

Bill No. CS for SB 1574

Amendment No. \_\_\_\_

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Grant moved the following amendment:

**Senate Amendment (with title amendment)**  
Delete everything after the enacting clause

and insert:

Section 1. Section 11.045, Florida Statutes, is amended to read:

11.045 Lobbyists; registration and reporting; exemptions; penalties.--

(1) As used in this section, unless the context otherwise requires:

(a) "Committee" means the committee of each house charged by the presiding officer with responsibility for ethical conduct of lobbyists.

(b) "Division" means the Division of Legislative Information Services within the Office of Legislative Services.

(c)~~(b)~~ "Expenditure" means a payment, distribution, loan, advance, reimbursement, deposit, or anything of value made by a lobbyist or principal for the purpose of lobbying.

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1           ~~(d)~~~~(e)~~ "Legislative action" means introduction,  
2 sponsorship, testimony, debate, voting, or any other official  
3 action on any measure, resolution, amendment, nomination,  
4 appointment, or report of, or any matter which may be the  
5 subject of action by, either house of the Legislature or any  
6 committee thereof.

7           ~~(e)~~~~(d)~~ "Lobbying" means influencing or attempting to  
8 influence legislative action or nonaction through oral or  
9 written communication or an attempt to obtain the goodwill of  
10 a member or employee of the Legislature.

11           ~~(f)~~~~(e)~~ "Lobbyist" means a person who is employed and  
12 receives payment, or who contracts for economic consideration,  
13 for the purpose of lobbying, or a person who is principally  
14 employed for governmental affairs by another person or  
15 governmental entity to lobby on behalf of that other person or  
16 governmental entity.

17           ~~(g)~~~~(f)~~ "Principal" means the person, firm,  
18 corporation, or other entity which has employed or retained a  
19 lobbyist.

20           (2) Each house of the Legislature shall provide by  
21 rule, or may provide by a joint rule adopted by both houses,  
22 for the registration of lobbyists who lobby the Legislature.  
23 The rule may provide for the payment of a registration fee.  
24 The rule may provide for exemptions from registration or  
25 registration fees. The rule shall provide that:

26           (a) Registration is required for each principal  
27 represented.

28           (b) Registration shall include a statement signed by  
29 the principal or principal's representative that the  
30 registrant is authorized to represent the principal.

31           (c) A registrant shall promptly send a written

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1 statement to the division ~~Joint Legislative Management~~  
2 ~~Committee~~ canceling the registration for a principal upon  
3 termination of the lobbyist's representation of that  
4 principal. Notwithstanding this requirement, the division  
5 ~~committee~~ may remove the name of a registrant from the list of  
6 registered lobbyists if the principal notifies the office that  
7 a person is no longer authorized to represent that principal.

8 (d) Every registrant shall be required to state the  
9 extent of any direct business association or partnership with  
10 any current member of the Legislature.

11 (e) Each lobbyist and each principal shall preserve  
12 for a period of 4 years all accounts, bills, receipts,  
13 computer records, books, papers, and other documents and  
14 records necessary to substantiate lobbying expenditures. Any  
15 documents and records retained pursuant to this section may be  
16 inspected under reasonable circumstances by any authorized  
17 representative of the Legislature. The right of inspection may  
18 be enforced by appropriate writ issued by any court of  
19 competent jurisdiction.

20 (f) All registrations shall be open to the public.

21 (g) Any person who is exempt from registration under  
22 the rule shall not be considered a lobbyist for any purpose.

