

Tab 1	SB 376 by Hukill; (Compare to CS/H 7003) Individuals with Disabilities						
389602	A	S	RCS	AGG, Simpson	Delete L.121 - 127:	11/03 03:00 PM	

Tab 2	SB 7010 by GO; (Compare to CS/H 7003) Individuals with Disabilities						
491842	A	S	RCS	AGG, Hays	Delete L.328 - 333:	11/03 03:05 PM	

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA
APPROPRIATIONS SUBCOMMITTEE ON GENERAL
GOVERNMENT
Senator Hays, Chair
Senator Braynon, Vice Chair

MEETING DATE: Tuesday, November 3, 2015
TIME: 1:00—4:00 p.m.
PLACE: *Toni Jennings Committee Room, 110 Senate Office Building*

MEMBERS: Senator Hays, Chair; Senator Braynon, Vice Chair; Senators Altman, Dean, Lee, Margolis, and Simpson

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 376 Hukill (Compare H 7003)	Individuals with Disabilities; Establishing the Financial Literacy Program for Individuals with Developmental Disabilities within the Department of Financial Services; providing for the participation of banks, credit unions, savings associations, and savings banks; requiring a qualified public depository to participate in the program, etc. BI 10/20/2015 Favorable AGG 11/03/2015 Fav/CS FP	Fav/CS Yeas 6 Nays 0
2	SB 7010 Governmental Oversight and Accountability (Compare H 7003)	Individuals with Disabilities; Revising the state's equal employment opportunity policy to include individuals who have a disability; requiring the Department of Management Services to develop and implement certain programs geared toward individuals who have a disability; requiring the department to compile and post data regarding the hiring practices of executive agencies regarding the employment of individuals who have a disability; creating the "Employment First Act", etc. AGG 11/03/2015 Fav/CS FP	Fav/CS Yeas 6 Nays 0
3	Presentation by the Agency for State Technology on Fiscal Year 2016-2017 Budget Priorities		Presented
4	Presentation by the Department of Environmental Protection on Everglades Restoration and the Indian River Lagoon and Lake Okeechobee Basin		Presented
5	Presentation by the Department of Agriculture and Consumer Services on the Northern Everglades and Estuaries Protection Program		Presented

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on General Government

BILL: PCS/SB 376 (170500)

INTRODUCER: Appropriations Subcommittee on General Government and Senator Hukill

SUBJECT: Individuals with Disabilities

DATE: November 5, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Johnson	Knudson	BI	Favorable
2.	Betta	DeLoach	AGG	Recommend: Fav/CS
3.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/SB 376 creates the Financial Literacy Program for Individuals with Developmental Disabilities within the Department of Financial Services (DFS). The goal of the program is to promote economic independence and successful employment of individuals with developmental disabilities by providing education, outreach, and resources on specific issues. These issues include financial education, financial and health benefit programs and services, job training and employment opportunities, and the impact of earnings and assets on eligibility for federal and state programs. Navigating the complex network of federal and state requirements and finding employment resources can be difficult for individuals and their families.

The bill requires the DFS to establish on its website a clearinghouse for information regarding the program and other resources and to develop a brochure that describes the program. The bill also requires that financial institutions participating in the qualified public depository program participate in the Financial Literacy Program as a condition of eligibility for the qualified public depository program.

The bill appropriates the recurring amount of \$69,570 from the Insurance Regulatory Trust Fund within the DFS.

II. Present Situation:

Although some individuals are born with disabilities, some individuals may experience a short-term or long-term disability, whether through accidents, employment-related injuries or illnesses, disease, or aging. Individuals may also have mental disorders or developmental disabilities. The definition of the term “disability,” for purposes of eligibility for state and federal benefits and employment programs, varies among the different programs. Individuals with disabilities must navigate a complex set of federal and state regulations to obtain financial and medical benefits as well as access to resources available at the federal and state levels.

Federal Disability Insurance Programs

The Social Security Disability Insurance (SSDI)¹ and Supplemental Security Income (SSI)² programs are two types of disability programs administered by the federal Social Security Administration. Applicants for each of the programs must meet strict medical requirements to qualify for disability benefits. Under the programs, disability is defined as the inability to engage in substantial gainful activity (SGA) due to a medically determinable physical or mental impairment expected to result in death or last at least 12 months.³ Generally, a person who is earning more than a certain monthly amount is considered to be engaging in SGA.

The SSDI program is an insurance program that provides benefits to individuals who have contributed to the Social Security system and meet certain minimum work requirements. In contrast, SSI is a means-tested program for aged, blind, or disabled individuals who meet certain income and resource limitations; however, there are no contribution or minimum work requirements. The SSI program provides cash payments assuring a minimum income for aged, blind, or disabled individuals who have very limited income and assets. Effective January 1, 2015, the maximum monthly federal benefit rate is \$733 for an eligible individual and \$1,100 for an eligible individual with an eligible spouse.⁴ The countable resource limit for SSI eligibility is \$2,000 for individuals and \$3,000 for couples with exclusions.⁵ The SSI recipients living alone or in a household where all members receive SSI benefits are generally eligible for Medicaid. In December 2013, there were 547,594 SSI recipients (aged, blind, or disabled) and 551,858 disabled workers that were recipients of SSDI in Florida.⁶

Definition of Developmental Disabilities in Florida

Section 393.063(9), F.S., defines developmental disabilities to mean “a disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, or Prader-Willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely.”

¹ 42 U.S.C. ss. 401-433.

² 42 U.S.C. ss. 1381 note-1385 note.

³ See <http://www.socialsecurity.gov/disability/professionals/bluebook/general-info.htm> (last accessed Oct. 8, 2015).

⁴ Generally, the maximum monthly payment changes yearly due to changes in the Consumer Price Index. The 2015 schedule is available at: <http://www.socialsecurity.gov/OACT/COLA/SSI.html> (last accessed Oct. 8, 2015).

⁵ 20 C.F.R. s. 416.1201 and 20 C.F.R. ss. 416.1210-416.1239.

⁶ Social Security Administration *Annual Statistical Supplement, 2014* available at: <http://www.socialsecurity.gov/policy/docs/statcomps/supplement/2014/5j.pdf> and <http://www.socialsecurity.gov/policy/docs/statcomps/supplement/2014/7b.pdf> (last accessed Oct. 8, 2015).

The Agency for Persons with Disabilities (APD) currently serves approximately 55,000 clients with developmental disabilities.⁷ The total population of individuals in Florida with developmental disabilities is indeterminate at this time. In January 2015, the APD extrapolated the estimated Florida population of individuals with developmental disabilities based on national prevalence rates of disorders and syndromes. This calculation suggests that the population of individuals with developmental disabilities could be between 300,000 to 600,000.⁸

Financial Literacy and Economic Independence

People with disabilities comprise approximately 15 percent of the population of the United States and experience significant disparities in employment and participation in the workforce.⁹ In 2011, almost 28 percent of non-institutionalized individuals in the United States with disabilities, ages 21-64, lived below the federal poverty line, compared with 12 percent of individuals without disabilities.¹⁰

In Florida, approximately 9.5 percent of individuals ages 16-64 are individuals with disabilities. The unemployment rate of this group is 35.6 percent and the poverty rate is 24.2 percent. Many of these individuals would like to find employment, but are concerned if they earn more money it will cause them to lose disability and health benefits.¹¹

Financial education and literacy are critical components for gaining economic independence. A 2014 report by the National Disability Institute (NDI) evaluated the financial capability among individuals with and without disabilities based on information derived from the FINRA¹² Investor Education Foundation's 2012 National Financial Capability Study.¹³ The NDI report found that individuals with disabilities have greater difficulty in meeting monthly expenses, are less likely to have access to emergency funds, are more likely to carry credit card balances and use non-bank methods of borrowing, are less likely to have received financial education, and have lower financial literacy. The report concluded that individuals with disabilities "are generally marginalized from the economic mainstream, as indicated by the notably lower levels of overall financial capability and economic security compared to persons without disabilities." The report advocated, "innovative approaches that increase access for individuals with disabilities to financial tools and services that foster informed decision making, build financial confidence, and improve financial capability."

⁷ Email from the Agency for Persons with Disabilities, Summary of Active Clients, January 28, 2015 (on file with the Senate Banking and Insurance Committee).

⁸ Email from the Agency for Persons with Disabilities, January 13, 2015 (On file with the Senate Banking and Insurance Committee).

⁹ American Institutes for Research, *An Uneven Playing Field: The Lack of Equal Pay for People with Disabilities*, December 2014.

¹⁰ *Id.*

¹¹ National Disability Institute with support from the Florida Developmental Disabilities Council, *The Changing Face of Benefits, Knowledge for Successful Employment and Asset Development*, March 2013.

¹² FINRA is the Financial Industry Regulatory Authority, which is an independent, not-for-profit organization authorized by Congress charged with regulatory oversight of all securities broker-dealers conducting business with the public in the United States.

¹³ Nicole E. Conroy, ET AL., *Financial Capabilities of Adults with Disabilities, Findings from the FINRA Investor Education Foundation 2012 National Financial Capability Study*, National Disability Institute, July 22, 2014.

Various state agencies provide services, benefits, and resources for individuals with disabilities. These agencies include the Agency for Health Care Administration, the Agency for Persons with Disabilities, the Department of Children and Families, the Department of Economic Opportunity (DEO), and the Department of Education. Many state and regional advocacy groups also provide resources and services.

On July 26, 2011, Governor Scott created the Governor's Commission on Jobs for Floridians with Disabilities to advance job and employment opportunities for persons with disabilities in order to help those individuals achieve greater independence.¹⁴ The commission found that the state's disability system does not effectively connect employers to candidates with disabilities and inform them about the resources available to support these individuals in the workplace. The commission recommended the DEO serve as a single-point of contact to assist employers in finding these resources and services in order to help them recruit, hire, and retain individuals with disabilities in the workforce. The commission further recommended that the DEO provide information on available services and support that make it possible for persons with disabilities to succeed in the workforce. The "Abilities Work" Web Portal¹⁵ within the Employ Florida Marketplace website was developed to meet the needs of Florida employers looking to hire qualified job seekers with disabilities and individuals with disabilities who are seeking to find employment.

Department of Financial Services

The Chief Financial Officer (CFO) of the State of Florida is the head of the Department of Financial Services.¹⁶ The CFO has instituted many outreach and education programs to increase the financial literacy of Florida residents and to protect them from financial fraud. These initiatives include a comprehensive online financial literacy and education initiative to provide Hispanic Floridians and their families with important personal financial information, a program to educate and protect seniors from financial schemes, and financial education for military service members.¹⁷

The CFO administers the Florida Security for Public Deposits Act (act),¹⁸ which authorizes local and state governmental units (public depositors) to place public deposits in qualified public depositories (QPD).¹⁹ Public deposits are funds in excess of amounts required to meet disbursement needs or expenses. A QPD can be a bank, savings bank, or savings association that

¹⁴ Executive Order 11-161 available at <http://www.flgov.com/gcifd/> (last accessed Oct. 8, 2015).

¹⁵ The Ability Work website available at <https://abilitieswork.employflorida.com/vosnet/Default.aspx#> (last accessed Oct. 8, 2015).

¹⁶ Section 20.121, F.S.

¹⁷ See Money Matter\$, a one-stop website to access the CFO's financial literacy resources, available at <http://www.myfloridacfo.com/sitePages/services/flow.aspx?ut=Financial+Literacy> (last accessed on Oct. 8, 2015).

¹⁸ Chapter 280, F.S.

¹⁹ A qualified public depository is organized under the laws of the United States or any state or territory of the United States; has a principal place of business or branch office in this state authorized to receive deposits; has federally-insured deposits; has procedures and practices that accurately report and collateralize public deposits; meets the requirements of the act; and has been designated as a qualified public depository by the CFO [see s. 280.02(26), F.S.].

meets specific criteria, including collateral requirements, under the act. The CFO is responsible for designating financial institutions as qualified public depositories.

III. Effect of Proposed Changes:

PCS/SB 376 creates the Financial Literacy Program for Individuals with Developmental Disabilities under the direction of the Chief Financial Officer who heads the Department of Financial Services (DFS). The goal of the program is to promote economic independence and successful employment of individuals with developmental disabilities by providing resources, outreach, and education on specific issues. These issues include financial education, financial and health benefit programs and services, job training and employment outreach, and the impact of earnings and assets on eligibility for federal and state programs.

The bill provides that the DFS, in consultation with stakeholders, will develop and implement the program. Banks, credit unions, savings associations, and savings banks will be key participants in the development and promotion of the program. The DFS will establish a clearinghouse for information regarding the program and other available resources on its website for individuals with developmental disabilities and their employers. The DFS will publish a brochure that describes the program and will provide access to it through its website.

Financial institutions participating in the qualified public depository program are required to participate in the Financial Literacy Program as condition of eligibility for the qualified public depository program. This requirement would apply to banks, savings associations, and savings associations that participate in the program. Within 90 days of the DFS establishing the program and publishing the brochure, each participating financial institution must make brochures available at each Florida branch office, which has in-person teller services, or have the capability to print a copy of the brochure upon request. A financial institution or other program participant is not subject to a civil cause of action arising from the distribution or nondistribution of program information. Each participating financial institution website must also provide a hyperlink to the department's website for the program.

The bill provides \$69,570 of recurring funds from the Insurance Regulatory Trust Fund within the DFS to develop and manage the new program, which includes printing and postage costs for the brochures.

The effective date of the bill is January 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Implementation of the Financial Literacy Program will provide individuals with developmental disabilities an opportunity to obtain a better understanding of financial products and services, financial management, employment options, and federal and state benefits. The program will facilitate greater financial literacy and economic independence. Employers will also benefit from resources that will facilitate employment of individuals with developmental disabilities.

Financial institutions may incur indeterminate costs associated with providing brochures about the program at their places of business and revising their websites to provide a link to access the Financial Literacy Program's website.

C. Government Sector Impact:

The bill provides the recurring amount of \$69,570 from the Insurance Regulatory Trust Fund within the Department of Financial Services (DFS) to implement this program. This appropriation funds the costs associated with printing and shipping 50 brochures to an estimated 4,500 financial institutions in Florida.²⁰ The bill provides that the DFS will make copies of the brochure available to a bank, savings association, or savings bank upon request of such financial institution.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

The bill substantially amends section 280.16 of the Florida Statutes.

The bill creates section 17.68 of the Florida Statutes.

²⁰ Department of Financial Services, Senate Bill 376 Fiscal Analysis (Oct. 5, 2015) (on file with the Senate Committee on Banking and Insurance).

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS by Appropriations Subcommittee on General Government on November 3, 2015:

The committee substitute reduces the amount appropriated to the Department of Financial Services to implement the program.

- B. **Amendments:**

None.



389602

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
11/03/2015	.	
	.	
	.	
	.	

Appropriations Subcommittee on General Government (Simpson)
recommended the following:

Senate Amendment

Delete lines 121 - 127

and insert:

Section 3. For the 2016-2017 fiscal year, the sum of \$69,570 in recurring funds from the Insurance Regulatory Trust Fund is appropriated to the Consumer Assistance Program within the Department of Financial Services for the purpose of implementing the program created by this act.

By Senator Hukill

8-00267A-16

2016376__

A bill to be entitled

An act relating to individuals with disabilities; creating s. 17.68, F.S.; providing legislative findings; establishing the Financial Literacy Program for Individuals with Developmental Disabilities within the Department of Financial Services; requiring the department to develop and implement the program in consultation with specified stakeholders; providing for the participation of banks, credit unions, savings associations, and savings banks; requiring the program to provide information, resources, outreach, and education on specified issues to individuals with developmental disabilities and employers in this state; requiring the department to establish on its website a clearinghouse for information regarding the program and to publish a brochure describing the program; requiring, by a specified date, qualified public depositories to make copies of the department's brochure available and provide a hyperlink on their websites to the department's website for the program; providing that qualified public depositories are not subject to civil liability arising from the distribution and contents of the brochure and the program website information; amending s. 280.16, F.S.; requiring a qualified public depository to participate in the program; providing an appropriation; providing an effective date.

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

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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2016376__

Section 1. Section 17.68, Florida Statutes, is created to read:

17.68 Financial Literacy Program for Individuals with Developmental Disabilities.—

(1) The Legislature finds that the state has a compelling interest in promoting the economic independence and successful employment of individuals with developmental disabilities as defined in s. 393.063. In comparison with the general population, individuals with developmental disabilities experience lower rates of educational achievement, employment, and annual earnings and are more likely to live in poverty. Additionally, such individuals must navigate a complex network of federal and state programs in order to be eligible for financial and health benefits. Thus, it is essential that these individuals have sufficient financial management knowledge and skills to effectively participate in benefit eligibility determination processes and make informed decisions regarding financial services and products provided by financial institutions. Enhancing the financial literacy of such individuals will provide a pathway for economic independence and successful employment.

