drobinak, Liana	06/30/2013
Florida Real Estate Appraisal Board		
Appointee:	Boyd, Jr., Joseph Robert	10/31/2012
Apalachee Regional Planning Council, Region 2		
Appointee:	Hammond, Michael L.	10/01/2013
Central Florida Regional Planning Council, Region 7		
Appointee:	Huddleston, Chester L.	10/01/2013
Tampa Bay Regional Planning Council, Region 8		
Appointee:	Wishnatzki, Gary	10/01/2013
Southwest Florida Regional Planning Council, Region 9		
Appointee:	Reynolds, Alan D.	10/01/2014

The following executive appointments were referred to the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Rules Subcommittee on Ethics and Elections considered and recommended confirmation. The following appointees were left pending and were not acted on by the Senate upon adjournment of the 2012 Regular Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Board of Accountancy		
Appointees:	Borders-Byrd, Cynthia	10/31/2015
	Caldwell, Maria E.	10/31/2015
	Dennis, David L.	10/31/2014
	Fennema, Martin G.	10/31/2014
	Vogel, Harold S.	10/31/2014
Board of Acupuncture		
Appointee:	Teisinger, Mary Katherine	10/31/2012
Jacksonville Aviation Authority		
Appointees:	Davlantes, Teresa H.	09/30/2015
	Mackesy, Francis "Frank" J.	09/30/2015
Board of Architecture and Interior Design		
Appointees:	Costoya, Jr., Francisco	10/31/2014
	Emo, Warren A.	10/31/2013
	Fishburne, Kenan Ann	10/31/2014
	Toppe, Jonathan R.	10/31/2013
Barbers' Board		
Appointees:	Raines, Andrew J.	10/31/2013
	Vaughn, Thomas "Tommy" E.	10/31/2014
Florida State Boxing Commission		
Appointees:	DeSisto, Antonius "Tony" M.	09/30/2015
	Williams, Mark M.	09/30/2014
Florida Building Code Administrators and Inspectors Board		
Appointees:	Carpenter, Dennis J.	10/31/2013
	Dudley, Fred R.	10/31/2012
	Francis, Wayne A.	10/31/2012
	Gathright, Richard	10/31/2014
	Lamas, Orlando	10/31/2013
	McCormick, Robert S.	10/31/2013
Florida Building Commission		
Appointees:	Browdy, Richard S.	10/13/2015
	Schock, James R.	01/12/2015
Board of Chiropractic Medicine		
Appointees:	Fogarty, Kevin G.	10/31/2014
	Jones, Roderick C.	10/31/2014
Florida Citrus Commission		
Appointees:	Clark III, J. A.	05/31/2014
	Garavaglia, Jr., Michael J.	05/31/2014
	Haycock, Michael W.	05/31/2014
	Hollingsworth III, Vernon C.	05/31/2014
	Horrisberger, James S.	05/31/2014
	Hunt, Jr., G. Ellis	05/31/2014
	McKenna, Martin J.	05/31/2014
	Pena, Virginia S.	05/31/2014
	Taylor, Michael O.	05/31/2014
Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling		
Appointee:	Gillespy, Susan J.	10/31/2012
Florida Commission on Community Service		
Appointees:	Barber, Chucha S.	09/14/2012
	Karlinsky, Autumn	09/14/2012
	Nappo, Frank L.	09/14/2012
	Scriven, Charles J.	09/14/2012
Board of Trustees of Brevard Community College		
Appointees:	Charpentier, Stephen G.	05/31/2015
	Haley, Myra K.	05/31/2014