23 (3) Each house of the Legislature shall provide by  
24 rule the following reporting requirements:

25 (a) Statements shall be filed by all registered  
26 lobbyists two times per year and after each special session of  
27 the Legislature, which statements shall disclose all lobbying  
28 expenditures by the lobbyist and the principal and the source  
29 of funds for such expenditures. All expenditures made by the  
30 lobbyist and the principal for the purpose of lobbying must be  
31 reported. Reporting of expenditures shall be made on an

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1 accrual basis. The report of such expenditures must identify  
2 whether the expenditure was made directly by the lobbyist,  
3 directly by the principal, initiated or expended by the  
4 lobbyist and paid for by the principal, or initiated or  
5 expended by the principal and paid for by the lobbyist. The  
6 principal is responsible for the accuracy of the expenditures  
7 reported as lobbying expenditures made by the principal. The  
8 lobbyist is responsible for the accuracy of the expenditures  
9 reported as lobbying expenditures made by the lobbyist.  
10 Expenditures made must be reported by the category of the  
11 expenditure, including, but not limited to, the categories of  
12 food and beverages, entertainment, research, communication,  
13 media advertising, publications, travel, and lodging.  
14 Lobbying expenditures do not include a lobbyist's or  
15 principal's salary, office expenses, and personal expenses for  
16 lodging, meals, and travel.

17 (b) A principal who is represented by two or more  
18 lobbyists shall designate one lobbyist whose expenditure  
19 report shall include all lobbying expenditures made directly  
20 by the principal and those expenditures of the designated  
21 lobbyist on behalf of that principal as required by paragraph  
22 (a). All other lobbyists registered to represent that  
23 principal shall file a report pursuant to paragraph (a). The  
24 report of lobbying expenditures by the principal shall be made  
25 pursuant to the requirements of paragraph (a). The principal  
26 is responsible for the accuracy of figures reported by the  
27 designated lobbyist as lobbying expenditures made directly by  
28 the principal. The designated lobbyist is responsible for the  
29 accuracy of the figures reported as lobbying expenditures made  
30 by that lobbyist.

31 (c) For each reporting period the division Joint

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1 ~~Legislative Management Committee~~ shall aggregate the  
2 expenditures reported by all of the lobbyists for a principal  
3 represented by more than one lobbyist. Further, the division  
4 ~~committee~~ shall aggregate figures that provide a cumulative  
5 total of expenditures reported as spent by and on behalf of  
6 each principal for the calendar year.

7 (d) The reporting statements shall be filed no later  
8 than 45 days after the end of the reporting period. The first  
9 report shall include the expenditures for the period from  
10 January 1 through the date of adjournment of the regular  
11 session of the Legislature, including an extension, if any.  
12 The second report shall disclose expenditures for the  
13 remainder of the calendar year. A supplemental report shall be  
14 filed no later than 45 days after each special session of the  
15 Legislature which shall disclose expenditures incurred during  
16 the period since the filing of the last previous report  
17 through adjournment of the special session. The statements  
18 shall be rendered in the identical form provided by the  
19 respective houses and shall be open to public inspection.  
20 Reporting statements may be filed by electronic means, when  
21 feasible.

22 (e) Reports shall be filed not later than 5 p.m. of  
23 the report due date. However, any report that is postmarked  
24 by the United States Postal Service no later than midnight of  
25 the due date shall be deemed to have been filed in a timely  
26 manner, and a certificate of mailing obtained from and dated  
27 by the United States Postal Service at the time of the  
28 mailing, or a receipt from an established courier company  
29 which bears a date on or before the due date, shall be proof  
30 of mailing in a timely manner.

31 (f) Each house of the Legislature shall provide by

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1 rule, or both houses may provide by joint rule, a procedure by  
2 which a lobbyist who fails to timely file a report shall be  
3 notified and assessed fines. The rule shall provide for the  
4 following:

5 1. Upon determining that the report is late, the  
6 person designated to review the timeliness of reports shall  
7 immediately notify the lobbyist as to the failure to timely  
8 file the report and that a fine is being assessed for each  
9 late day. The fine shall be \$50 per day per report for each  
10 late day.

11 2. Upon receipt of the report, the person designated  
12 to review the timeliness of reports shall determine the amount  
13 of the fine due based upon the earliest of the following:

14 a. When a report is actually received by the lobbyist  
15 registration and reporting office.