(2) The Financial Literacy Program for Individuals with Developmental Disabilities is established within the Department of Financial Services. The department, in consultation with public and private stakeholders, shall develop and implement the program, which must be designed to promote the economic independence and successful employment of individuals with developmental disabilities. Banks, credit unions, savings

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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2016376__

59 associations, and savings banks will be key participants in the
 60 development and promotion of the program, which must provide
 61 information, resources, outreach, and education in the following
 62 areas:

63 (a) For individuals with developmental disabilities:

64 1. Financial education, including instruction on money
 65 management skills and the effective use of financial services
 66 and products, to promote income preservation and asset
 67 development.

68 2. Identification of available financial and health benefit
 69 programs and services.

70 3. Job training programs and employment opportunities,
 71 including work incentives and state and local workforce
 72 development programs.

73 4. The impact of earnings and assets on eligibility for
 74 federal and state financial and health benefit programs, and
 75 options to manage such impact.

76 (b) For employers in this state, strategies to make program
 77 information and educational materials available to their
 78 employees with developmental disabilities.

79 (3) The department shall:

80 (a) Establish on its website a clearinghouse for
 81 information regarding the program and other resources available
 82 for individuals with developmental disabilities and their
 83 employers.

84 (b) Publish a brochure describing the program, which is
 85 also accessible on its website.

86 (4) Within 90 days after the department establishes the
 87 website clearinghouse and publishes the brochure, each bank,

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2016376__

88 savings association, and savings bank that is a qualified public
 89 depository as defined in s. 280.02 shall:

90 (a) Make copies of the department's brochures available,
 91 upon the request of the consumer, at its principal place of
 92 business and each branch office located in this state which has
 93 in-person teller services by having copies of the brochure
 94 available or having the capability to print a copy of the
 95 brochure from the department's website. Upon request, the
 96 department shall provide copies of the brochure to a bank,
 97 savings association, or savings bank.

98 (b) Provide on its website a hyperlink to the department's
 99 website clearinghouse. If the department changes the website
 100 address for the clearinghouse, the bank, savings association, or
 101 savings bank must update the hyperlink within 90 days after
 102 notification by the department of such change.

103 (5) A participating qualified public depository is not
 104 subject to civil liability arising from the distribution or
 105 nondistribution of the brochure or program website information.
 106 The contents of the brochure or the program website information
 107 may not be attributed to a participating qualified public
 108 depository by virtue of its distribution, and do not constitute
 109 financial or investment advice by, nor create a fiduciary duty
 110 on, the participating qualified public depository to the
 111 recipient.

112 Section 2. Paragraph (e) is added to subsection (1) of
 113 section 280.16, Florida Statutes, to read:

114 280.16 Requirements of qualified public depositories;
 115 confidentiality.—

116 (1) In addition to any other requirements specified in this

8-00267A-16

2016376__

117 chapter, qualified public depositories shall:

118 (e) Participate in the Financial Literacy Program for
119 Individuals with Developmental Disabilities as required under s.
120 17.68.

121 Section 3. For the 2016-2017 fiscal year, the sums of
122 \$63,664 in recurring funds and \$73,570 in nonrecurring funds
123 from the Insurance Regulatory Trust Fund are appropriated to the
124 Consumer Assistance Program within the Department of Financial
125 Services, and one full-time equivalent position with associated
126 salary rate of 41,114 is authorized, for the purpose of
127 implementing the program created by this act.

128 Section 4. This act shall take effect January 1, 2017.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11-3-2015

Meeting Date

SB 374

Bill Number (if applicable)

Topic Individuals w/ Disabilities

Amendment Barcode (if applicable)

Name Dixie Sansom

Job Title Lobbyist

Address PO Box 98

Phone 321-543-7195

Street

Cocoa

City

FL

State

32923-098

Zip

Email dixiesansom@aol.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing The Arc of Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Finance and Tax, *Chair*
Communications, Energy, and Public Utilities,
Vice Chair
Appropriations
Appropriations Subcommittee on Transportation,
Tourism, and Economic Development
Banking and Insurance
Fiscal Policy

JOINT COMMITTEE:

Joint Committee on Public Counsel Oversight

SENATOR DOROTHY L. HUKILL
8th District

October 20, 2015

The Honorable Alan Hays
201 The Capitol
404 S. Monroe Street
Tallahassee, FL 32399

Re: Senate Bill 376 – Financial Literacy Program for Individuals with Developmental Disabilities

Dear Chairman Hays:

Senate Bill 376, relating Financial Literacy Program for Individuals with Developmental Disabilities has been referred to the Appropriations Subcommittee on General Government Committee. I am requesting your consideration on placing SB 376 on your next agenda. Should you need any additional information please do not hesitate to contact my office.

Thank you for your consideration.

Sincerely,

Dorothy L. Hukill, District 8

cc: Jamie DeLoach, Staff Director of the Appropriations Subcommittee on General Government Committee
Lisa Waddell, Administrative Assistant of the Appropriations Subcommittee on General Government Committee

REPLY TO:

209 Dunlawton Avenue, Unit 17, Port Orange, Florida 32127 (386) 304-7630 FAX: (888) 263-3818
 Ocala City Hall, 110 SE Watula Avenue, 3rd Floor, Ocala, Florida 34471 (352) 694-0160

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on General Government

BILL: PCS/SB 7010 (186950)

INTRODUCER: Appropriations Subcommittee on General Government and Governmental Oversight and Accountability Committee

SUBJECT: Individuals with Disabilities

DATE: November 5, 2015 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
	<u>Peacock</u>	<u>McVaney</u>		GO Submitted as Committee Bill
1.	<u>Davis</u>	<u>DeLoach</u>	<u>AGG</u>	Recommend: Fav/CS
2.	_____	_____	<u>FP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

PCS/SB 7010 modifies the State of Florida’s employment policy to provide enhanced opportunities for persons who have a disability to be employed by executive branch agencies. Specifically, the bill requires each executive agency to:

- Establish annual goals in its affirmative action plan that ensures full utilization of underrepresented groups in agency’s workforce, including individuals who have a disability;
- Report annually its progress toward increasing employment of individuals who have a disability; and
- Develop by January 1, 2017, an agency-specific plan on promoting employment opportunities for individuals who have a disability.

Additionally, the bill directs the Department of Management Services (DMS) to:

- Develop and implement programs geared toward individuals who have a disability in consultation with Agency for Persons with Disabilities, Division of Vocational Rehabilitation and Division of Blind Services of the Department of Education, Department of Economic Opportunity, and the Executive Office of the Governor;
- Develop mandatory training programs for human resources personnel and hiring managers of executive agencies that support the employment of individuals who have a disability;
- Assist executive agencies with implementing the agency-specific plans and strategies for retaining employees who have a disability;

- Compile data on hiring practices of executive agencies regarding hiring of individuals who have a disability and post this information on the agency's website; and
- Adopt rules relating to forms providing for voluntary self-identification of individuals who have a disability who are employed by executive agency.

The bill creates the Employment First Act requiring an interagency cooperative agreement among specified state agencies and organizations to ensure a long-term commitment to improve employment for individuals who have a disability.

The bill appropriates \$138,692 in recurring funds and \$26,264 in nonrecurring funds from the State Personnel System Trust Fund within the Department of Management Services and authorizes two full time equivalent (FTE) positions for the DMS to implement this act. Also, the recurring sums of \$74,234 from the General Revenue Fund and \$64,458 from trust funds and the nonrecurring sums of \$14,051 from the General Revenue Fund and \$12,213 from trust funds are appropriated to Administered Funds.

The bill provides an effective date of July 1, 2016.

II. Present Situation:

According to the United States Census Bureau, individuals who have a disability make up approximately 13.4 percent of the population of Florida, and 10.1 percent of individuals ages 18 to 64 (working age) have a disability.¹ In 2014, 20.6 percent of working aged individuals who have a disability lived below the federal poverty line in Florida, compared with 13.7 percent of individuals without a disability.²

Individuals who have a disability experience significant disparities in employment and participation in the workforce.³ For example, 17.9 percent of individuals who have a disability are employed in Florida, while over 61.3 percent of those who do not have a disability are employed.⁴ The trend is similar nationally with an 11.2 percent unemployment rate for individuals who have a disability and a five percent unemployment rate for individuals without a disability.⁵ According to the National Disability Institute (NDI), many of these individuals would

¹ U.S. Department of Commerce, U.S. Census Bureau, American Fact Finder, *Disability Characteristics for Civilian Noninstitutionalized Population, 2014 American Community Survey 1-year Estimates*, Report S1810, searchable database available at <http://factfinder.census.gov/> (last visited Sept. 29, 2015).

² U.S. Department of Commerce, U.S. Census Bureau, American Fact Finder, *Selected Economic Characteristics for the Civilian Noninstitutionalized Population by Disability Status, 2014, American Community Survey 1-year Estimates*, Report S1811, searchable database available at <http://factfinder.census.gov/> (last visited Sept. 29, 2015).

³ American Institutes for Research, *An Uneven Playing Field: The Lack of Equal Pay for People with Disabilities*, p. 2, December 2014, available at http://www.air.org/sites/default/files/Lack%20of%20Equal%20Pay%20for%20People%20with%20Disabilities_Dec%2014.pdf (last visited Sept. 29, 2015).

⁴ Supra note 2.

⁵ U.S. Department of Labor, Bureau of Labor Statistics, *Employment Status of the Civilian Population by Sex, Age, and Disability Status, not seasonally adjusted (Aug. 2015)*, available at <http://www.bls.gov/news.release/empsit.t06.htm> (last visited Sept. 29, 2015).

like to find employment, but are concerned if they earn more money it will cause them to lose disability and health benefits.⁶

State Equal Employment Policy

Section 110.112, F.S., declares that the policy of the state is to afford equal employment opportunities through programs of affirmative and positive action allowing for the full utilization of women and minorities.

Each executive agency is required to develop and implement an affirmative action plan;⁷ establish annual goals in its affirmative action plan for ensuring full utilization of groups underrepresented in the agency's workforce as compared to relevant labor market;⁸ and appoint an affirmative action-equal employment opportunity officer.⁹

The DMS is required to issue an annual workforce report¹⁰ and provide training to all supervisory personnel of executive agencies.¹¹

Presently, s. 110.112, F.S., does not contain a definition of the term "individual who has a disability" and does not specifically address equal employment opportunity and affirmative action for this group.

State Disability Resources

Various state agencies provide services, benefits, and resources for individuals with disabilities. These agencies include the Agency for Health Care Administration (AHCA), the Agency for Persons with Disabilities (APD), the Department of Children and Families (DCF), the Department of Economic Opportunity (DEO), and the Department of Education (DOE). Many state and regional advocacy groups also provide resources and services.

Section 393.063(9), F.S., defines developmental disability to mean "a disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, or Prader-Willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely."

⁶ National Disability Institute with support from the Florida Development Disabilities Council, *The Changing Face of Benefits Knowledge for Successful Employment and Asset Development*, p. 1, March 2013, available at http://www.realeconomicimpact.org/data/files/other%20documents/changing_face_of_benefits_2013.pdf.pdf (last visited Sept. 29, 2015).

⁷ Section 110.112(2)(a), F.S.

⁸ Section 110.112(2)(b), F.S.

⁹ Section 110.112(2)(c), F.S., provides that the duties of the affirmative action-equal employment opportunity officer include determining annual goals, monitoring agency compliance, and providing consultation to managers regarding progress, deficiencies, and appropriate corrective action.

¹⁰ Section 110.112(2)(d), F.S., provides that the DMS annual workforce report shall include information relating to implementation, continuance, and updating the results of each executive agency's affirmative action plan for the previous fiscal year.

¹¹ Section 110.112(2)(e), F.S., provides that the training will be in the principals of equal employment opportunity and affirmative action, the development and implementation of affirmative action plans, and establishment of annual affirmative action goals.

The APD currently serves approximately 55,000 clients with developmental disabilities.¹² The total population of individuals in Florida with developmental disabilities is indeterminate at this time. However, the APD estimates the population of individuals with developmental disabilities in Florida could be between 300,000 to 600,000 people.¹³

Governor's Commission on Jobs for Floridians with Disabilities

On July 26, 2011, Governor Rick Scott created the Governor's Commission on Jobs for Floridians with Disabilities (Commission) to advance job and employment opportunities for persons with disabilities in order to help those individuals achieve greater independence.¹⁴ The Commission found that the state's disability system does not effectively connect employers to candidates with disabilities and inform them about the resources available to support these individuals in the workplace. The Commission recommended that the DEO serve as a single-point of contact to assist employers in finding these resources and services in order to help employers recruit, hire, and retain individuals with disabilities. The Commission further recommended the DEO provide information on available services and support that make it possible for persons with disabilities to succeed in the workforce. The "Abilities Work" web portal¹⁵ within the Employ Florida Marketplace¹⁶ website was developed to meet the needs of Florida employers looking to hire qualified job seekers with disabilities and of individuals with disabilities who are seeking to find employment.

Employment First Initiative

On October 8, 2013, Governor Scott issued Executive Order 13-284 requiring an interagency cooperative agreement between state agencies and other disability service organizations to ensure a long-term commitment to improving employment for individuals who have a disability.¹⁷ The Executive Order directed state agencies and organizations to develop methods to increase the number and percentage of growth in competitive employment for individuals who have a disability. In 2014, a five-year interagency cooperative agreement identified as the Employment First Initiative was executed by the following agencies and organizations:

- Agency for Persons with Disabilities;
- Department of Education, Bureau of Exceptional Education and Student Services;
- Department of Education, Division of Vocational Rehabilitation;
- Department of Education, Division of Blind Services;
- Department of Economic Opportunity;
- Workforce Florida, Inc.;¹⁸

¹² E-mail from the Robert Brown, Agency for Persons with Disabilities (Sept. 30, 2015) (on file with the Senate Governmental Oversight and Accountability Committee).

¹³ *Id.*

¹⁴ Executive Order 11-161, available at <http://www.flgov.com/wp-content/uploads/2011/07/11-161-Commission-on-Jobs-for-Floridians-with-Disabilities.pdf> (last visited Sept. 29, 2015).

¹⁵ The Abilities Work website, available at <https://abilitieswork.employflorida.com/vosnet/Default.aspx#> (last visited Sept. 29, 2014).

¹⁶ Employ Florida Marketplace (EFM) is a partnership of CareerSource Florida, Inc., (formerly Workforce Florida, Inc.) and DEO.

¹⁷ See Executive Order 13-284 available at <http://www.flgov.com/wp-content/uploads/orders/2013/13-284-disabilities.pdf> (last visited Sept. 29, 2015).

¹⁸ Workforce Florida, Inc. was renamed as CareerSource Florida, Inc. See Chapter 2015-98, Laws of Florida; see also House Bill 7019 (reg. session 2015).

- Department of Children and Families, Substance Abuse and Mental Health Office;
- Florida Developmental Disabilities Council, Inc.; and
- Florida Association of Rehabilitation Facilitates, Inc.¹⁹

Corporate Social Responsibility and Consumer Response

Corporate social responsibility is now a standard practice in the business world.²⁰ Corporate social responsibility is defined as a company's sense of responsibility toward the community and the environment,²¹ which may be expressed through support of issues, such as ethical supply sourcing or a contribution to, or support for, social issues and programs. In 2013, corporations in the United States gave approximately \$18.7 billion, consisting of both cash and non-cash donations, such as product donations and employee volunteer hours.²² Corporate philanthropy is considered advantageous to a business because it provides the company with a bolstered public image, improved community relations, and increased employee morale.²³

Studies suggest that people value businesses that support causes that are important to them. A recent Nielsen survey found that 55 percent of global respondents indicated a willingness to pay extra for goods and services from businesses that are committed to making a positive social and environmental impact.²⁴ Consumers are becoming "more deliberate and purposeful" in their shopping decisions by patronizing businesses that have similar values to their own.²⁵ Consumers are also more likely to be loyal to those brands that share their values or are engaged in the support of those causes that are important to them.²⁶ People may even base their employment decisions on such values.

III. Effect of Proposed Changes:

Section 1 reorders, amends, and revises definitions contained in s. 110.107, F.S., and defines the term "individual who has a disability".

¹⁹ Interagency Cooperative Agreement, Employment First Initiative (2014), FLDOE Contract No.:IA-556, <http://www.fddc.org/sites/default/files/2.Employment%20First%20Interagency%20Cooperative%20Agreement.5.7.14.pdf> (last visited Sept. 29, 2015).

²⁰ Illia, Laura et al., *Communicating Corporate Social Responsibility to a Cynical Public*, MIT SLOAN MANAGEMENT REVIEW, Feb. 21, 2013, http://sloanreview.mit.edu/article/communicating-corporate-social-responsibility-to-a-cynical-public/?use_credit=db34fbf0a135038c9c9102e028c614be (last visited Sept. 29, 2015).