Office and Appointment		For Term Ending
	Harris, Dewey L.	05/31/2014
	Harvin, Sr., Moses L.	05/31/2015
Board of Trustees of Broward College		
Appointees:	Benz, John A.	05/31/2014
	Guerin, Sean C.	05/31/2015
	Stephany, Pamela	05/31/2015
	Tonkin, Elizabeth A.	05/31/2014
Board of Trustees of College of Central Florida		
Appointees:	Brancato, Joyce	05/31/2014
	Ghumman, Priya	05/31/2015
	Pool, Cory	05/31/2014
	Taylor, Donald L.	05/31/2015
Board of Trustees of Daytona State College		
Appointees:	Davidson, Robert	05/31/2013
	Freckleton, Lloyd J.	05/31/2015
	Holness, Betty Jean	05/31/2015
	Hosseini, Forough B.	05/31/2015
	Lewis, Dwight D.	05/31/2015
	Tanner, John W.	05/31/2014
Board of Trustees of Edison State College		
Appointees:	Chapman, Jr., Brian G.	05/31/2014
	Seay, Pamella A.	05/31/2014
	Starnes-Bilotti, Marjorie	05/31/2015
	Webb III, Sankey E.	05/31/2014
Board of Trustees of Florida State College at Jacksonville		
Appointees:	Bowling, Karen	05/31/2014
	Burnett, Douglas	05/31/2014
	Delaney, Kevin F.	05/31/2015
	Holloway, Candace T.	05/31/2014
	McCollum, James E.	05/31/2015
	McGehee, Jr., Thomas R.	05/31/2015
Board of Trustees of Florida Keys Community College		
Appointees:	Scales III, Edwin A.	05/31/2014
	Schmitt, Brian C.	05/31/2015
	Stoky, Robert C.	05/31/2014
Board of Trustees of Gulf Coast State College		
Appointees:	Dunn, Leah Ott	05/31/2015
	McKnight, James W.	05/31/2015
	Tannehill, Jr., Joe K.	05/31/2014
Board of Trustees of Hillsborough Community College		
Appointees:	Buchman, MarDee H.	05/31/2015
	Burt II, James T.	05/31/2014
	Pittman, Andrew V.	05/31/2014
Board of Trustees of Lake-Sumter Community College		
Appointees:	Blankenship, R. Scott	05/31/2014
	Bowersox, Richard P.	05/31/2015
	Flores, Kelly L.	05/31/2015
	Lee, Emily A.	05/31/2014
	Rice, Kelly S.	05/31/2014
Board of Trustees of State College of Florida, Manatee-Sarasota		
Appointees:	Bailey, Edward	05/31/2013
	Fishman, Charles J.	05/31/2012
	Moore, Ann	05/31/2014
	Moran, Lori A.	05/31/2015
	Neal, Charlene Jo	05/31/2015
	Trigueiro, Craig A.	05/31/2014
Board of Trustees of Miami-Dade College		
Appointees:	Cancio-Johnson, Mariana "Marili"	05/31/2015
	Fuentes, Jose K.	05/31/2014
Board of Trustees of Palm Beach State College		
Appointees:	Berger, William	05/31/2015
	Dowd III, John W.	05/31/2014
	Link, Wendy S.	05/31/2015

Office and Appointment		For Term Ending
Board of Trustees of Pasco-Hernando Community College		
Appointees:	Burke, Kathy A.	05/31/2015
	Johnson, Leonard H.	05/31/2015
	Porton, Morris R.	05/31/2013
Board of Trustees of Polk State College		
Appointees:	Dorrell, Daniel F.	05/31/2014
	Littleton, Gregory A.	05/31/2015
	Rada-Pilkington, Erlinda "Linda"	05/31/2015
	Turner, Mark G.	05/31/2013
Board of Trustees of St. Johns River State College		
Appointees:	Coleman, Jr., Cranford R.	05/31/2014
	Webb, Mary Ellen	05/31/2015
Board of Trustees of St. Petersburg College		
Appointees:	Burke, Kenneth P.	05/31/2015
	Fine, Jr., Robert J.	05/31/2014
	Gibbons, Deveron M.	05/31/2014
	North, Timothy O.	05/31/2015
Board of Trustees of Seminole State College		
Appointees:	Bauer, Jeffrey M.	05/31/2014
	Brandon, Wendy H.	05/31/2014
	Howat, Scott D.	05/31/2015
	Setzer, J. Alex	05/31/2015
Board of Trustees of South Florida Community College		
Appointees:	Cullens, Tamela "Tami" C.	05/31/2014
	Lambert, Kenneth A.	05/31/2014
	Puckorius, Lana C.	05/31/2015
	Rider, Kris Y.	05/31/2014
	Wright, Patrick Joseph "Joe"	05/31/2015
Board of Trustees of Valencia State College		
Appointees:	Cabrera-Morris, M. Bertica	05/31/2015
	Oliver III, Lewis M.	05/31/2014
	Perez, Fernando J.	05/31/2014
Construction Industry Licensing Board		
Appointees:	Beall, Kristin	10/31/2012
	Cathey, William Brian	10/31/2014
	Kane, Richard	10/31/2014
	Korelishn, Albert C.	10/31/2013
	Moody, Jr., Robert W.	10/31/2015
	Watts, Jacqueline A.	10/31/2012
Board of Cosmetology		
Appointee:	Wilhoite, Suzanne C.	10/31/2014
Board of Dentistry		
Appointees:	Edinger, Debra S.	10/31/2013
	Gesek, Jr., Daniel J.	10/31/2015
	Thomas, Joseph J.	10/31/2014
	Winker, Wade G.	10/31/2014
Florida Elections Commission, Chair		
Appointee:	Holladay, Tim H.	01/05/2015
Electrical Contractors' Licensing Board		
Appointees:	Botknecht, David H.	10/31/2013
	Chinchor, Timothy Z.	10/31/2014
	Smith, Benjamin E.	10/31/2013
Board of Employee Leasing Companies		
Appointee:	Arfons, David E.	10/31/2014
Board of Professional Engineers		
Appointee:	Bracken, William C.	10/31/2015
Commission on Ethics		
Appointees:	Ford, Ivan Martin	06/30/2013
	Maurer, Susan Horovitz	06/30/2013
	Robison, Linda M.	06/30/2013
Board of Funeral, Cemetery, and Consumer Services		