16 b. When the report is postmarked.

17 c. When the certificate of mailing is dated.

18 d. When the receipt from an established courier  
19 company is dated.

20 3. Such fine shall be paid within 20 days after  
21 receipt of the notice of payment due, unless appeal is made to  
22 the division ~~Joint Legislative Management Committee of the~~  
23 ~~legislature~~. The moneys shall be deposited into the  
24 Legislative Lobbyist Registration Trust Fund.

25 4. A fine shall not be assessed against a lobbyist the  
26 first time any reports for which the lobbyist is responsible  
27 are not timely filed. However, to receive the one-time fine  
28 waiver, all reports for which the lobbyist is responsible must  
29 be filed within 20 days after receipt of notice that any  
30 reports have not been timely filed. A fine shall be assessed  
31 for any subsequent late-filed reports.

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1           5. Any lobbyist may appeal or dispute a fine, based  
2 upon unusual circumstances surrounding the failure to file on  
3 the designated due date, and may request and shall be entitled  
4 to a hearing before the director of the division or his or her  
5 designee ~~Joint Legislative Management Committee, who which~~  
6 shall recommend to the President of the Senate and the Speaker  
7 of the House of Representatives, or their respective  
8 designees, that have the authority to waive the fine ~~be waived~~  
9 in whole or in part for good cause shown. ~~The President of the~~  
10 Senate and the Speaker of the House of Representatives, or  
11 their respective designees, may concur in the recommendation  
12 and waive the fine in whole or in part. Any such request shall  
13 be made within 20 days after receipt of the notice of payment  
14 due. In such case, the lobbyist shall, within the 20-day  
15 period, notify the person designated to review the timeliness  
16 of reports in writing of his or her intention to request a  
17 hearing ~~bring the matter before the committee.~~

18           6. The person designated to review the timeliness of  
19 reports shall notify the director of the division ~~Joint~~  
20 Legislative Management Committee of the failure of a lobbyist  
21 to file a report after notice or of the failure of a lobbyist  
22 to pay the fine imposed.

23           (4) Each house of the Legislature shall provide by  
24 rule a procedure by which a person, when in doubt about the  
25 applicability and interpretation of this section in a  
26 particular context, may submit in writing the facts for an  
27 advisory opinion to the committee of either ~~the respective~~  
28 house and may appear in person before the committee. The rule  
29 shall provide a procedure by which:

30           (a) The committee shall render advisory opinions to  
31 any person who seeks advice as to whether the facts in a

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1 particular case would constitute a violation of this section.

2 (b) The committee shall make sufficient deletions to  
3 prevent disclosing the identity of persons in the decisions or  
4 opinions.

5 (c) All advisory opinions of the committee shall be  
6 numbered, dated, and open to public inspection.

7 (5) Each house of the Legislature shall keep all  
8 advisory opinions of the committees relating to lobbyists and  
9 lobbying activities, as well as a current list of registered  
10 lobbyists and their respective reports required under this  
11 section, all of which shall be open for public inspection.

12 (6) The committee of either ~~the respective~~ house shall  
13 investigate any person engaged in legislative lobbying upon  
14 receipt of a sworn complaint alleging a violation of this  
15 section, s. 112.3148, or s. 112.3149 by such person. Such  
16 proceedings shall be conducted pursuant to the rules of the  
17 respective houses. If the committee finds that there has been  
18 a violation of this section, s. 112.3148, or s. 112.3149, it  
19 shall report its findings to the President of the Senate or  
20 the Speaker of the House of Representatives, as appropriate,  
21 together with a recommended penalty, to include a fine of not  
22 more than \$5,000, reprimand, censure, probation, or  
23 prohibition from lobbying for a period of time not to exceed  
24 24 months. Upon the receipt of such report, the President of  
25 the Senate or the Speaker of the House of Representatives  
26 shall cause the committee report and recommendations to be  
27 brought before the respective house and a final determination  
28 shall be made by a majority of said house.