²¹ BusinessDictionary.com, <http://www.businessdictionary.com/definition/corporate-social-responsibility.html> (last visited Sept. 29, 2015).

²² Adams, Susan, *America's Most Generous Companies*, FORBES, July 15, 2014, <http://www.forbes.com/sites/susanadams/2014/07/15/americas-most-generous-companies/> (last visited Sept. 29, 2015).

²³ Montini, Laura, *Corporate Altruism Is on the Rise (Infographic)*, INC., Aug. 17, 2014, <http://www.inc.com/laura-montini/infographic/the-benefits-of-community-service.html> (last visited Sept. 29, 2015).

²⁴ The Nielsen Company, *Doing Well by Doing Good* (June 2014), <http://www.nielsen.com/content/dam/corporate/us/en/reports-downloads/2014%20Reports/global-corporate-social-responsibility-report-june-2014.pdf> (last visited Sept. 29, 2015).

²⁵ Solomon, Micah, *Six Customer Trends That Will Build or Break Your Business As We Enter 2015*, FORBES, Dec. 25, 2014, <http://www.forbes.com/sites/micahsolomon/2014/12/25/six-deep-customer-trends-that-will-build-or-break-your-business-as-we-enter-2015/> (last visited Sept. 29, 2015).

²⁶ Irwin, Julie, *Ethical Consumerism Isn't Dead, It Just Needs Better Marketing*, HARVARD BUSINESS REVIEW, Jan. 12, 2015, <https://hbr.org/2015/01/ethical-consumerism-isnt-dead-it-just-needs-better-marketing> (last visited Sept. 29, 2015).

The definition of “individual who has a disability” mirrors the federal definition of “disability” contained in the American with Disabilities Act (ADA),²⁷ with the exceptions of the following:

- The federal term “mental impairment”²⁸ is replaced with “intellectual impairment”; and
- The federal phrase “being regarded”²⁹ is replaced with “who is perceived by others”.

Section 2 amends s. 110.112, F.S., and revises and broadens the state’s equal employment opportunity policy to include individuals who have a disability.

Executive agencies are required to:

- Set annual goals in its affirmative action plan to ensure the full utilization of underrepresented groups, to specifically include individuals who have a disability as compared to the relevant labor market;
- Report annually to the DMS on the agency’s progress toward increasing employment of individuals who have a disability; and
- Develop an agency-specific plan by January 1, 2017, addressing how to promote employment opportunities for individuals who have a disability.

The DMS is required to:

- Include data for each executive agency related to employment levels among women, minorities, and individuals who have a disability in its annual workforce report;
- Develop and implement programs specifically geared toward individuals who have a disability in consultation with the Agency for Persons with Disabilities, the Division of Vocational Rehabilitation and Division of Blind Services of the Department of Education, the Department of Economic Opportunity, and the Executive Office of the Governor;³⁰
- Develop mandatory training programs by January 1, 2017, for human resources personnel and hiring managers of executive agencies that support the employment of individuals who have a disability;
- Assist executive agencies in implementing agency-specific plans; and identifying and implementing strategies for retaining employees who have a disability.³¹
- Biannually report on the progress of executive agencies in implementing their plans to the Governor, the President of the Senate, and the Speaker of the House of Representatives;
- Compile data regarding the hiring practices of executive agencies in regards to individuals who have a disability and make this data available on its website; and
- Adopt rules regarding forms that provide for voluntary self-identification of individuals who have a disability who are employed by an executive agency.

PCS/SB 7010 also contains a provision that specifically states that no substantive or procedural right or benefit enforceable at law or in equity against the state, state agency, officer, employee, or agent thereof is created by this legislation.

²⁷ 42 U.S.C. s. 12102(2).

²⁸ *Id.*

²⁹ *Id.*

³⁰ These programs may incorporate internships, mentoring, on-the-job training, unpaid work experience, situational assessments, and other innovative strategies.

³¹ Some of these strategies include training programs, funding reasonable accommodations, increasing access to technologies, and ensuring accessibility of physical and virtual workplaces.

The bill applies to the State Personnel System comprised of positions in the Career Service, Selected Exempt Service, or Senior Management Service within all executive branch agencies. This bill is not applicable to the personnel systems of the State University System, the Florida Lottery, the Legislature, the Justice Administration System, or the State Courts System.

Section 3 creates legislation to be known as the “Employment First Act.” This section provides a short title, legislative intent and purpose which is to improve the employment outcomes for individuals with disabilities, to prioritize employment of individuals with disabilities, and to change the employment system to integrate individuals with disabilities into the workforce.

This section also requires an interagency cooperative agreement be developed among the following:

- Division of Vocational Rehabilitation of the Department of Education;
- Division of Blind Service of the Department of Education;
- Bureau of Exceptional Education and Student Services of the Department of Education;
- Agency for Person with Disabilities;
- Substance Abuse and Mental Health Program of the Department of Children and Families;
- Department of Economic Opportunity;
- CareerSource Florida, Inc.;
- Florida Developmental Disabilities Council;
- Florida Association of Rehabilitation Facilities; and
- Other appropriate organizations.

Additionally, this interagency cooperative agreement shall outline the roles and responsibilities of the parties to the agreement.

The bill outlines the objectives of the interagency agreement that must include the following:

- Establishing commitment by state leadership to maximizing resources and coordination to improve employment outcomes for individuals with disabilities;
- Developing strategic goals and benchmarks to assist state agencies and organizations in the implementation of agreement;
- Identifying financing and contracting methods to help prioritize employment for individuals with disabilities by state agencies and organizations;
- Establishing training methods to better integrate persons with disabilities into the workforce;
- Ensuring collaborative efforts between agencies;
- Promoting service innovations to better assist individuals with disabilities in the workplace; and
- Identifying accountability measures to ensure sustainability of agreement.

Section 4 appropriates for Fiscal Year 2016-2017, the sums of \$138,692 in recurring funds and \$26,264 in nonrecurring funds from the State Personnel System Trust Fund to the DMS, and authorizes two FTE positions for the purpose of implementing the new responsibilities of the DMS, relating to employment of individuals who have a disability.

In addition, the recurring sums of \$74,234 from the General Revenue Fund and \$64,458 from trust funds and the nonrecurring sums of \$14,051 from the General Revenue Fund and \$12,213 from trust funds are appropriated to Administered Funds for distribution among agencies for the increase in the human resource assessment.

Section 5 provides an effective date of July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The mandate restrictions do not apply because the bill does not require counties and municipalities to spend funds, reduce counties' or municipalities' ability to raise revenue, or reduce the percentage of a state tax shares with counties and municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Indeterminate.

C. Government Sector Impact:

The DMS staff estimates the implementation of PCS/SB 7010 will require two additional full-time positions. The total cost for two Human Resource Consultant positions with the standard expense package is \$146,456.

In addition, the People First system, the state's human resource information system, will need to be enhanced to add an "individual who has a disability" indicator to fully implement the reporting requirements of this bill. The DMS estimates a cost of \$18,500 to implement these changes.

PCS/SB 7010 appropriates \$138,692 in recurring funds and \$26,264 in nonrecurring funds from the State Personnel System Trust Fund to DMS, and authorizes two positions. The bill also appropriates the recurring sums of \$74,234 from the General Revenue Fund and \$64,458 from trust funds and the nonrecurring sums of \$14,051 from the General Revenue Fund and \$12,213 from trust funds to Administered Funds, which provide the

revenue source to support the appropriation provided to the DMS, for distribution among the agencies.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The bill directs the DMS to adopt rules relating to forms that provide for the voluntary self-identification of individuals who have a disability.

Under the Americans with Disabilities Act (ADA), employers are prohibited from inquiring about whether a person has a disability or the nature of a disability prior to employment.³² However, an employer may inquire about the applicant's ability to perform job-related functions. Upon employment, an employer may require a medical examination if it is required of all employees, is job-related, and consistent with business necessity. Any medical information obtained from the medical examination must be maintained in a separate file. If an employee requests a reasonable accommodation, an employer is permitted to request documentation sufficient to substantiate the need for the reasonable accommodation.³³

The DMS uses data from the Equal Employment Opportunity (EEO) Tabulation that is published by the U.S. Census Bureau for information on women and minorities. The EEO Tabulation provides detailed occupational statistics by race, ethnicity and sex in the labor market by location-based geography. The state's data center, DEO, has informed the DMS that data for individuals who have a disability is not available at the occupational level. Data is only available in broad categories (employed/unemployed, full-time/less than full-time). Accordingly, it might be difficult for agencies to establish numerical goals on such limited data.

VIII. Statutes Affected:

This bill substantially amends the sections 110.107 and 110.112 of the Florida Statutes.

This bill creates the Employment First Act.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS by Appropriations Subcommittee on General Government on November 3, 2015:

The committee substitute specifies the recurring and nonrecurring amounts appropriated to Administered Funds.

³² See 42 U.S.C. s. 12112.

³³ EEOC, No. 915.002, *EEOC Enforcement Guidance of Disability-Related Inquiries and Medical Examinations of Employees Under the Americans with Disabilities Act (ADA)*, July 27, 2000, <http://www.eeoc.gov/policy/docs/guidance-inquiries.html> (last visited Sept. 29, 2015).

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



491842

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
11/03/2015	.	
	.	
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	.	

Appropriations Subcommittee on General Government (Hays)
recommended the following:

Senate Amendment

Delete lines 328 - 333

and insert:

(2) The recurring sums of \$74,234 from the General Revenue Fund and \$64,458 from trust funds and the nonrecurring sums of \$14,051 from the General Revenue Fund and \$12,213 from trust funds are appropriated to Administered Funds for distribution among agencies for the increase in the human resource assessment.

By the Committee on Governmental Oversight and Accountability

585-00726-16

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1 A bill to be entitled
 2 An act relating to individuals with disabilities;
 3 reordering and amending s. 110.107, F.S.; revising
 4 definitions and defining the term "individual who has
 5 a disability"; amending s. 110.112, F.S.; revising the
 6 state's equal employment opportunity policy to include
 7 individuals who have a disability; requiring each
 8 executive agency to annually report to the Department
 9 of Management Services regarding the agency's progress
 10 in increasing employment among certain
 11 underrepresented groups; revising the required content
 12 of the department's annual workforce report; requiring
 13 the department to develop and implement certain
 14 programs geared toward individuals who have a
 15 disability; requiring the department to develop
 16 training programs by a specified date; requiring each
 17 executive agency to develop a plan regarding the
 18 employment of individuals who have a disability by a
 19 specified date; requiring the department to report to
 20 the Governor and the Legislature regarding
 21 implementation; requiring the department to compile
 22 and post data regarding the hiring practices of
 23 executive agencies regarding the employment of
 24 individuals who have a disability; requiring the
 25 department to assist executive agencies in identifying
 26 strategies to retain employees who have a disability;
 27 requiring the department to adopt certain rules;
 28 specifying that the act does not create any
 29 enforceable right or benefit; creating the "Employment

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30 First Act"; providing legislative findings and intent;
 31 providing a purpose; requiring specified state
 32 agencies and organizations to develop and implement an
 33 interagency cooperative agreement; requiring the
 34 interagency cooperative agreement to provide the
 35 roles, responsibilities, and objectives of state
 36 agencies and organizations; providing appropriations;
 37 providing an effective date.

38
 39 Be It Enacted by the Legislature of the State of Florida:

40
 41 Section 1. Section 110.107, Florida Statutes, is reordered
 42 and amended to read:
 43 110.107 Definitions.—As used in this chapter, the term:
 44 (5)(1) "Department" means the Department of Management
 45 Services.
 46 (28)(2) "Secretary" means the Secretary of Management
 47 Services.
 48 (11)(3) "Furlough" means a temporary reduction in the
 49 regular hours of employment in a pay period, or temporary leave
 50 without pay for one or more pay periods, with a commensurate
 51 reduction in pay, which is necessitated by a projected deficit
 52 in any fund that supports salary and benefit appropriations. The
 53 deficit must be projected by the Revenue Estimating Conference
 54 pursuant to s. 216.136(3).
 55 (30)(4) "State agency" or "agency" means any official,
 56 officer, commission, board, authority, council, committee, or
 57 department of the executive branch or the judicial branch of
 58 state government as defined in chapter 216.

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59 ~~(21)(5)~~ "Position" means the work, consisting of duties and
60 responsibilities, assigned to be performed by an officer or
61 employee.

62 ~~(10)(6)~~ "Full-time position" means a position authorized
63 for the entire normally established work period, whether daily,
64 weekly, monthly, or annually.

65 ~~(18)(7)~~ "Part-time position" means a position authorized
66 for less than the entire normally established work period,
67 whether daily, weekly, monthly, or annually.

68 ~~(16)(8)~~ "Occupation" means all positions that ~~which~~ are
69 sufficiently similar in knowledge, skills, ~~and~~ abilities, and
70 the ~~sufficiently similar as to~~ kind or subject matter of work.

71 ~~(17)(9)~~ "Occupational group" means a group of occupations
72 that ~~which~~ are sufficiently similar in the kind of work
73 performed to warrant the use of the same performance factors in
74 determining the level of complexity for all occupations in that
75 occupational group.

76 ~~(3)(10)~~ "Classification plan" means a formal description of
77 the concepts, rules, job family definitions, occupational group
78 characteristics, and occupational profiles used in the
79 classification of positions.

80 ~~(20)(11)~~ "Pay plan" means a formal description of the
81 philosophy, methods, procedures, and salary schedules for
82 competitively compensating employees at market-based rates for
83 work performed.

84 ~~(27)(12)~~ "Salary schedule" means an official document that
85 ~~which~~ contains a complete list of occupation titles, broadband
86 level codes, and pay bands.

87 ~~(1)(13)~~ "Authorized position" means a position included in

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88 an approved budget. In counting the number of authorized
89 positions, part-time positions may be converted to full-time
90 equivalents.

91 ~~(8)(14)~~ "Established position" means an authorized position
92 ~~that which~~ has been classified in accordance with a
93 classification and pay plan as provided by law.

94 ~~(22)(15)~~ "Position number" means the identification number
95 assigned to an established position.

96 ~~(26)(16)~~ "Reclassification" means the changing of an
97 established position in one broadband level in an occupational
98 group to a higher or lower broadband level in the same
99 occupational group or to a broadband level in a different
100 occupational group.

101 ~~(24)(17)~~ "Promotion" means the changing of the
102 classification of an employee to a broadband level having a
103 higher maximum salary; or the changing of the classification of
104 an employee to a broadband level having the same or a lower
105 maximum salary but a higher level of responsibility.

106 ~~(4)(18)~~ "Demotion" means the changing of the classification
107 of an employee to a broadband level having a lower maximum
108 salary; or the changing of the classification of an employee to
109 a broadband level having the same or a higher maximum salary but
110 a lower level of responsibility.

111 ~~(32)(19)~~ "Transfer" means moving an employee from one
112 geographic location of the state to a different geographic
113 location more than in excess of 50 miles from the employee's
114 current work location.

115 ~~(25)(20)~~ "Reassignment" means moving an employee from a
116 position in one broadband level to a different position in the

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117 same broadband level or to a different broadband level having
118 the same maximum salary.

119 ~~(6)(21)~~ "Dismissal" means a disciplinary action taken by an
120 agency pursuant to s. 110.227 against an employee which results
121 ~~resulting~~ in the termination of his or her employment.

122 ~~(31)(22)~~ "Suspension" means a disciplinary action taken by
123 an agency pursuant to s. 110.227 against an employee which ~~to~~
124 temporarily relieves ~~relieve~~ the employee of his or her duties
125 and places ~~place~~ him or her on leave without pay.

126 ~~(15)(23)~~ "Layoff" means termination of employment due to a
127 shortage of funds or work, or a material change in the duties or
128 organization of an agency, including the outsourcing or
129 privatization of an activity or function previously performed by
130 career service employees.

131 ~~(7)(24)~~ "Employing agency" means any agency authorized to
132 employ personnel to carry out the responsibilities of the agency
133 under the provisions of chapter 20 or other law ~~statutory~~
134 ~~authority~~.

135 ~~(29)(25)~~ "Shared employment" means part-time career
136 employment in which ~~whereby~~ the duties and responsibilities of a
137 full-time position in the career service are divided among part-
138 time employees who are eligible for the position and who receive
139 career service benefits and wages pro rata. The term ~~In no case~~
140 ~~shall "shared employment" does not~~ include the employment of
141 persons paid from other-personal-services funds.

142 ~~(9)(26)~~ "Firefighter" means a firefighter certified under
143 chapter 633.

144 ~~(14)(27)~~ "Law enforcement or correctional officer" means a
145 law enforcement officer, special agent, correctional officer,

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146 correctional probation officer, or institutional security
147 specialist ~~required to be~~ certified under chapter 943.

148 ~~(23)(28)~~ "Professional health care provider" means
149 registered nurses, physician's assistants, dentists,
150 psychologists, nutritionists or dietitians, pharmacists,
151 psychological specialists, physical therapists, and speech and
152 hearing therapists.