Office and Appointment		*For Term Ending*
Appointees:	Anderson, Jean W.	09/30/2015
	Clark, Andrew D.	09/30/2015
	Helm, Powell	09/30/2015
	Mueller, Richard L.	09/30/2015
Board of Professional Geologists		
Appointees:	Bush, Louie G.	10/31/2014
	Dale, Mervin W.	10/31/2013
Board of Hearing Aid Specialists		
Appointees:	Hollern, Thomas M.	10/31/2013
	Polhill, Leanne E.	10/31/2012
Higher Educational Facilities Financing Authority		
Appointee:	Kirtley, William T.	01/17/2015
Citrus County Hospital Board		
Appointees:	Lytton, Edwin H.	07/11/2013
	Rao, Veeramaneni Upender	07/03/2015
Board of Trustees of South Lake County Hospital District		
Appointees:	Binney, Curtis A.	07/05/2013
	Rountree, Paul B.	07/05/2013
Florida Housing Finance Corporation		
Appointees:	Demetree, Mary L.	11/13/2014
	Munilla, Natacha	11/13/2014
	Sanchez, Jose M.	11/13/2014
	Smith, Bernard E.	11/13/2014
Florida Commission on Human Relations		
Appointees:	Fajardo-Garcia, Onelia	09/30/2013
	Keller, Michael G.	09/30/2014
	Long, Michell J.	09/30/2015
	Singer, Gilbert M.	09/30/2014
	Valle, Mario	09/30/2015
Commission for Independent Education		
Appointees:	Crocitto, Jr., Peter F.	06/30/2013
	Perez, Ernesto	06/30/2014
	Williams, Jr., Levi G.	06/30/2014
Florida Inland Navigation District		
Appointees:	Bowman, Aaron L.	01/09/2015
	Crowley, T. Spencer	01/09/2015
Juvenile Welfare Board of Pinellas County		
Appointees:	Aungst, Jr., Brian J.	08/07/2014
	Neri, Raymond H.	08/07/2012
	Rouson, Angela	08/11/2014
	Sewell, James D.	08/11/2014
Board of Landscape Architecture		
Appointees:	Kissinger, Paul D.	10/31/2014
	Marshall, Elizabeth Barno	10/31/2013
	Pape, Michael E.	10/31/2013
	Powell, Charles David	10/31/2014
Board of Massage Therapy		
Appointee:	Ford, Karen Goff	10/31/2015
Board of Medicine		
Appointees:	Averhoff, Magdalena	10/31/2015
	El Sanadi, Nabil	10/31/2014
National Conference of Commissioners on Uniform State Laws		
Appointees:	Braccialarghe, Randolph	06/05/2015
	Conti, Louis T. M.	06/05/2015
	Weidner, Donald J.	06/05/2015
Board of Nursing		
Appointees:	Connors, Leonard J.	10/31/2014
	Kirkpatrick, Lavigne Ann	10/31/2014
	Newman, Jody Bryant	10/31/2013
Board of Nursing Home Administrators		
Appointee:	Myers, Keith A.	10/31/2014
Board of Optometry		
Appointees:	McNaughton, Rosa N.	10/31/2013
	Naberhaus, Terrance W.	10/31/2014
Board of Osteopathic Medicine		
Appointees:	Burns, Ronald R.	10/31/2014
	Rose, Joel B.	10/31/2014
Board of Pharmacy		
Appointees:	Fallon, Leo J.	10/31/2015
	Glass, Debra B.	10/31/2015
	Mesaros, Jeffrey J.	10/31/2014
	Meshad, Gavin W.	10/31/2013
	Mullins, DeAnn M.	10/31/2013
	Risch, Lorena	10/31/2014
Board of Physical Therapy Practice		
Appointee:	Lohr, Clint E.	10/31/2013
Board of Pilot Commissioners		
Appointees:	Bryson, Eric C.	10/31/2013
	Clemente, Anthony J.	10/31/2014
	Fernandez, John R.	10/31/2014
	Fox, John P.	10/31/2015
	Sams, Matthew T.	10/31/2013
	Smith, Jr., Thayer C.	10/31/2012
	Trueba, Carlos M.	10/31/2012
	Ulrich, David T.	10/31/2015
Board of Podiatric Medicine		
Appointees:	Evans, Chester A.	10/31/2012
	Morris, Robert Parker	10/31/2013
Tampa Port Authority		
Appointees:	Allman III, Patrick H.	02/06/2014
	Brown, William A.	11/15/2015
	Lindell, Jr., Carl	11/14/2014
Board of Psychology		
Appointees:	Aufderheide, Dean H.	10/31/2012
	Orta, Luis E.	10/31/2014
Public Employees Relations Commission		
Appointee:	Poole, Donna Maggert	01/01/2014
Chair, Public Employees Relations Commission		
Appointee:	Hogan, Mike	01/01/2016
Florida Real Estate Appraisal Board		
Appointees:	Herndon, Joni L.	10/31/2013
	Ketcham, Clayton "Clay" Blane	10/31/2014
	Pechillo, Roy A.	10/31/2015
	Sante, Chris	10/31/2013
Florida Real Estate Commission		
Appointees:	Hornsleth, Poul	10/31/2014
	Podolsky III, William J.	10/31/2014
Apalachee Regional Planning Council, Region 2		
Appointees:	Layman, Kelly A.	10/01/2013
	Radford, Dawn E.	10/01/2012
North Central Florida Regional Planning Council, Region 3		
Appointee:	Collett, Thomas D.	10/01/2012
Withlacoochee Regional Planning Council, Region 5		
Appointees:	Craig, Avis Marie	10/01/2012
	Murray, Edward W.	10/01/2012
	Selph, Walter E.	10/01/2012
	Smith, Whitney S.	10/01/2012
East Central Florida Regional Planning Council, Region 6		
Appointee:	Mercer, Atlee E.	10/01/2012