29 (7) Any person required to be registered or to provide  
30 information pursuant to this section or pursuant to rules  
31 established in conformity with this section who knowingly

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1 fails to disclose any material fact required by this section  
2 or by rules established in conformity with this section, or  
3 who knowingly provides false information on any report  
4 required by this section or by rules established in conformity  
5 with this section, commits a noncriminal infraction,  
6 punishable by a fine not to exceed \$5,000. Such penalty shall  
7 be in addition to any other penalty assessed by a house of the  
8 Legislature pursuant to subsection (6).

9 (8) There is hereby created the Legislative Lobbyist  
10 Registration Trust Fund, to be used for the purpose of funding  
11 any office established for ~~the purpose of funding~~ the  
12 administration of the registration of lobbyist lobbying the  
13 Legislature, including the payment of salaries and other  
14 expenses. The trust fund is not subject to the service charge  
15 to general revenue provisions of chapter 215. Fees collected  
16 pursuant to rules established in accordance with subsection  
17 (2) shall be deposited into the Legislative Lobbyist  
18 Registration Trust Fund.

19 Section 2. Section 11.12, Florida Statutes, is amended  
20 to read:

21 11.12 Salary, subsistence, and mileage of members and  
22 employees; expenses authorized by resolution; appropriation;  
23 preaudit by Comptroller.--

24 (1) The Treasurer is authorized to pay the salary,  
25 subsistence, and mileage of the members of the Legislature, as  
26 the same shall be authorized from time to time by law, upon  
27 receipt of a warrant therefor of the Comptroller for the  
28 stated amount. The Treasurer is authorized to pay the  
29 compensation of employees of the Legislature, together with  
30 reimbursement for their authorized travel as provided in s.  
31 112.061, and such expense of the Legislature as shall be

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1 authorized by law, a concurrent resolution, a resolution of  
2 either house, or rules adopted by the respective houses,  
3 provided the total amount appropriated to the legislative  
4 branch shall not be altered, upon receipt of such warrant  
5 therefor. The number, duties, and compensation of the  
6 employees of the respective houses and of their committees  
7 shall be determined as provided by the rules of the respective  
8 house or in this chapter. Each legislator may designate no  
9 more than two employees to attend sessions of the Legislature,  
10 and those employees who change their places of residence in  
11 order to attend the session shall be paid subsistence at a  
12 rate to be established by the President of the Senate for  
13 Senate employees and the Speaker of the House of  
14 Representatives for House employees ~~Joint Legislative~~  
15 ~~Management Committee~~. Such employees, in addition to  
16 subsistence, shall be paid transportation expenses in  
17 accordance with s. 112.061(7) and (8) for actual  
18 transportation between their homes and the seat of government  
19 in order to attend the legislative session and return home, as  
20 well as for two round trips during the course of any regular  
21 session of the Legislature.

22 (2) All vouchers covering legislative expenses shall  
23 be preaudited by the Comptroller, and, if found to be correct,  
24 state warrants shall be issued therefor.

25 Section 3. Section 11.13, Florida Statutes, is amended  
26 to read:

27 11.13 Compensation of members.--

28 (1)(a) The annual salaries of members of the Senate  
29 and House of Representatives, payable in 12 equal monthly  
30 installments, shall be:

31 1. The President of the Senate and Speaker of the

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1 House of Representatives, \$25,000 each.

2 2. All other members of the Senate and House of  
3 Representatives, \$18,000 each.

4 (b) Effective July 1, 1986, and each July 1  
5 thereafter, the annual salaries of members of the Senate and  
6 House of Representatives shall be adjusted by the average  
7 percentage increase in the salaries of state career service  
8 employees for the fiscal year just concluded. The  
9 Appropriations Committee of each house shall certify to the  
10 Office of Legislative Services ~~Joint Legislative Management~~  
11 ~~Committee~~ the average percentage increase in the salaries of  
12 state career service employees before ~~prior to~~ July 1 of each  
13 year, ~~and~~ The Office of Legislative Services ~~Joint~~  
14 ~~Legislative Management Committee~~ shall, as of July 1, of each  
15 year, determine the adjusted annual salaries as provided  
16 herein.