153 ~~(13)(29)~~ "Job family" means a defined grouping of one or
154 more occupational groups.

155 ~~(19)(30)~~ "Pay band" means the minimum salary, the maximum
156 salary, and intermediate rates that ~~which~~ are payable for work
157 in a specific broadband level.

158 ~~(2)(31)~~ "Broadband level" means all positions that ~~which~~
159 are sufficiently similar in knowledge, skills, and abilities;
160 ~~the, and sufficiently similar as to~~ kind or subject matter of
161 work; ~~the,~~ level of difficulty or the level of
162 responsibilities; ~~and the~~ qualification requirements of the
163 work so as to warrant the same treatment with respect ~~as~~ to
164 title, pay band, and other personnel transactions.

165 ~~(12)~~ "Individual who has a disability" means a person who
166 has a physical or intellectual impairment that substantially
167 limits one or more major life activities; a person who has a
168 history or record of such an impairment; or a person who is
169 perceived by others as having such an impairment.

170 Section 2. Subsections (1) and (2) of section 110.112,
171 Florida Statutes, are amended, present subsections (3) through
172 (6) of that section are redesignated as subsections (4) through
173 (7), respectively, and a new subsection (3) is added to that
174 section, to read:

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175 110.112 Affirmative action; equal employment opportunity.-

176 (1) It ~~is shall be~~ the policy of ~~this the~~ state to assist
177 in providing the assurance of equal employment opportunity
178 through programs of affirmative and positive action that will
179 allow full utilization of women, ~~and~~ minorities, and individuals
180 who have a disability.

181 (2) (a) The head of each executive agency shall develop and
182 implement an affirmative action plan in accordance with rules
183 adopted by the department and approved by a majority vote of the
184 Administration Commission before their adoption.

185 (b) Each executive agency shall establish annual goals for
186 ensuring full utilization of groups underrepresented in the
187 agency's its workforce, including women, minorities, and
188 individuals who have a disability, as compared to the relevant
189 labor market, as defined by the agency. Each executive agency
190 shall design its affirmative action plan to meet its established
191 goals.

192 (c) Each executive agency shall annually report to the
193 department regarding the agency's progress toward increasing
194 employment among women, minorities, and individuals who have a
195 disability.

196 ~~(d)(e)~~ An affirmative action-equal employment opportunity
197 officer shall be appointed by the head of each executive agency.
198 The affirmative action-equal employment opportunity officer's
199 responsibilities must include determining annual goals,
200 monitoring agency compliance, and providing consultation to
201 managers regarding progress, deficiencies, and appropriate
202 corrective action.

203 ~~(e)(d)~~ The department shall report information in its

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204 annual workforce report relating to the implementation,
205 continuance, updating, and results of each executive agency's
206 affirmative action plan for the previous fiscal year. The annual
207 workforce report must also include data for each executive
208 agency relating to employment levels among women, minorities,
209 and individuals who have a disability.

210 ~~(f)(e)~~ The department shall provide to all supervisory
211 personnel of the executive agencies training in the principles
212 of equal employment opportunity and affirmative action, the
213 development and implementation of affirmative action plans, and
214 the establishment of annual affirmative action goals. The
215 department may contract for training services, and each
216 participating agency shall reimburse the department for costs
217 incurred through such contract. After the department approves
218 the contents of the training program for the agencies, the
219 department may delegate this training to the executive agencies.

220 (3) (a) The department, in consultation with the Agency for
221 Persons with Disabilities, the Division of Vocational
222 Rehabilitation and the Division of Blind Services of the
223 Department of Education, the Department of Economic Opportunity,
224 and the Executive Office of the Governor, shall develop and
225 implement programs that incorporate internships, mentoring, on-
226 the-job training, unpaid work experience, situational
227 assessments, and other innovative strategies that are
228 specifically geared toward individuals who have a disability.

229 (b) By January 1, 2017, the department shall develop
230 mandatory training programs for human resources personnel and
231 hiring managers of executive agencies which support the
232 employment of individuals who have a disability.

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233 (c)1. By January 1, 2017, each executive agency shall
 234 develop an agency-specific plan that addresses how to promote
 235 employment opportunities for individuals who have a disability.
 236 2. The department shall assist executive agencies in the
 237 implementation of agency-specific plans. The department shall
 238 regularly report to the Governor, the President of the Senate,
 239 and the Speaker of the House of Representatives the progress of
 240 executive agencies in implementing these plans. Such reports
 241 shall be made at least biannually.
 242 (d) The department shall compile data regarding the hiring
 243 practices of executive agencies with regard to individuals who
 244 have a disability and make such data available on its website.
 245 (e) The department shall assist executive agencies in
 246 identifying and implementing strategies for retaining employees
 247 who have a disability which include, but are not limited to,
 248 training programs, funding reasonable accommodations, increasing
 249 access to appropriate technologies, and ensuring accessibility
 250 of physical and virtual workplaces.
 251 (f) The department shall adopt rules relating to forms that
 252 provide for the voluntary self-identification of individuals who
 253 have a disability who are employed by an executive agency.
 254 (g) This subsection does not create any substantive or
 255 procedural right or benefit enforceable at law or in equity
 256 against the state or a state agency, or an officer, employee, or
 257 agent thereof.
 258 Section 3. Employment First Act.-
 259 (1) SHORT TITLE.-This section may be cited as the
 260 "Employment First Act."
 261 (2) LEGISLATIVE FINDINGS AND INTENT.-The Legislature finds

Page 9 of 12

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

585-00726-16

20167010__

262 that employment is the most direct and cost-effective means to
 263 assist an individual in achieving independence and fulfillment;
 264 however, individuals with disabilities are confronted by unique
 265 barriers to employment which inhibit their opportunities to
 266 compete fairly in the labor force. It is the intent of the
 267 Legislature to provide a framework for a long-term commitment to
 268 improving employment outcomes for individuals with disabilities
 269 in this state through the implementation of this act.
 270 (3) PURPOSE.-The purpose of this act is to prioritize
 271 employment of individuals with disabilities and to change the
 272 employment system to better integrate individuals with
 273 disabilities into the workforce. This act encourages a
 274 collaborative effort between state agencies and organizations to
 275 achieve better employment outcomes for individuals with
 276 disabilities.
 277 (4) INTERAGENCY COOPERATIVE AGREEMENT.-The following state
 278 agencies and organizations, and others, as appropriate, shall
 279 develop an interagency cooperative agreement to implement this
 280 act:
 281 (a) The Division of Vocational Rehabilitation of the
 282 Department of Education.
 283 (b) The Division of Blind Services of the Department of
 284 Education.
 285 (c) The Bureau of Exceptional Education and Student
 286 Services of the Department of Education.
 287 (d) The Agency for Persons with Disabilities.
 288 (e) The Substance Abuse and Mental Health Program of the
 289 Department of Children and Families.
 290 (f) The Department of Economic Opportunity.

Page 10 of 12

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

585-00726-16

20167010__

291 (g) CareerSource Florida, Inc.
 292 (h) The Florida Developmental Disabilities Council.
 293 (i) The Florida Association of Rehabilitation Facilities.
 294 (j) Other appropriate organizations.
 295 (5) ROLES, RESPONSIBILITIES, AND OBJECTIVES.—The
 296 interagency cooperative agreement must identify the roles and
 297 responsibilities of the state agencies and organizations
 298 identified in subsection (4) and the objectives of the
 299 interagency cooperative agreement, which must include all of the
 300 following:
 301 (a) Establishing a commitment by leadership of the state
 302 agencies and organizations to maximize resources and
 303 coordination to improve employment outcomes for individuals with
 304 disabilities who seek publicly funded services.
 305 (b) Developing strategic goals and benchmarks to assist the
 306 state agencies and organizations in the implementation of this
 307 agreement.
 308 (c) Identifying financing and contracting methods that will
 309 help to prioritize employment for individuals with disabilities
 310 by state agencies and organizations.
 311 (d) Establishing training methods to better integrate
 312 individuals with disabilities into the workforce.
 313 (e) Ensuring collaborative efforts between multiple
 314 agencies to achieve the purposes of this act.
 315 (f) Promoting service innovations to better assist
 316 individuals with disabilities in the workplace.
 317 (g) Identifying accountability measures to ensure the
 318 sustainability of this agreement.
 319 Section 4. For the 2016-2017 fiscal year, the following

Page 11 of 12

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

585-00726-16

20167010__

320 sums are appropriated for the purpose of implementing the
 321 amendments made by this act to s. 110.112, Florida Statutes,
 322 relating to the employment of individuals who have a disability:
 323 (1) The sums of \$138,692 in recurring funds and \$26,264 in
 324 nonrecurring funds are appropriated from the State Personnel
 325 System Trust Fund to the Department of Management Services, and
 326 two full-time equivalent positions with associated salary rate
 327 of 92,762 are authorized.
 328 (2) The sum of \$88,285 from the General Revenue Fund and
 329 the sum of \$76,671 from trust funds are appropriated to
 330 Administered Funds in the "Special Categories - Transfer to
 331 Department of Management Services - Human Resources Services
 332 Purchased per Statewide Contract" appropriations category for
 333 distribution among agencies.
 334 Section 5. This act shall take effect July 1, 2016.

Page 12 of 12

CODING: Words ~~stricken~~ are deletions; words underlined are additions.



Agency Overview & Budget Priorities Fiscal Year 2016-17

The Florida Senate
Appropriations Subcommittee on General Government
November 3, 2015



The Agency for State Technology was established in 2014 by the Florida Legislature to provide oversight of the state's essential information technology projects.



Focus of the AST Budget Request

- Meet the needs of the customer agencies by addressing growth
- Enhance information technology security
- Continue to address remediation and standardization
- Staff Resources



Legislative Budget Request Fiscal Year 2016-17

Budget Entity:	FTE	Budget
Executive Direction/Support Svcs	25	\$ 4,485,630
Data Center Administration	42	\$ 4,460,469
State Data Center	<u>174</u>	<u>\$63,730,107</u>
Total FY 2016-17 Request	<u>241</u>	<u>\$72,676,206</u>



Budget Request by Budget Entity and Category

FISCAL YEAR 2016-17 REQUEST	DATA CENTER ADMINISTRATION	STATE DATA CENTER	TOTAL TRUST FUNDS	EXECUTIVE DIRECTION (GR)	TOTAL AST
	42.0	174.0	216.0	25.0	241.0
Salaries & Benefits	\$ 3,303,310	\$ 13,646,825	\$ 16,950,135	\$ 2,852,608	\$ 19,802,743
Other Personal Services	195,594	434,221	629,815	-	629,815
Expenses	758,046	5,459,400	6,217,446	615,894	6,833,340
OCO	27,000	91,334	118,334	10,000	128,334
Contracted Services	147,129	20,922,459	21,069,588	864,627	21,934,215
Cloud Services	-	2,500,000	2,500,000	-	2,500,000
Risk Management Insurance	7,800	108,653	116,453	3,483	119,936
Administrative Overhead	-	-	-	115,000	115,000
Deferred Pmt Commodities Contracts	-	5,505,252	5,505,252	-	5,505,252
Lease/Purchase/Equipment	7,102	4,744,246	4,751,348	-	4,751,348
Disaster Recovery Services	-	4,527,033	4,527,033	-	4,527,033
DMS HR Services	14,488	61,199	75,687	8,594	84,281
Data Processing Services - DCF	-	52,000	52,000	-	52,000
Other Data Processing Services AST	-	-	-	15,424	15,424
Data Processing Services - SSRC	-	5,677,485	5,677,485	-	5,677,485
	\$ 4,460,469	\$ 63,730,107	\$ 68,190,576	\$ 4,485,630	\$ 72,676,206



Legislative Budget Request Comparison

FY 2015-16 Appropriation	\$	71,257,697
FY 2016-17 Base Budget	\$	68,621,780
FY 2016-17 New Issue Request	\$	4,054,426
Recurring	\$2,035,957	
Non-Recurring	\$2,018,469	
FY 2016-17 Request	<u>\$</u>	<u>72,676,206</u>
Percent Increase Over Current Year		2.0%
Percent Increase Over Base Budget		5.9%



Legislative Budget Request - New Issues

I. Providing for Customer Agency Growth

Monitoring and Management Tool True-up	\$ 172,440
Enterprise Data Protection Services License True-up	\$ 100,000
Power Buildout	\$ 321,680

II. Information Technology Security

Managed Security Services	\$ 772,125
Security Training	\$ 220,000

III. State Data Center Staffing Resources

\$ 297,000

VI. Remediation & Compliance Information Technology Licensing

\$ 732,816

V. End Of Service Life Hardware/Software Replacement

Hardware	\$ 145,685
Software	\$ 168,000



Legislative Budget Request - New Issues

State Data Center Staffing Resources

- Operational Assessment
 - Conducted by Gartner
 - Background and Summary
 - Conclusions



Schedule VIII B – 5% Reductions

I. 72980100 Executive Direction - General Revenue			
Administrative Overhead	105,000		
Expense	26,178		
OCO	5,000		
Contract Services	42,000	\$	178,178
II. 72980200 Data Center Administration - WCTF			
OPS	30,000		
OCO	13,000	\$	43,000
III. 72980500 State Data Center - WCTF			
Data Processing Services-DCF	12,000		
OCO	11,334	\$	23,334
IV. 72980500 State Data Center - WCTF			
Expense	992,122		
Contract Services	1,092,122		
Other Data Processing Services	1,092,123	\$	3,176,367
Total 5 Percent Target			
General Revenue	178,178		
Working Capital Trust Fund	3,242,701	\$	<u>3,420,879</u>



Update on Agency Priorities

IT Security Risk Assessment

- Scope and Requirements
- Conclusion



Update on Agency Priorities

IT Security - Threat Reality

- Approximately 5 malware events are generated every second
- 60% of attacks compromise organizations within minutes
- 75% of compromises spread externally within 24 hours
- Over 40% of compromises spread externally in less than 1 hour

Source: Ponemon Institute, 2014 Global Report on the Cost of Cyber Crime and Verizon, 2015 Data Breach Investigations Report



Update on Agency Priorities

Florida Cyber Summit





Update on Agency Priorities

Cloud Readiness Study

The scope of the assessment is limited to non-production applications residing on equipment over five years old that, with limited to no modifications, could be moved to an external service provider cloud solution.



Update on Agency Priorities

IT Project Management & Oversight

- Strategic Planning Coordinators
- Project Assurance



Legislative Budget Request

QUESTIONS?

Jason M. Allison, Executive Director/State CIO
Agency For State Technology
4050 Esplanade Way, Suite 115
Tallahassee, FL 32399
(850)412-6050



THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____ Bill Number (if applicable) _____

Topic Agency Presentation _____ Amendment Barcode (if applicable) _____

Name Jason M. Allison _____

Job Title Executive Director _____

Address ~~4555 MA~~ 4050 Esplanade Way Phone (850) 412-6050

Tallahassee FL 32399 Email jason.allison@ast.myflorida.com

City State Zip

Speaking: For Against Information Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Agency for State Technology _____

Appearing at request of Chair: Yes No Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.