Office and Appointment		*For Term Ending*
Tampa Bay Regional Planning Council, Region 8		
Appointees:	Kinsler, Angeleah C.	10/01/2012
	Nunez, Jr., Andres E.	10/01/2012
	Schock, Timothy E.	10/01/2013
	Vance, Kim Hernandez	10/01/2012
	Waller, Charles D.	10/01/2012
	Young, Earl H.	10/01/2012
Southwest Florida Regional Planning Council, Region 9		
Appointees:	Colon, Felipe J.	10/01/2012
	Grant, Michael J.	10/01/2012
	Holquist, Laura A.	10/01/2013
	Karau, Melvin E.	10/01/2012
	Perry, Jr., Thomas C.	10/01/2012
Treasure Coast Regional Planning Council, Region 10		
Appointees:	Hall, William M.	10/01/2012
	Sachs, Peter S.	10/01/2013
	Stork, Robert W.	10/01/2013
South Florida Regional Planning Council, Region 11		
Appointees:	Asseff, Patricia T.	10/01/2013
	Wallace, Paul R.	10/01/2012
Jacksonville Port Authority		
Appointees:	Falconetti, John	09/30/2015
	Gaffney, Reginald	09/30/2015
Board of Professional Surveyors and Mappers		
Appointees:	Evers, W. Lamar	10/31/2013
	Krick, Gary B.	10/31/2014
	Mastronicola, Jr., Arthur A.	10/31/2015
	Nobles, Pamela W.	10/31/2013
	Petzold, Robin B.	10/31/2014
	Talbott, Patrick	10/31/2013
	Wright, Larry	10/31/2014
Jacksonville Transportation Authority		
Appointees:	Burr, Edward E.	05/31/2015
	Harper, Donna L.	05/31/2014
Board of Veterinary Medicine		
Appointee:	O'Neil, Robert E.	10/31/2014
Big Cypress Basin Board of the South Florida Water Management District		
Appointees:	Barber III, Frederick T.	03/01/2014
	Farmer, David H.	03/01/2014
	Vaughn, Jr., John Wesley	03/01/2013

The following executive appointment was referred to the Senate Committee on Agriculture and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Agriculture considered and recommended confirmation of the following appointment. The Senate Rules Subcommittee on Ethics and Elections did not consider the following appointment and the appointee was left pending and was not acted on by the Senate upon adjournment of the 2012 Regular Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Executive Director, Department of Citrus		
Appointee:	Ackerman, Douglas R.	06/30/2015

The following executive appointments were referred to the Senate Committee on Children, Families, and Elder Affairs and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Children, Families, and Elder Affairs and the Senate Rules Subcommittee on Ethics and Elections considered and recommended confirmation of the following appointments. The appointees were left pending and were not acted on by the Senate upon adjournment of the 2012 Regular Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Director, Agency for Persons with Disabilities		
Appointee:	Hansen, Michael P.	Pleasure of Governor
Secretary of Elderly Affairs		
Appointee:	Corley, Charles Thomas	Pleasure of Governor

The following executive appointments were referred to the Senate Committee on Commerce and Tourism and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Commerce and Tourism and the Senate Rules Subcommittee on Ethics and Elections considered and recommended confirmation of the following appointments. The appointees were left pending and were not acted on by the Senate upon adjournment of the 2012 Regular Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Board of Directors, Enterprise Florida, Inc.		
Appointees:	Dempsey, Hayden R.	09/30/2015
	Keiser, Belinda	09/30/2015
	Kise, Christopher M.	09/30/2015
	Rodriguez, Henry	09/30/2014

The following executive appointments were referred to the Senate Committee on Criminal Justice and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Criminal Justice and the Senate Rules Subcommittee on Ethics and Elections considered and recommended confirmation of the following appointments. The appointees were left pending and were not acted on by the Senate upon adjournment of the 2012 Regular Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Capital Collateral Regional Counsel - Middle Region		
Appointee:	Jennings, John "Bill" W.	09/30/2012
Capital Collateral Regional Counsel - Southern Region		
Appointee:	Dupree, Neal A.	09/30/2012
Secretary of Corrections		
Appointee:	Tucker, Kenneth S.	Pleasure of Governor
Criminal Conflict and Civil Regional Counsel - First District Court of Appeal		
Appointee:	Lewis, Jeffrey E.	07/01/2015
Criminal Conflict and Civil Regional Counsel - Second District Court of Appeal		
Appointee:	Neymotin, Ita M.	07/01/2015
Criminal Conflict and Civil Regional Counsel - Third District Court of Appeal		
Appointee:	Zenobi, Eugene F.	07/01/2015
Criminal Conflict and Civil Regional Counsel - Fourth District Court of Appeal		
Appointee:	Ryan, Antony Parker	07/01/2015
Criminal Conflict and Civil Regional Counsel - Fifth District Court of Appeal		
Appointee:	Deen, Jeffrey D.	07/01/2015
Parole Commission		
Appointee:	Cohen, Sr., Bernard R.	06/30/2014

The following executive appointments were referred to the Senate Committee on Education Pre-K - 12 and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Education Pre-K - 12 and the Senate Rules Subcommittee on Ethics and Elections considered and recommended confirmation of the following appointments. The ap-

pointees were left pending and were not acted on by the Senate upon adjournment of the 2012 Regular Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Director, Office of Early Learning		
Appointee:	Jurado, Melody "Mel"	Pleasure of Governor
State Board of Education		
Appointees:	Bradshaw, Sara "Sally" S.	12/31/2013
	Chartrand, Gary	12/31/2014
	Desai, Akshay M.	12/31/2014
	Feingold, Barbara S.	12/31/2013

The following executive appointment was referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation and the Senate Rules Subcommittee on Ethics and Elections did not consider the following appointment and the appointee was left pending and was not acted on by the Senate upon adjournment of the 2012 Regular Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Environmental Regulation Commission		
Appointee:	Bauer, Michael R.	07/01/2013

The following executive appointments were referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation and the Senate Rules Subcommittee on Ethics and Elections considered and recommended confirmation of the following appointments. The appointees were left pending and were not acted on by the Senate upon adjournment of the 2012 Regular Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Environmental Regulation Commission		
Appointees:	Gelber, Adam R.	07/01/2015
	Grandin, Susan C.	07/01/2015
	Joyce, Joseph C.	07/01/2015
	Montoya, Herbert William	07/01/2015
	Roth, Cari L.	07/01/2013
Fish and Wildlife Conservation Commission		
Appointees:	Priddy, Aliese P.	01/06/2017
	Roberts III, Charles W.	08/01/2016
Governing Board of the Northwest Florida Water Management District		
Appointees:	Andrews, Jr., Angus "Gus" G.	03/01/2015
	Patronis, Nicholas "Nick" J.	03/01/2015
Governing Board of the St. Johns River Water Management District		
Appointees:	Daniels, Lowry "Lad" A.	03/01/2015
	Drake, Charles W.	03/01/2015
Executive Director of St. Johns River Water Management District		
Appointee:	Tanzler III, Hans G.	Pleasure of the Board
Governing Board of the South Florida Water Management District		
Appointees:	DeLisi, Daniel	03/01/2015
	Moran, James J.	03/01/2015
	Portuondo, Juan M.	03/01/2015
	Sargent, Jr., Timothy W.	03/01/2014
	Waldman, Glenn J.	03/01/2014
Executive Director of South Florida Water Management District		
Appointee:	Meeker, Melissa L.	Pleasure of the Board
Governing Board of the Southwest Florida Water Management District		
Appointees:	Babb, Michael A.	03/01/2014
	Joerger, Albert G.	03/01/2015
	Maggard, Randall "Randy"	03/01/2015
	Senft, Jr., H. Paul	03/01/2015
	Tharp, Douglas B.	03/01/2015
Executive Director of Southwest Florida Water Management District		
Appointee:	Guillory, Blake C.	Pleasure of the Board
Governing Board of the Suwannee River Water Management District		
Appointees:	Brown, Kevin W.	03/01/2015
	Cole, George M.	03/01/2015
	Curtis III, Donald Raymond "Ray"	03/01/2015