Florida Department of Environmental Protection

Southern Ecosystem Funding Priorities

**Senate General Government Appropriations
Subcommittee**

Drew Bartlett

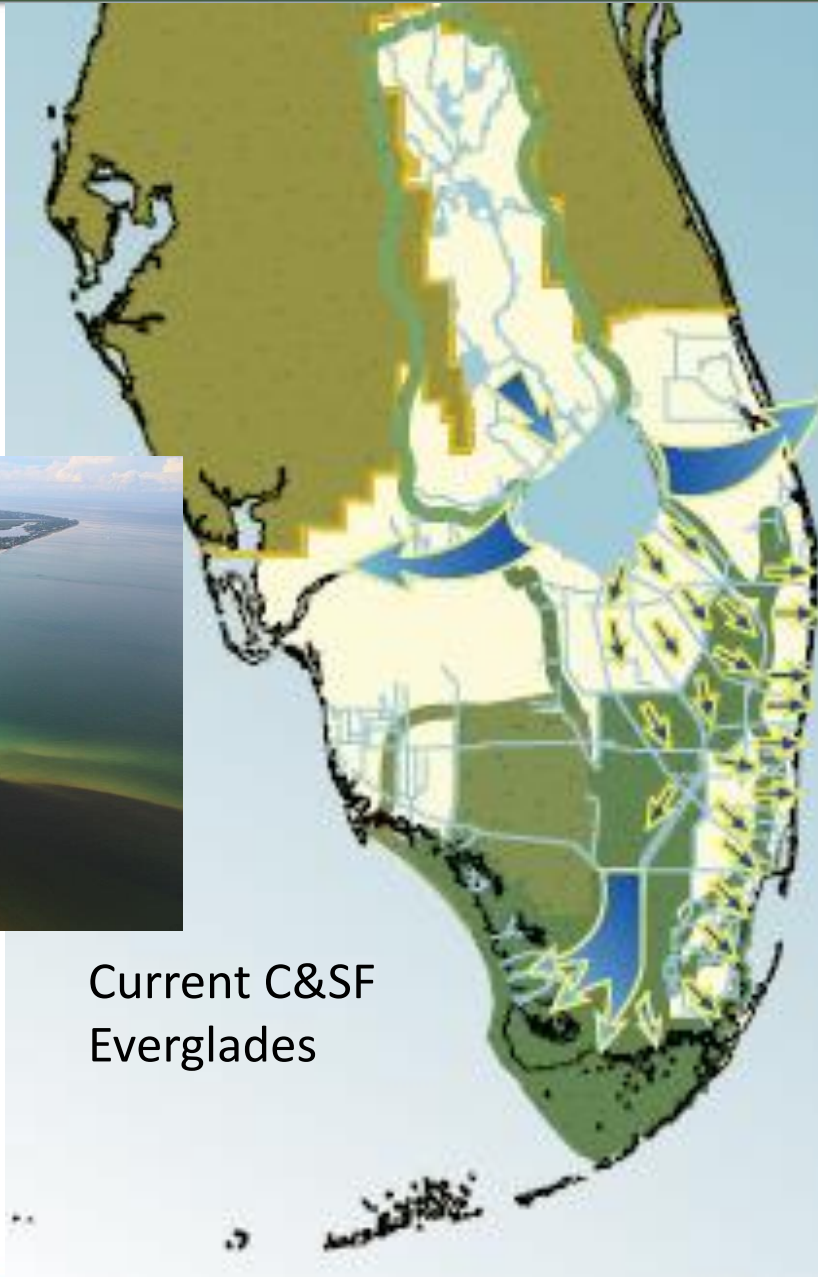
Deputy Secretary for Ecosystem Restoration

November 3, 2015





Central and Southern Florida Project (C&SF)



Current C&SF Everglades



Photo courtesy of Phil Owen, Martin Co.



Photo courtesy of Eric Milbrandt, (SCCA)





DEP's South Florida FY 16-17 Funding Priorities

Everglades Restoration

Project	LBR Request	Acreage
C-44	\$60M	50,000 acre-ft of storage and nutrient removal
C-43, Phase I	\$56M	90,000 acre-ft of storage and nutrient removal
CERP Planning, Design and Engineering	\$3M	Future Water Storage and Treatment
Restoration Strategies STA - 1W	\$32M	4,700 acres of phosphorus removal
Total	\$151M	



DEP's South Florida FY 16-17 Funding Priorities

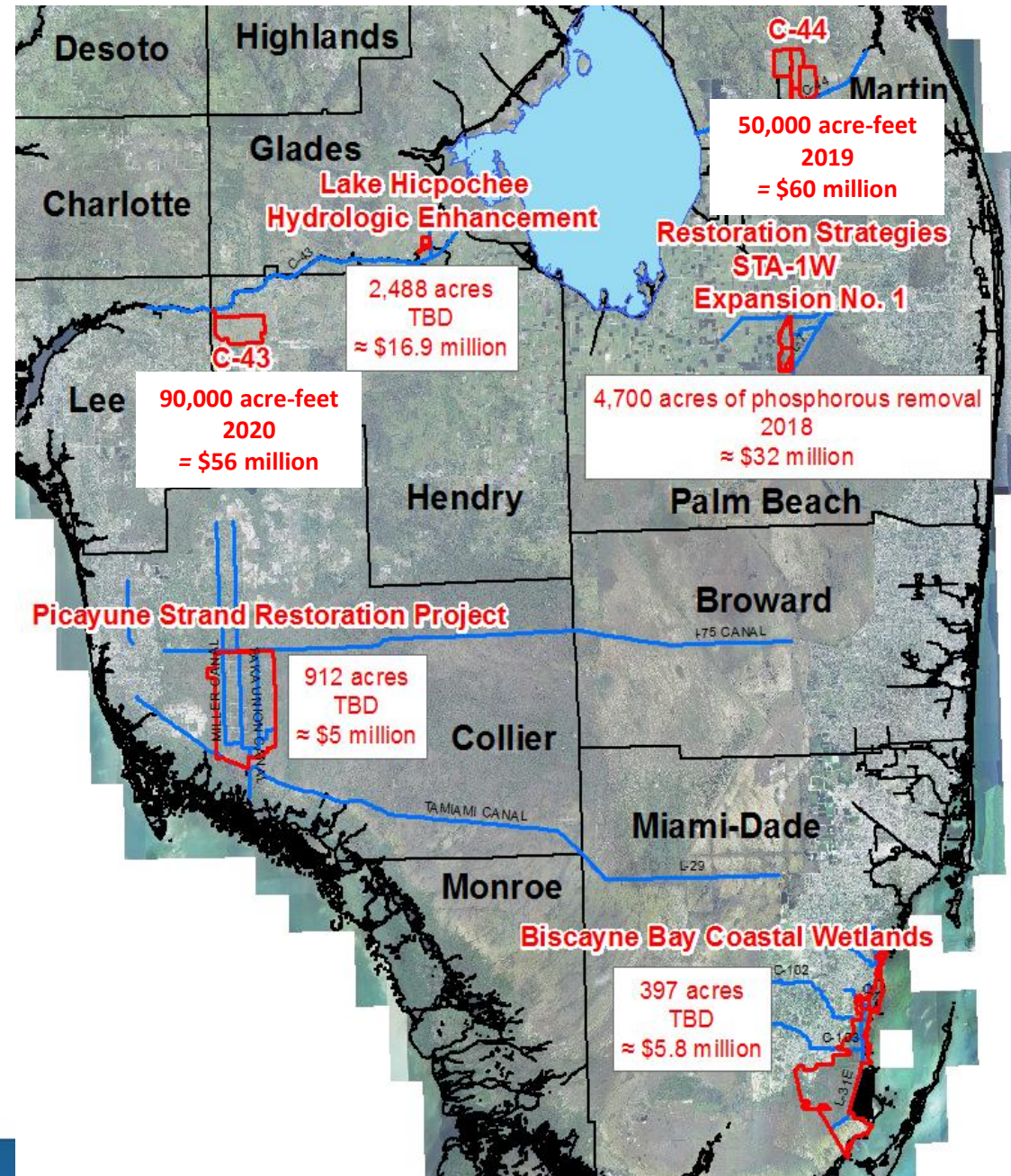
South Florida Land Acquisition

Project	LBR Request	Acreage
Lake Hicpochee North Hydrologic Enhancement Project	\$16.9M	2,488 acres
Picayune Strand Restoration Project	\$5M	912 acres
Biscayne Bay Coastal Wetlands Project	\$5.8M	397 acres
Total	\$27.7M	



South Florida Projects

- Projects
- Schedules
- Estimated Costs





DEP's South Florida FY 16-17 Funding Priorities

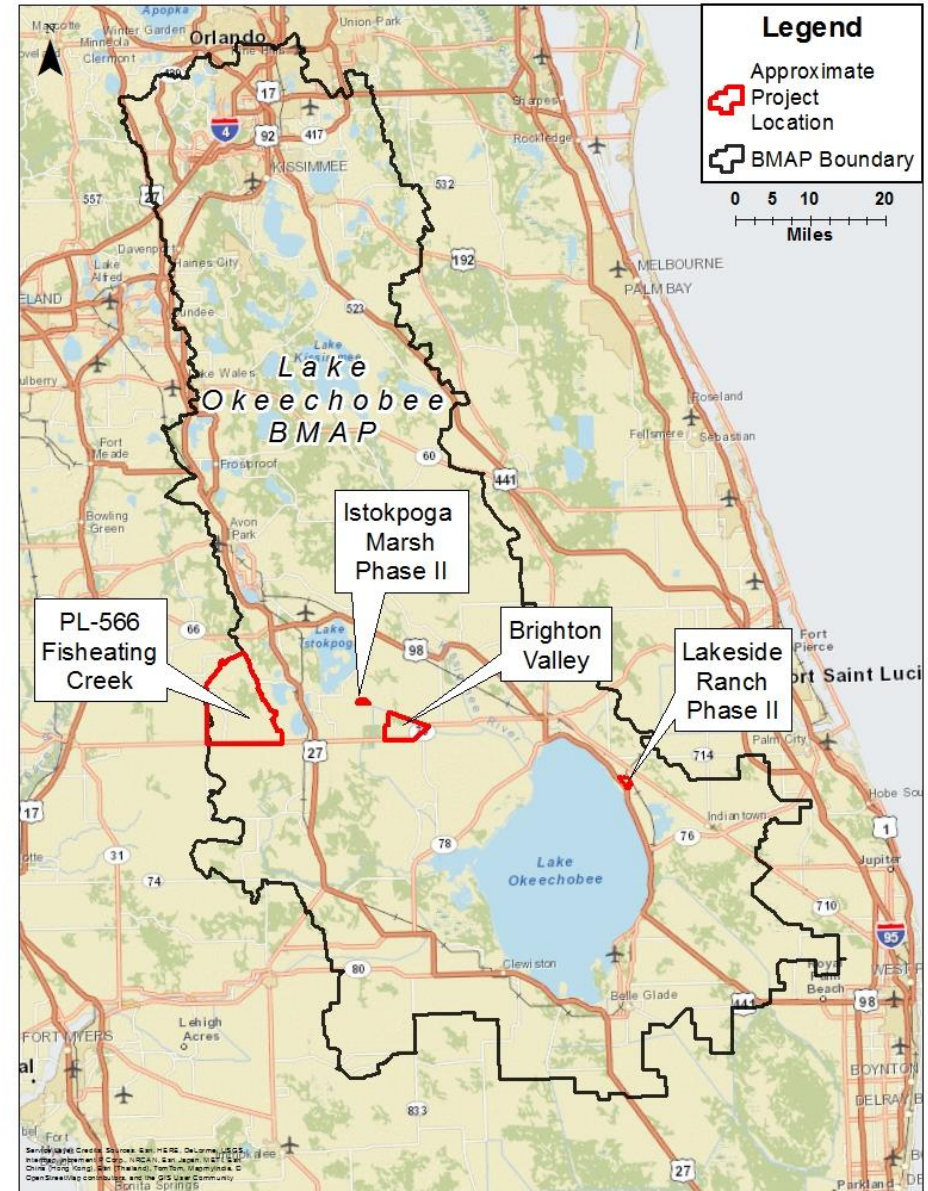
BMAP Restoration Projects Lake Okeechobee – \$25M Total Requested

Istokpoga Marsh Watershed
Improvement District, Phase II

Brighton Valley Stormwater
Storage & Treatment

Fisheating Creek Hydrologic
Restoration

Lakeside Ranch STA Construction,
Phase II



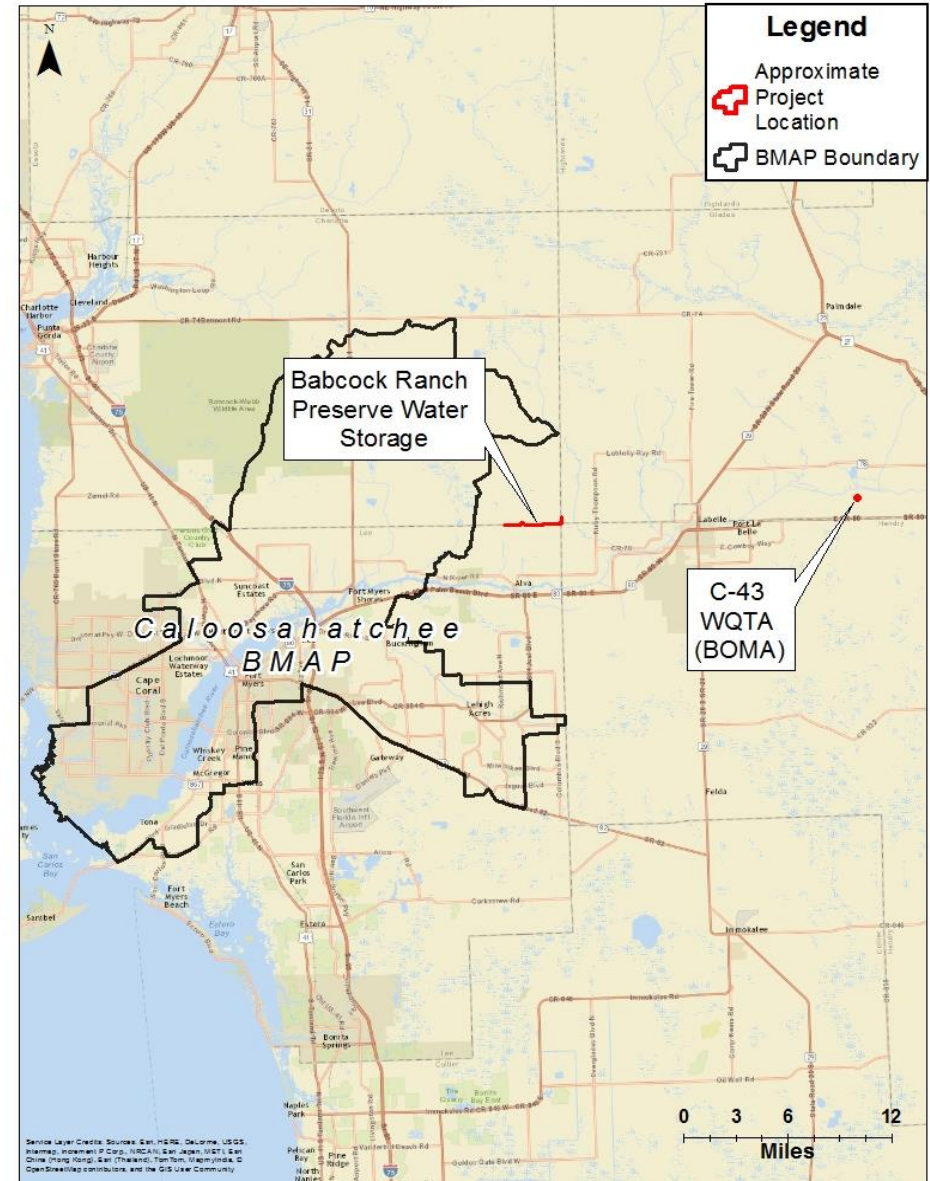


DEP's South Florida FY 16-17 Funding Priorities

**BMAP Restoration Projects
Caloosahatchee -
\$25M Total Requested**

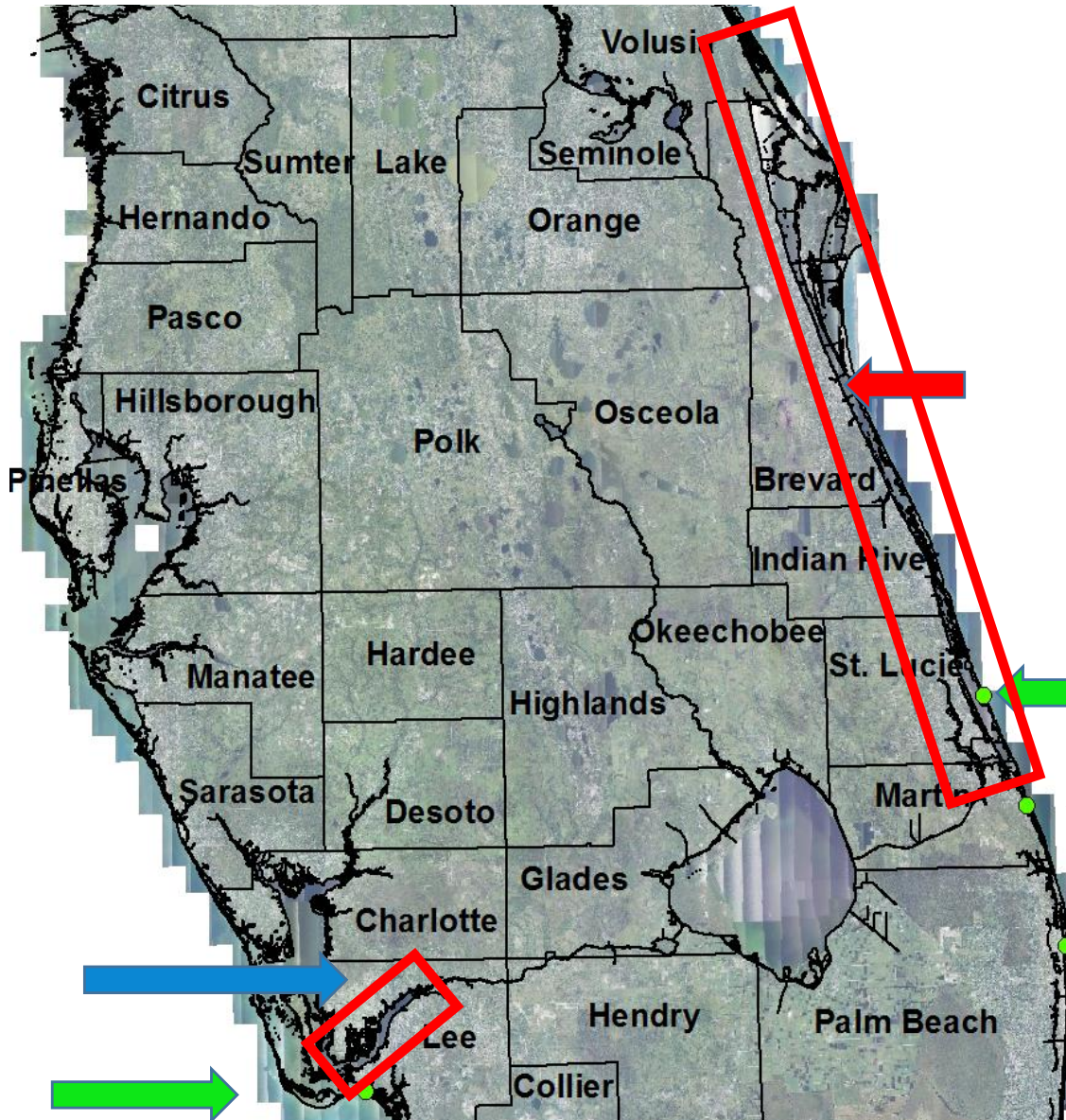
C-43 Water Quality Treatment and
Demonstration (BOMA Property)