The following executive appointment was referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation considered and recommended confirmation of the following appointment. The Senate Rules Subcommittee on Ethics and Elections did not consider the following appointment and the appointee was left pending and was not acted on by the Senate upon adjournment of the 2012 Regular Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Executive Director of Northwest Florida Water Management District		
Appointee:	Barr, Douglas E.	Pleasure of the Board

The following executive appointments were referred to the Senate Committee on Governmental Oversight and Accountability and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Governmental Oversight and Accountability and the Senate Rules Subcommittee on Ethics and Elections considered and recommended confirmation of the following appointments. The appointees were left pending and were not acted on by the Senate upon adjournment of the 2012 Regular Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Investment Advisory Council		
Appointees:	Daniels, Leslie B.	12/12/2014
	Price, Michael F.	12/12/2014
	Wendt, Gary C.	12/12/2015
Participant Local Government Advisory Council		
Appointee:	Scott, Barbara T.	01/13/2013
Secretary of State		
Appointee:	Detzner, Kenneth W.	Pleasure of Governor

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections did not consider the following appointments and the appointees were left pending and were not acted on by the Senate upon adjournment of the 2012 Regular Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Board of Governors of the State University System		
Appointee:	Caruncho, Sr., Joseph L.	01/06/2019

Office and Appointment		*For Term Ending*
Board of Trustees, New College of Florida		
Appointee:	Baker, Bradford Dennis	01/06/2016
Board of Trustees, University of Florida		
Appointees:	Edwards, Charles B.	01/06/2016
	Roulhac, Juliet M.	01/06/2015

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections considered and recommended confirmation of the following appointments. The appointees were left pending and were not acted on by the Senate upon adjournment of the 2012 Regular Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Board of Governors of the State University System		
Appointees:	Corr, Christopher T.	01/06/2019
	Kuntz, Thomas G.	01/06/2019
Board of Trustees, Florida Atlantic University		
Appointees:	Graham-West, Angela	01/06/2016
	Moabery, Abdol	01/06/2016
	Teske, Julius J.	01/06/2016
Board of Trustees, University of Central Florida		
Appointees:	Crofton, Meg G.	01/06/2016
	Garvy, Robert A.	01/06/2015
	Marchena, Marcos R.	01/06/2016
Board of Trustees, Florida State University		
Appointees:	Bense, Allan G.	01/06/2016
	Gruters, Joseph R.	01/06/2016
Board of Trustees, Florida Gulf Coast University		
Appointees:	Little, John R.	01/06/2015
	McShea, Dorene	01/06/2016
	Priddy, Russell A.	01/06/2016
Board of Trustees, Florida International University		
Appointee:	Grant, Jr., Gerald C.	01/06/2016
Board of Trustees, New College of Florida		
Appointees:	Keating, Elaine M.	01/06/2016
	Snyder, Steven L.	01/06/2016
Board of Trustees, University of Florida		
Appointees:	Alfonso, Carlos J.	01/06/2016
	Cameron, Susan M.	01/06/2016
	Heekin, William Michael	01/06/2016
	Levine, Alan M.	01/06/2016
Board of Trustees, University of North Florida		
Appointees:	Franklin, Jr., Fred D.	01/06/2013
	Lovett II, William Radford	01/06/2016
	Pappas, M. Lynn	01/06/2015
	Pincomb, Myron W.	01/06/2016
	Russell, Lanny	01/06/2016
	Wamble-King, Sharon	01/06/2016
Board of Trustees, University of South Florida		
Appointees:	Mitchell, Stephen J.	01/06/2016
	Ramil, John B.	01/06/2016
	Sembler, Debbie Nye	01/06/2016
Board of Trustees, University of West Florida		
Appointees:	Cleveland, David E.	01/06/2016
	Patel, Jayprakash S.	01/06/2016
	Walton, Garrett W.	01/06/2016

The following executive appointment was referred to the Senate Committee on Military Affairs, Space, and Domestic Security and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Military Affairs, Space, and Domestic Security and the Senate Rules Subcommittee on Ethics and Elections considered and recommended confirmation of the following appointment. The appointee was left pending and was not acted on by the Senate upon adjournment of the 2012 Regular Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Executive Director of Department of Veterans' Affairs		
Appointee:	Prendergast, Jr., Kenneth Lee Michael "Mike"	Pleasure of Governor and Cabinet

The following executive appointments were referred to the Senate Committee on Transportation and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Transportation and the Senate Rules Subcommittee on Ethics and Elections considered and recommended confirmation of the following appointments. The appointees were left pending and were not acted on by the Senate upon adjournment of the 2012 Regular Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Tampa-Hillsborough County Expressway Authority		
Appointee:	Diaco, Stephen C.	07/01/2014
Florida Transportation Commission		
Appointees:	Ellington, Donald L.	09/30/2013
	Ferre, Maurice A.	09/30/2014
	Frazier, Susan Katherine	09/30/2015
	Kigel, Beth R.	09/30/2015
	Lautenbach, Ned C.	09/30/2015
	Marono, Manuel L.	09/30/2015
	Trumbull, Jay N.	09/30/2015
	Tuck, Andy	09/30/2014

Respectfully submitted,
Dawn Roberts, Staff Director, Rules Subcommittee on Ethics and Elections, for
Miguel Diaz de la Portilla, Chair

Ms. Debbie Brown March 9, 2012
Secretary, The Florida Senate

Dear Secretary Brown:

The following executive appointments were referred to the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. Please be advised that the following executive appointments were not acted on by the full Senate upon adjournment of the 2012 Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Board of Trustees of Daytona State College		
Appointee:	Lewis, Dwight D.	05/31/2011
Interim Secretary of Elderly Affairs		
Appointee:	Corley, Charles Thomas	Pleasure of Governor
Board of Nursing Home Administrators		
Appointee:	Bracher, Cathy	10/31/2011
Board of Pilot Commissioners		
Appointees:	Fox, John P.	10/31/2011
	Ulrich, David T.	10/31/2011
Chair, Public Employees Relations Commission		
Appointee:	Hogan, Mike	01/01/2012
Florida Real Estate Appraisal Board		
Appointee:	Vigil, Jennifer M.	10/31/2012
Apalachee Regional Planning Council, Region 2		

Office and Appointment		*For Term Ending*
Appointee:	Hatcher, H. Franklin	10/01/2011

The following executive appointment was referred to the Senate Committee on Commerce and Tourism and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Commerce and the Senate Rules Subcommittee on Ethics and Elections did not consider the appointment because the appointee resigned:

Office and Appointment		*For Term Ending*
Board of Directors, Enterprise Florida, Inc.		
Appointee:	Hollingsworth, Adam	07/01/2015

The following executive appointment was referred to the Senate Committee on Commerce and Tourism, the Senate Committee on Community Affairs and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Commerce and Tourism, the Senate Committee on Community Affairs and the Senate Rules Subcommittee on Ethics and Elections did not consider the appointment because the appointee resigned:

Office and Appointment		*For Term Ending*
Executive Director, Department of Economic Opportunity		
Appointee:	Darling, Douglas A.	Pleasure of Governor

The following executive appointments were referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation and the Senate Rules Subcommittee on Ethics and Elections recommended confirmation. The Senate did not consider the appointments because the terms of the following appointees have expired:

Office and Appointment		*For Term Ending*
Governing Board of the St. Johns River Water Management District		
Appointee:	Robbins III, George W.,	03/01/2012
Governing Board of the South Florida Water Management District		
Appointee:	O'Keefe, Daniel T.	03/01/2012

The following executive appointment was referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation recommended confirmation. The Senate Rules Subcommittee on Ethics and Elections did not consider the appointment because the appointee resigned:

Office and Appointment		*For Term Ending*
Executive Director of Suwannee River Water Management District		
Appointee:	Still, David	Pleasure of the Board

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections did not consider the appointments because the appointees resigned:

Office and Appointment		*For Term Ending*
Board of Governors of the State University System		
Appointee:	Corr, Christopher T.	01/06/2013
Board of Trustees, University of West Florida		
Appointee:	Hanna, Randall W.	01/06/2016

The Senate Rules Subcommittee on Ethics and Elections recommended confirmation. The Senate did not consider the appointment because the term of the following appointee had expired:

John P. Fox

The Senate Rules Subcommittee on Ethics and Elections did not consider the following appointments because the terms of the appointees have expired:

Cathy Bracher; Charles Thomas Corley; H. Franklin Hatcher; Mike Hogan; Dwight D. Lewis; David T. Ulrich

The Senate Rules Subcommittee on Ethics and Elections did not consider the following appointment because the appointee resigned:

Jennifer M. Vigil

Respectfully submitted,
Miguel Diaz de la Portilla, Chair

Ms. Debbie Brown March 8, 2012
Secretary, The Florida Senate

Dear Secretary Brown:

Please be advised that the following appointments were not received by the Florida Senate for consideration in the 2012 Regular Session. Therefore, pursuant to s. 114.05(1)(e), F.S., the Senate took no action on these appointments during the regular session immediately following the effective date of the appointment.