Babcock Ranch Preserve Water
Storage & Treatment





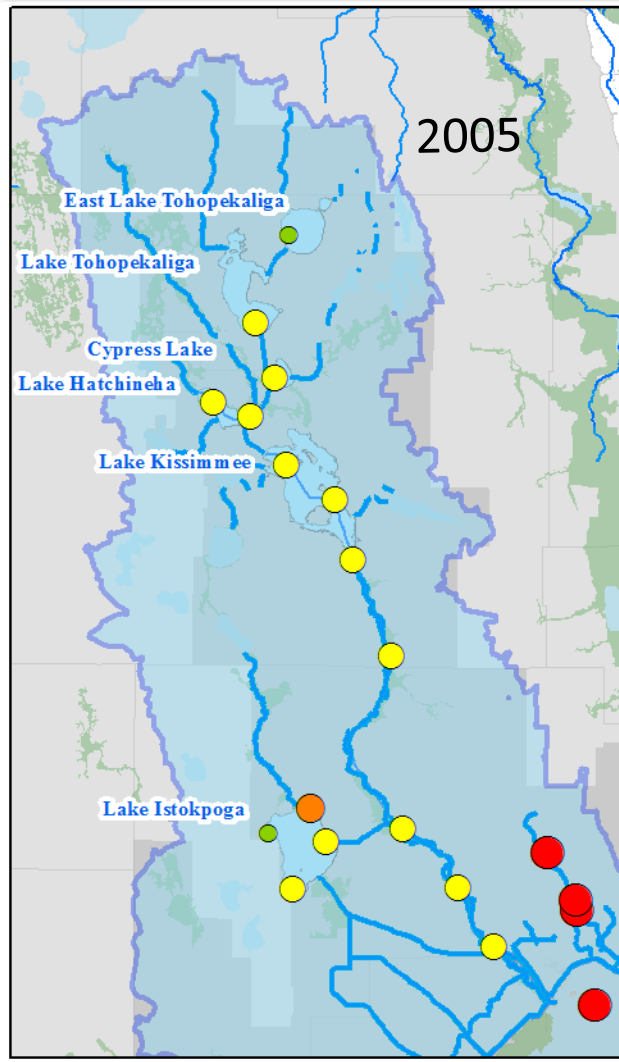
Update on Indian River Lagoon & Lake Okeechobee Basin



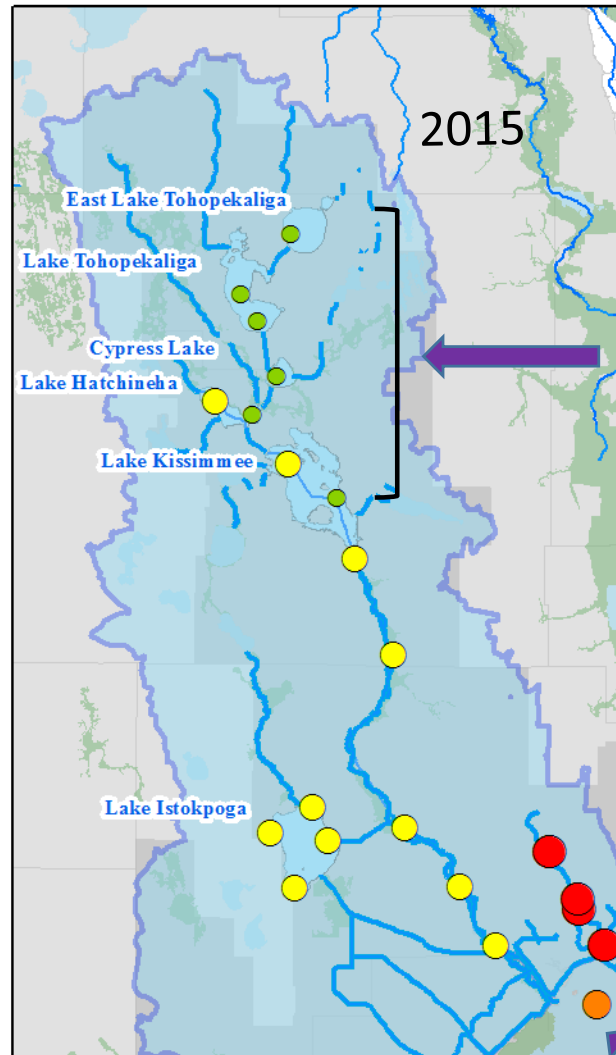
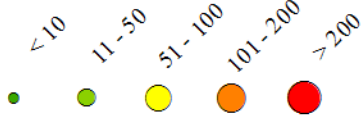
- Habitat restoration
 - | Water quality monitoring
 - Muck dredging
 - Increased water storage, C-43 West Basin
 - Dispersed Water Management
- South Florida operational changes (not represented)



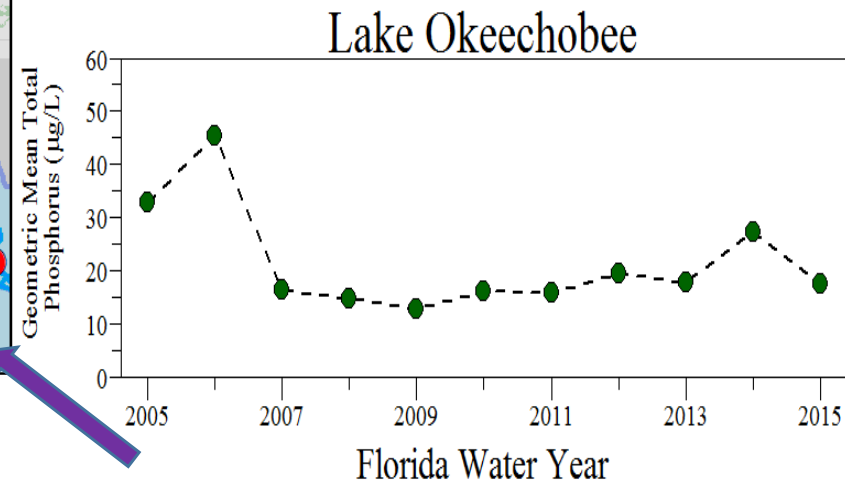
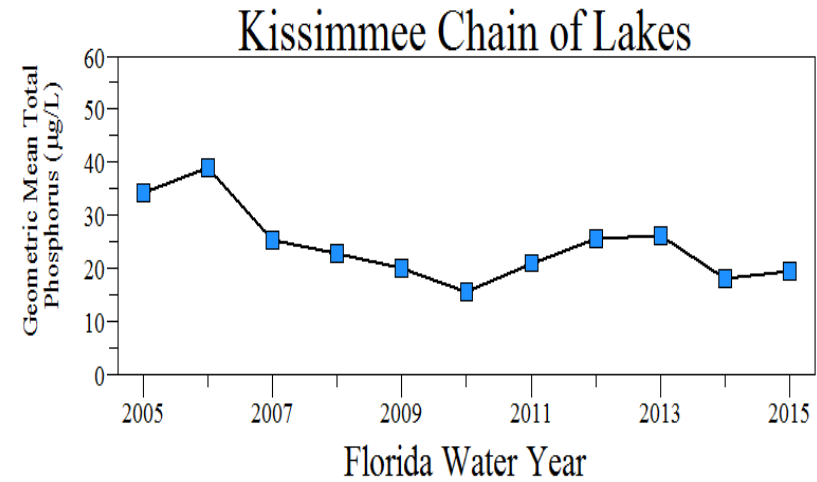
Northern Everglades Water Quality Trends



2005 TP Annual Geometric Mean ($\mu\text{g/L}$)

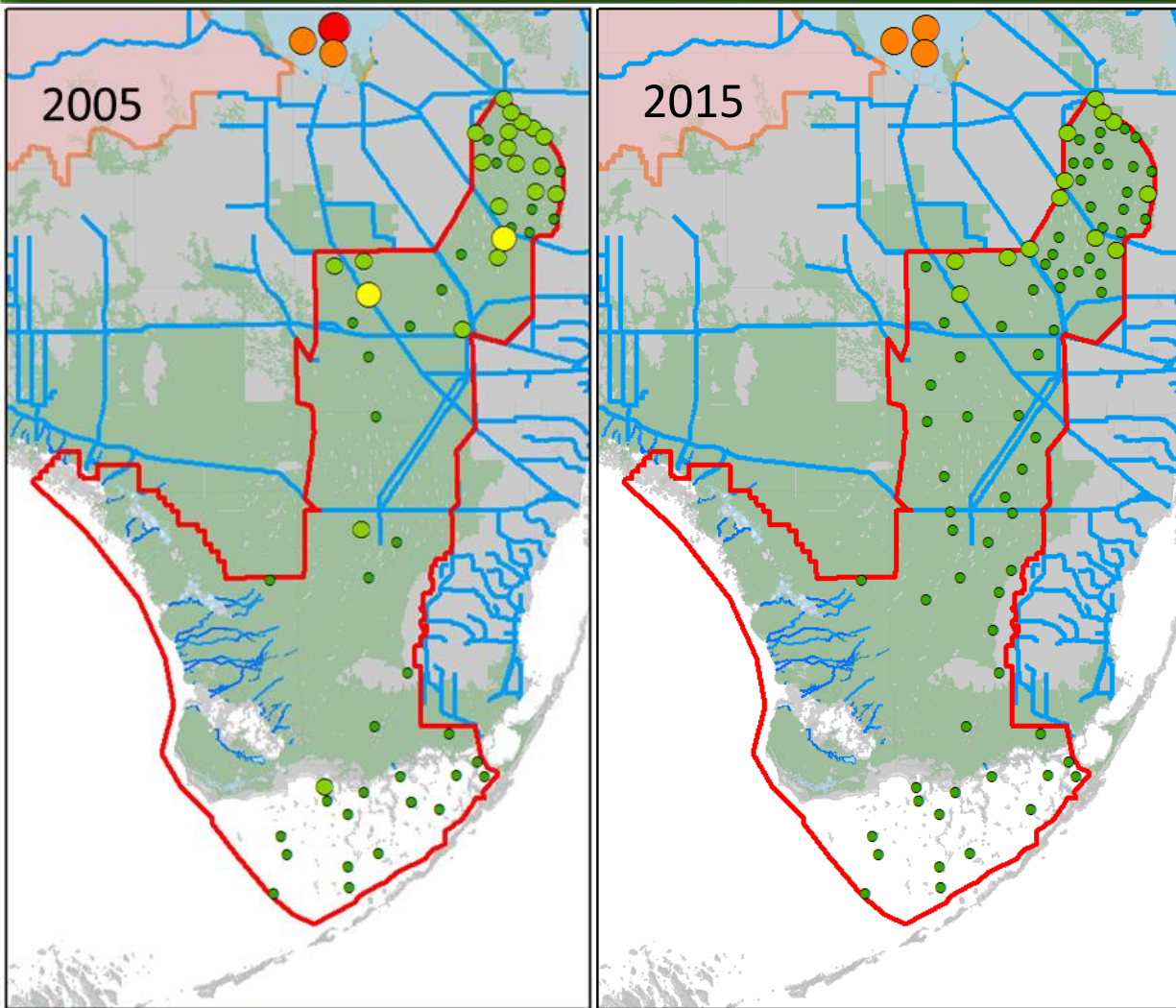


2015 TP Annual Geometric Mean ($\mu\text{g/L}$)



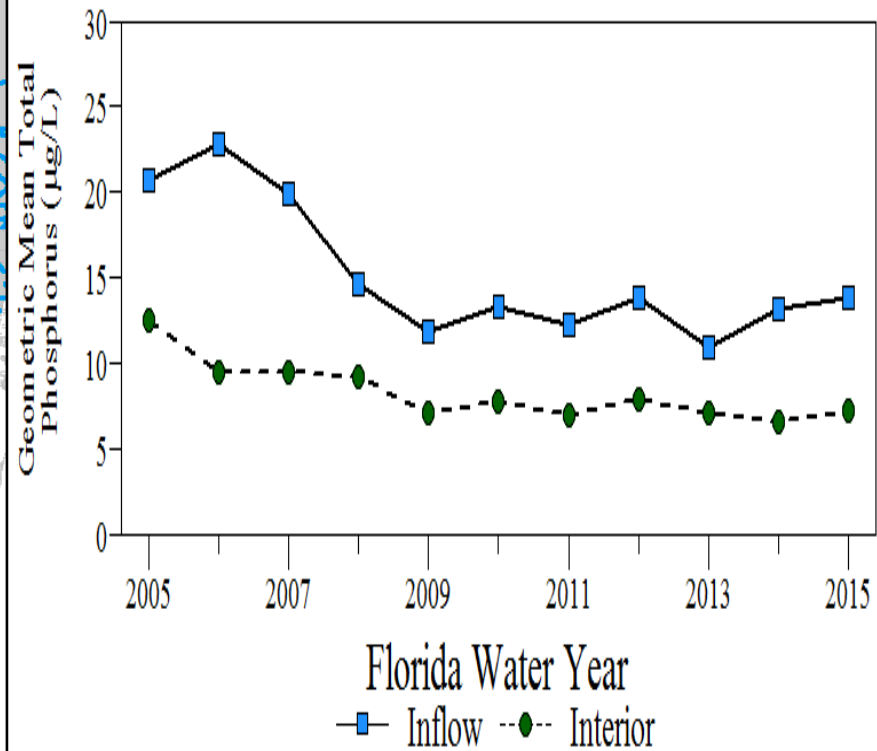
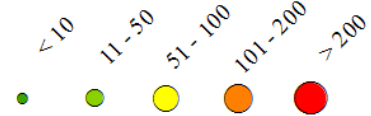
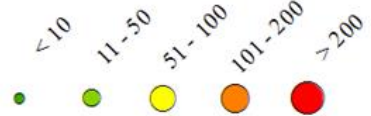


Southern Everglades Water Quality Trends



2005 TP Annual Geometric Mean ($\mu\text{g/L}$)

2015 TP Annual Geometric Mean ($\mu\text{g/L}$)





Contact

Drew Bartlett, Deputy Secretary
Ecosystem Restoration

Drew.Bartlett@dep.state.fl.us

850.245.2030



THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/3/15

Meeting Date

Bill Number (if applicable)

Topic Everglades Restoration + Indian River Lagoon Amendment Barcode (if applicable)

Name Drew Bartlett + Lake Okechobee Basin

Job Title Deputy Secretary - Ecosystem Restoration

Address 3900 Commonwealth Blvd Phone 850 245 2030

Tallahassee, FL 32303 Email Drew.Bartlett@dep.state.fl.us
Street City State Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Department of Environmental Protection

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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Northern Everglades and Estuaries Protection Program