Office and Appointment		*For Term Beginning*
Hillsborough County Civil Service Board		
Appointee:	Strepina, Scott D.	03/08/2012
Florida Commission on Community Service		
Appointee:	Quiggle, Justin	03/08/2012

Respectfully submitted,
Miguel Diaz de la Portilla, Chair

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for CS for HB 859 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Education Committee, PreK-12 Appropriations Subcommittee, Finance & Tax Committee and Representative(s) Corcoran, Costello, Hudson, Young—

CS for CS for CS for HB 859—A bill to be entitled An act relating to the Florida Tax Credit Scholarship Program; amending s. 1002.395, F.S.; revising student eligibility requirements for participation in the program; increasing the tax credit cap amount applicable to the program; revising provisions relating to the reporting of test scores by private schools participating in the program; providing that a private school may choose to offer and administer statewide assessments at the school; revising Department of Education duties relating to site visits; requiring the department to provide at no cost statewide assessments and related materials to a school that makes such a request; providing conditions under which statewide assessments may be administered at a private school; requiring a private school to follow statutory requirements, State Board of Education rules, and district testing policies; requiring a school district to coordinate with the department to provide statewide assessments and related materials to a private school upon the department's

request; providing school district responsibilities; revising the conditions upon which the Commissioner of Education may base the denial, suspension, or revocation of a private school's participation in the program or the suspension of scholarship fund payment; amending s. 1002.20, F.S.; conforming provisions; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget Subcommittee on Finance and Tax.

RETURNING MESSAGES — FINAL ACTION

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Reports in their entirety and passed SB 1958, SB 1960, SB 1964, SB 1968, SB 1986, SB 1994, SB 1996 and SB 1998 as amended by the Conference Committee Reports.

Robert L. "Bob" Ward, Clerk

The bills contained in the foregoing messages were ordered engrossed and then enrolled.

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 and passed CS for HB 95 as amended; concurred in Senate Amendment 1 and passed CS for HB 437 as amended; concurred in Senate Amendment 2 and passed CS for CS for CS for HB 599 as amended; concurred in Senate Amendment 1 and passed HB 693 as amended; concurred in Senate Amendments 1, 1A, 1B, 1C, 1D, and 1E and passed CS for CS for HB 787 as amended; concurred in Senate Amendments 1 and 2 and passed CS for CS for HB 885 as amended; concurred in Senate Amendment 1 and passed CS for HB 941 as amended; concurred in Senate Amendment 1 and passed CS for HB 1037 as amended; concurred in Senate Amendment 1 and passed CS for CS for CS for HB 1263 as amended; concurred in Senate Amendment 1 and passed CS for HB 1389 as amended; concurred in Senate Amendment 1 and passed HB 7087 as amended; concurred in Senate Amendment 1 and passed CS for HB 7097 as amended; concurred in Senate Amendments 1, 2, 3, and 4 and passed CS for HB 7099 as amended; concurred in Senate Amendments 1 and 2 and passed HB 7127 as amended; and concurred in Senate Amendment 1 and passed CS for CS for HB 7117 as amended by the required constitutional two-thirds vote of the membership.

Robert L. "Bob" Ward, Clerk

DISCLOSURES

In an abundance of caution, pursuant to Senate Rule 1.39, I am disclosing that I have a minority ownership interest in Mercurian, LLC, which could be affected by appropriations legislation or a contract with a state agency. It is my request that the Secretary record this disclosure in the Senate Journal for the 2012 Legislative Session.

Senator Don Gaetz, 4th District

In an abundance of caution, pursuant to Senate Rule 1.39, I am disclosing that I have a minority ownership interest in Mercurian, LLC, which could be affected by appropriations legislation or a contract with a state agency. It is my request that the Secretary record this disclosure in the Senate Journal for the 2012 Legislative Session.

Senator Jeremy Ring, 32nd District

CO-INTRODUCERS

Senator Diaz de la Portilla—SJR 1740

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 8 was corrected and approved.

ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned sine die at 11:59 p.m.