**Senate General Government Appropriations Subcommittee
Sen. Alan Hays, Chair**

**Darrell Smith
Office of Agricultural Water Policy
November 3, 2015**



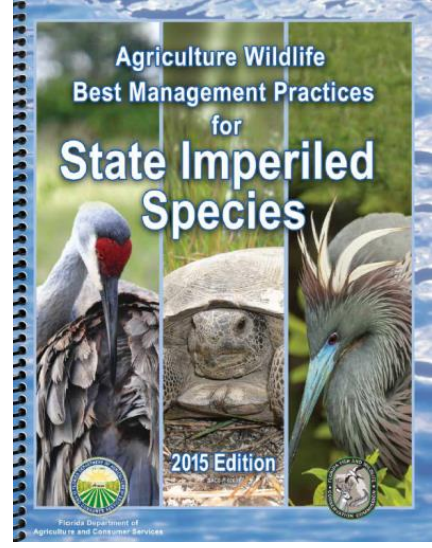
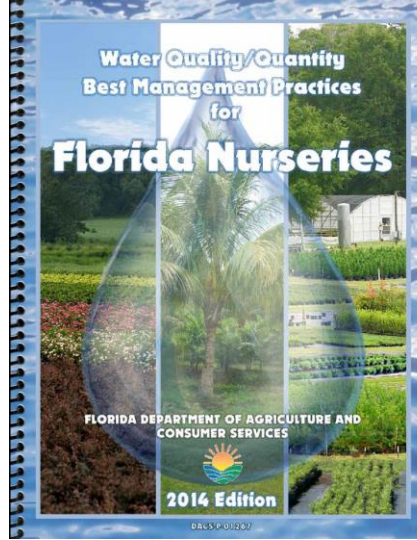
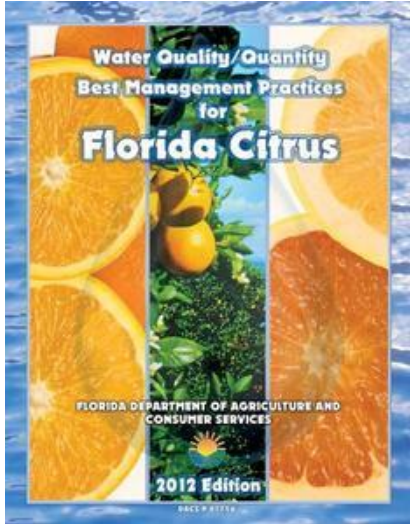
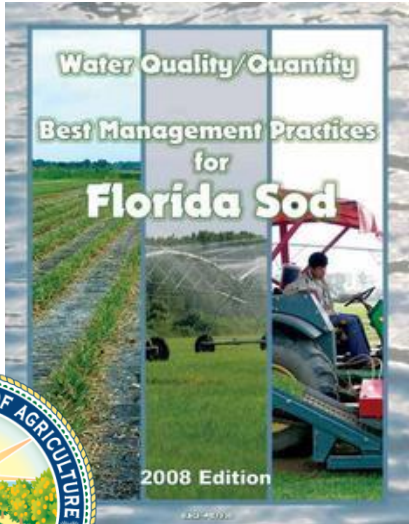
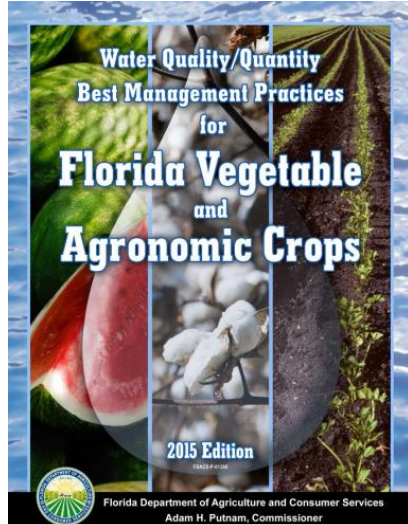
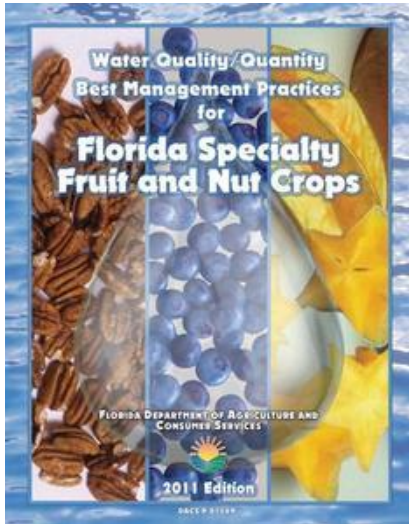
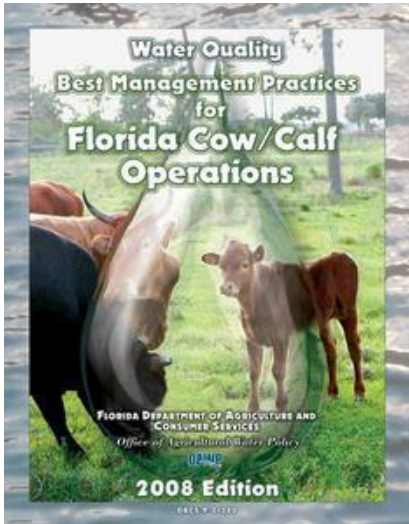
Agricultural Water Policy Coordination

Budget Issues Include:

- **\$15 million in Trust Fund Fixed Capital Outlay funding** to address agricultural nutrient reduction and water retention projects in the Northern Everglades Watershed.
- **\$7 million in Trust Fund special category funding** to develop and implement agricultural best management practices statewide.
- **\$900,000 in Trust Fund for 8 FTEs** to address increasing workloads within the Office of Agricultural Water Policy Coordination.
- **\$1.5 million in General Revenue funding** to continue the Agricultural Water Supply Planning and Conservation Program.



BMP Manuals

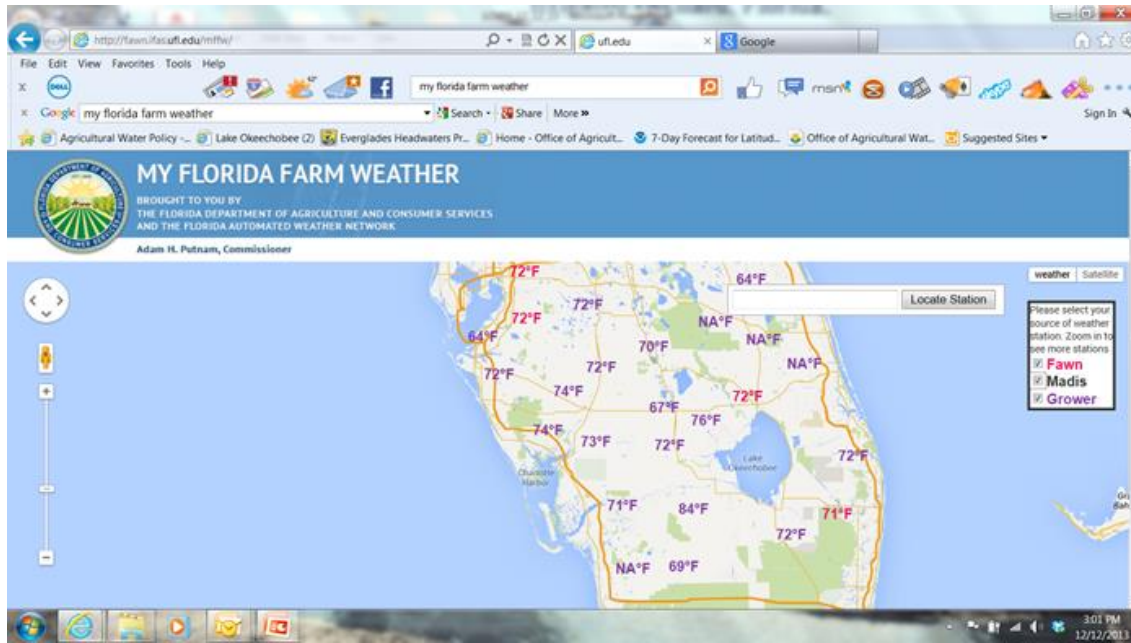


BMP Examples

Helping Protect and Save Water



Irrigation Management



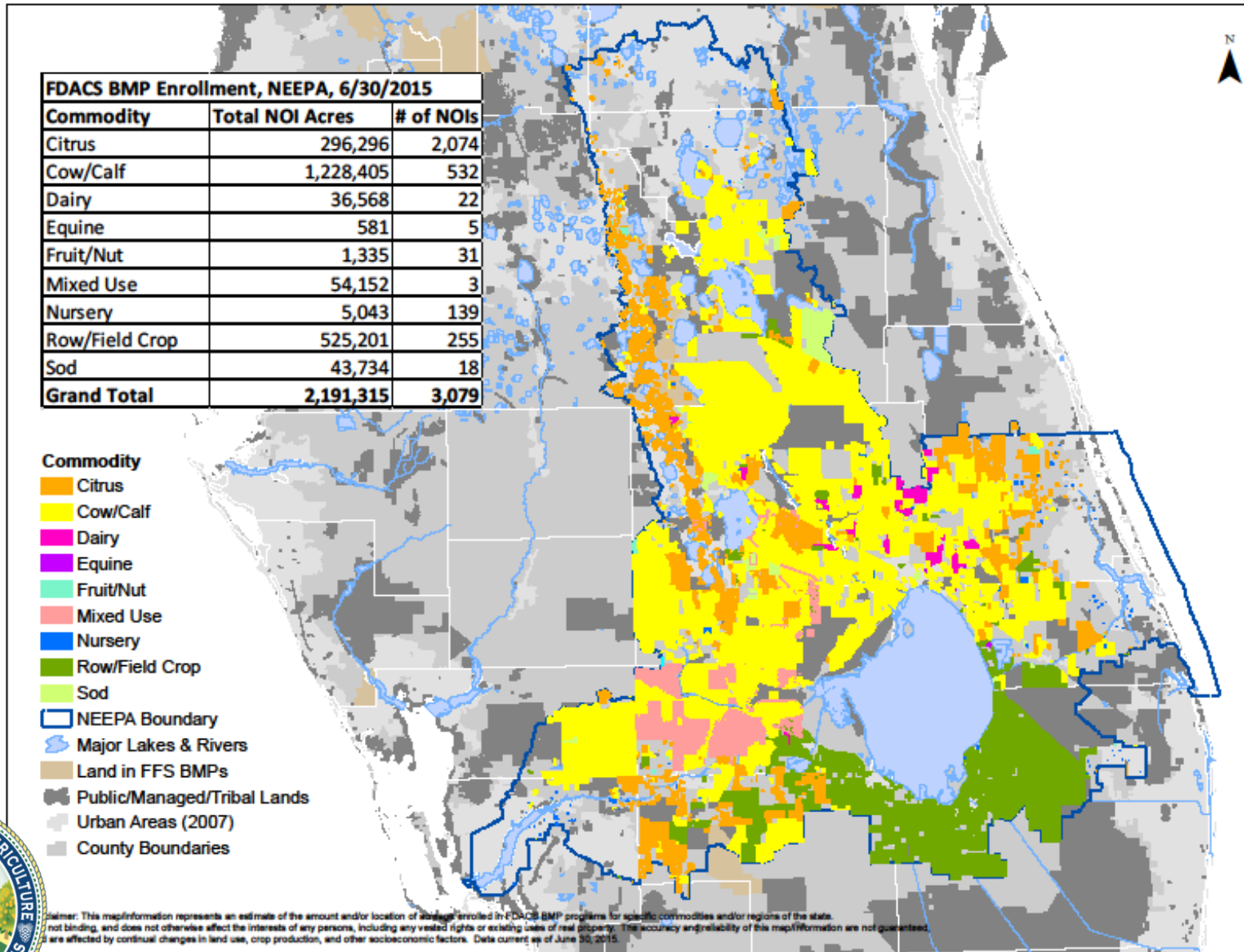
Tail Water Recovery & Reuse



Dairy Wastewater & Stormwater Treatment



Northern Everglades BMP Enrollment



Regional Projects

Istokpoga Marsh Project

- BMAP Priority
- 1200 acres
- Capture Excess Storm water
- Recycle for Irrigation
- Reduce Phosphorus by 70%

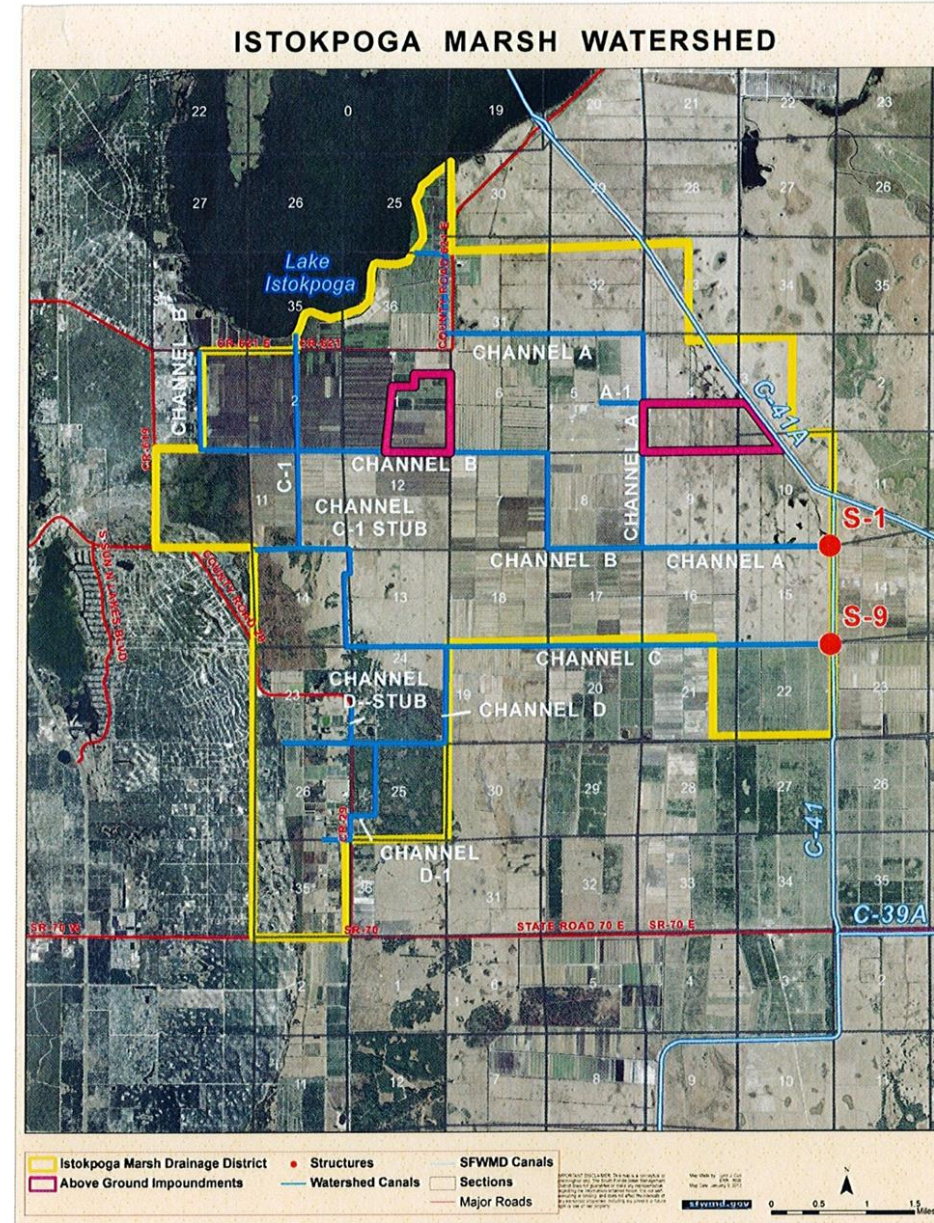
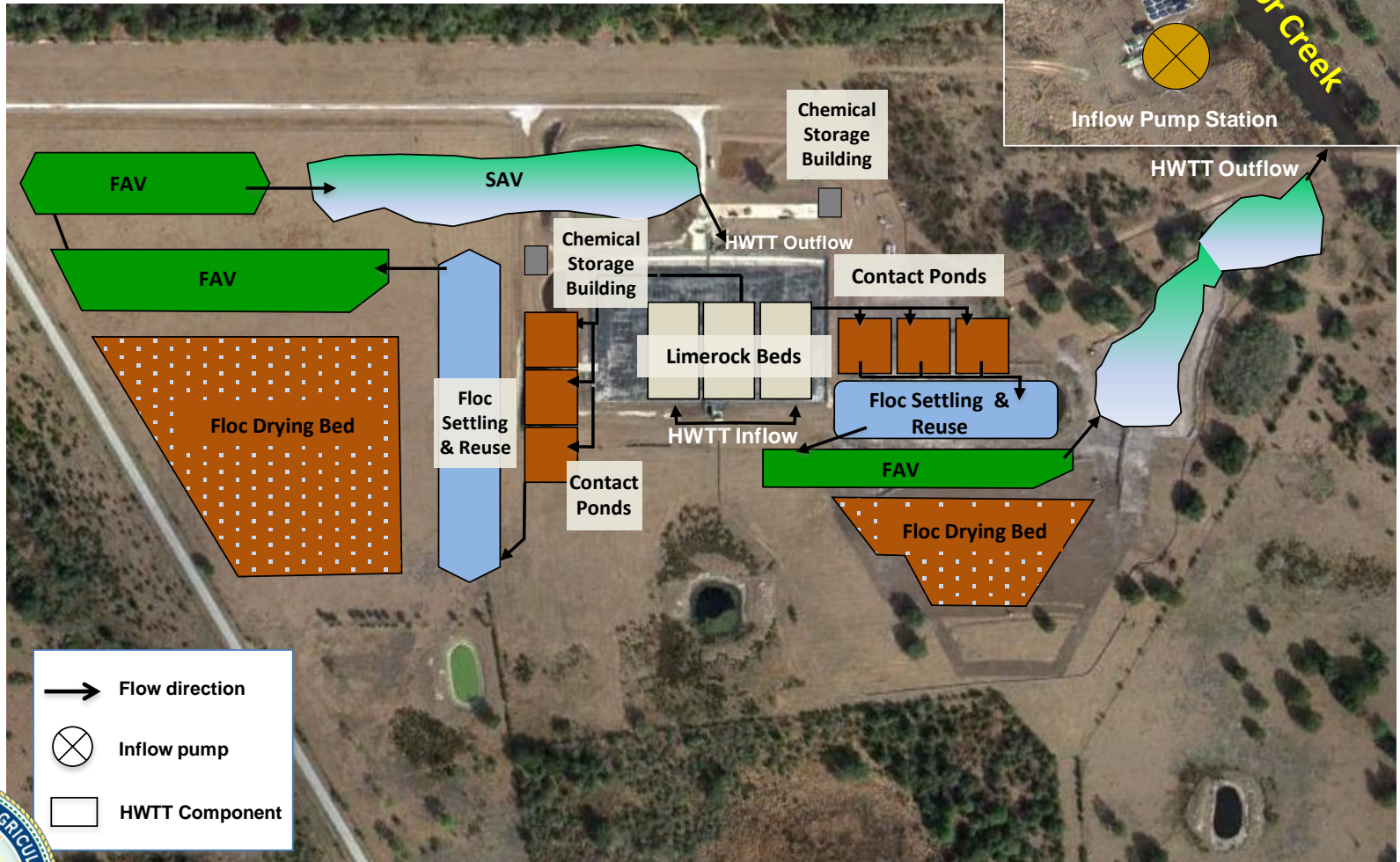


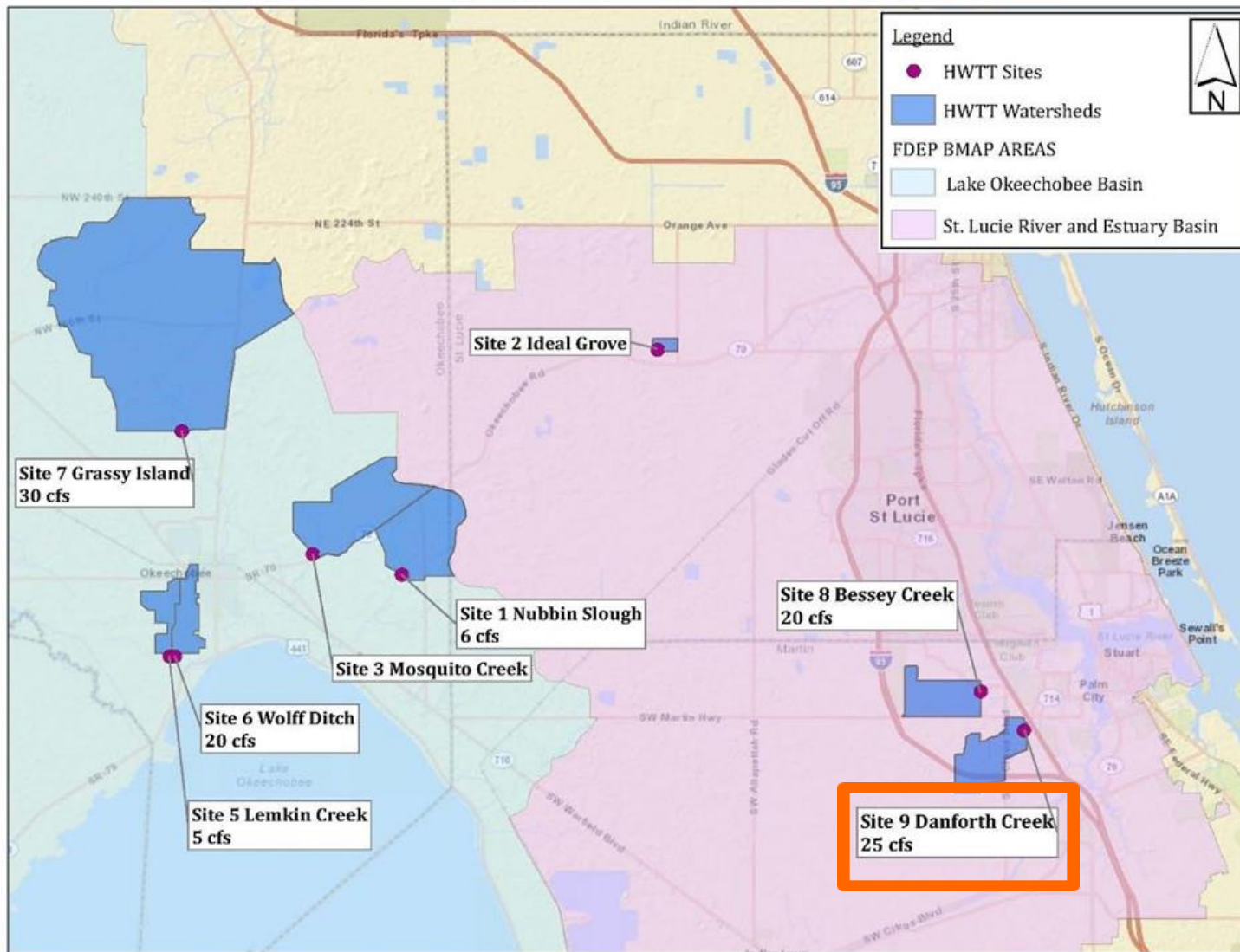
Figure 1. Istokpoga Marsh Water Improvement District Map with project components.

Hybrid Wetlands Treatment Technology (HWTT)

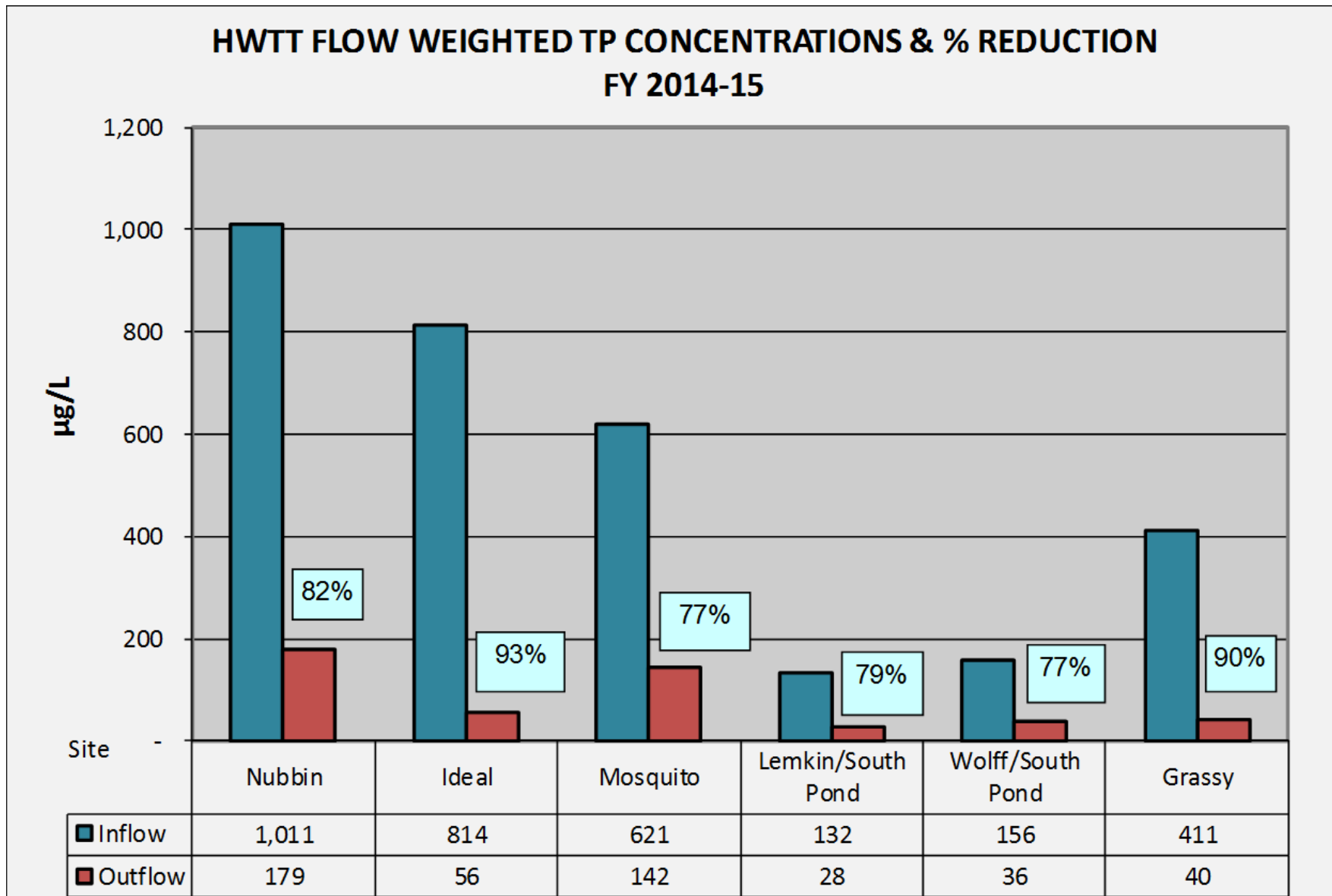
GRASSY ISLAND HWTT FACILITY AT BUILD-OUT



Hybrid Wetlands Treatment Technology (HWTT)



HWTT Phosphorus Reduction



Water Supply Planning & Conservation

Water Supply Planning

Florida Statewide Agricultural Irrigation Demand
(FSAID)



PO No. POEC1121

Water Conservation

Mobile Irrigation Labs

- 1000 Irrigation Evaluations per year
- Saving more than 1 billion gallons of water per year



Thank You!

Darrell Smith
Acting Director
Office of Agricultural Water Policy

(850) 617-1700

Darrell.Smith@FreshFromFlorida.com



THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/3/15

Meeting Date

Bill Number (if applicable)

Topic Northern Everglades

Amendment Barcode (if applicable)

Name Darrell Smith

Job Title Acting Director of Water Policy

Address _____
Street

Phone 850-617-1700

City

State

Zip

Email Darrell.Smith@freshfrom
Florida

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing FDACS

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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S-001 (10/14/14)

THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Military and Veterans Affairs, Space, and Domestic Security, *Chair*
Children, Families, and Elder Affairs, *Vice-Chair*
Appropriations
Appropriations Subcommittee on General Government
Environmental Preservation and Conservation
Finance and Tax

SENATOR THAD ALTMAN
16th District

November 2, 2015

The Honorable Alan Hays
201 The Capitol
404 South Monroe St.
Tallahassee, FL 32399-1100

Dear Chair Hays,

The purpose of this letter is to seek your permission to be excused from the scheduled *Appropriations Subcommittee on General Government* meeting on November 3, 2015. Due to the annual meeting of the Atlantic States Marine Fisheries Commission, of which I am an appointed member, I will be unable to attend committee.

Should you have any questions concerning this matter, please do not hesitate to contact me personally.

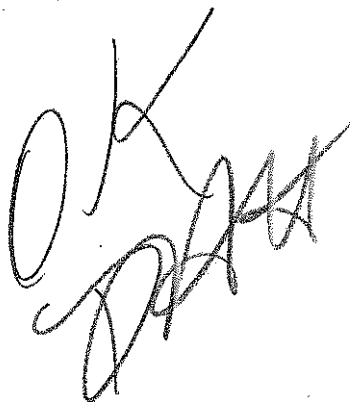
Sincerely,



Thad Altman
District 16

TA/dmw

CC: Jamie DeLoach, Staff Director;
Lisa Waddell, Committee Administrative Assistant



REPLY TO:
 8910 Astronaut Blvd, Cape Canaveral, FL 32920 (321) 868-2132
 314 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5016

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

CourtSmart Tag Report

Room: EL 110
Caption: Senate Appropriations Subcommittee on General Government

Case No.:

Type:
Judge:

Started: 11/3/2015 1:01:48 PM

Ends: 11/3/2015 2:36:58 PM

Length: 01:35:11

1:01:47 PM Sen. Hays (Chair)
1:02:34 PM S 376
1:02:43 PM Sen. Hukill
1:03:32 PM Am. 389602
1:03:41 PM Sen. Hukill
1:04:29 PM S 376 (cont.)
1:04:35 PM Dixie Sansom, Lobbyist, The Arc of Florida (waives in support)
1:04:53 PM Sen. Lee
1:05:42 PM S 7010
1:05:49 PM Sen. Ring
1:07:06 PM Am. 491842
1:07:15 PM Sen. Ring
1:07:31 PM S 7010 (cont.)
1:08:03 PM Announcements regarding budget review process
1:08:10 PM Sen. Hays
1:11:01 PM Sen. Braynon
1:11:19 PM Sen. Hays
1:11:46 PM Sen. Braynon
1:12:28 PM Sen. Lee
1:15:40 PM Sen. Hays
1:15:58 PM Sen. Margolis
1:17:19 PM Sen. Hays
1:17:34 PM Sen. Margolis
1:17:48 PM Sen. Hays
1:17:57 PM TAB 3 - Presentation by the Agency for State Technology on Fiscal Year 2016-2017 Budget Priorities
1:18:43 PM Jason Allison, Executive Director/State CIO, Agency for State Technology
1:38:47 PM Sen. Hays
1:38:59 PM J. Allison
1:39:52 PM TAB 4 - Presentation by the Department of Environmental Protection on Everglades Restoration and the Indian River Lagoon and Lake Okeechobee Basin
1:39:59 PM Drew Bartlett, Deputy Secretary for Ecosystem Restoration, Department of Environmental Protection
1:45:29 PM Sen. Hays
1:45:55 PM Sen. Simpson
1:46:07 PM D. Bartlett
1:46:27 PM Sen. Simpson
1:46:32 PM D. Bartlett
1:46:50 PM Sen. Simpson
1:46:57 PM Sen. Hays
1:47:07 PM D. Bartlett
1:47:32 PM Sen. Hays
1:47:46 PM D. Bartlett
1:49:49 PM Sen. Simpson
1:50:00 PM D. Bartlett
1:50:47 PM Sen. Hays
1:51:02 PM D. Bartlett
1:51:08 PM Sen. Hays
1:51:12 PM D. Bartlett
1:51:17 PM Sen. Hays
1:51:21 PM D. Bartlett
1:51:28 PM Sen. Hays
1:51:36 PM D. Bartlett
1:51:45 PM Sen. Hays

1:51:59 PM	D. Bartlett
1:53:03 PM	Sen. Margolis
1:55:02 PM	D. Bartlett
1:55:55 PM	Sen. Margolis
1:57:15 PM	D. Bartlett
1:59:21 PM	Sen. Simpson
1:59:37 PM	D. Bartlett
2:00:33 PM	Sen. Hays
2:02:10 PM	D. Bartlett
2:02:26 PM	Sen. Hays
2:02:46 PM	D. Bartlett
2:03:26 PM	Sen. Hays
2:03:38 PM	D. Bartlett
2:04:20 PM	Sen. Hays
2:07:25 PM	Sen. Simpson
2:07:42 PM	D. Bartlett
2:08:33 PM	Sen. Simpson
2:09:02 PM	D. Bartlett
2:10:48 PM	Sen. Hays
2:10:53 PM	D. Bartlett
2:11:02 PM	Sen. Hays
2:11:55 PM	D. Bartlett
2:12:03 PM	Sen. Hays
2:12:32 PM	Sen. Simpson
2:13:06 PM	D. Bartlett
2:13:25 PM	Sen. Braynon
2:13:43 PM	D. Bartlett
2:14:09 PM	Jeff Sumner, South Florida Water Management District
2:14:34 PM	Sen. Hays
2:15:25 PM	D. Bartlett
2:18:25 PM	Sen. Hays
2:18:34 PM	D. Bartlett
2:21:13 PM	TAB 5 - Darrell Smith, Acting Director of Water Policy, Dept. of Agriculture and Consumer Services
2:21:25 PM	Darrell Smith
2:27:19 PM	Sen. Hays
2:27:38 PM	D. Smith
2:29:23 PM	Sen. Hays
2:29:32 PM	D. Smith
2:29:41 PM	Sen. Hays
2:29:56 PM	D. Smith
2:33:08 PM	Sen. Hays
2:33:12 PM	D. Smith
2:33:16 PM	Sen. Hays
2:33:19 PM	D. Smith
2:36:18 PM	Sen. Hays