17 (2) During the time the Legislature is in session,  
18 each legislator shall be paid subsistence at a rate to be  
19 established by the President of the Senate for members of the  
20 Senate and the Speaker of the House of Representatives for  
21 members of the House ~~Joint Legislative Management Committee~~.  
22 Each legislator, in addition to subsistence, shall be paid  
23 travel expenses in accordance with s. 112.061(7) and (8) for  
24 actual travel between the legislator's home and the seat of  
25 government for not more than one round trip per week or  
26 fraction of a week during any regular, special, or  
27 extraordinary session of the Legislature or for the convening  
28 of either the House or Senate for official business.

29 (3) Members of any standing or select committee or  
30 subcommittee thereof shall receive per diem and travel  
31 expenses as provided in s. 112.061 from the appropriation for

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1 legislative expenses.

2 (4) Each member of the Legislature shall be entitled  
3 to receive a monthly allowance for intradistrict expenses in  
4 ~~an a uniform~~ amount set annually by the President of the  
5 Senate for members of the Senate and the Speaker of the House  
6 of Representatives for members of the House ~~Joint Legislative~~  
7 ~~Management Committee~~ not later than November 1 for the next  
8 fiscal year. In setting the amount, the costs of maintaining  
9 a legislative district office that provides an appropriate  
10 level of constituent services shall be considered. The  
11 procedure for disbursement of the monthly intradistrict  
12 expense allowed shall be set from time to time by the Office  
13 of Legislative Services, with the approval of the President of  
14 the Senate and the Speaker of the House of Representatives or  
15 their respective designees ~~Joint Legislative Management~~  
16 ~~Committee~~. Such expenses shall be a proper expense of the  
17 Legislature and shall be disbursed from the appropriation for  
18 legislative expense. The expenses provided under this  
19 subsection shall not include any travel and per diem  
20 reimbursed under subsections (2) and (3) or the rules of  
21 either house.

22 (5)(a) All expenditures of the Senate, House of  
23 Representatives, and offices, committees, and divisions of the  
24 Legislature shall be made pursuant to and, unless changed as  
25 provided below, within the limits of budgetary estimates of  
26 expenditure for each fiscal year prepared and submitted prior  
27 to June 15 by the administrative head of each such house,  
28 office, committee, or division and approved by the ~~Committee~~  
29 ~~on Rules and Calendar of the Senate and the~~ President of the  
30 Senate as to Senate budgets, by ~~the Committee on~~  
31 ~~Administration of the House of Representatives and the Speaker~~

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1 of the House of Representatives as to House budgets, and by  
2 the President of the Senate and the Speaker of the House of  
3 Representatives acting jointly ~~Joint Legislative Management~~  
4 ~~Committee~~ as to joint committees and other units ~~the divisions~~  
5 of the Legislature ~~other than the Legislative Auditing~~  
6 ~~Committee and the Auditor General's office~~. Amounts in the  
7 approved estimates of expenditure may be transferred between  
8 budgetary units within the Senate, House of Representatives,  
9 and joint activities by the original approving authority.  
10 Funds may be transferred between items of appropriation to the  
11 Legislature when approved by the President of the Senate and,  
12 the Speaker of the House of Representatives ~~and the Joint~~  
13 ~~Legislative Management Committee~~, provided the total amount  
14 appropriated to the legislative branch shall not be altered.  
15 The Office of Legislative Services ~~Joint Legislative~~  
16 ~~Management Committee~~ shall formulate and present to each house  
17 and office thereof recommendations concerning the form and  
18 preparation of such budgets and procedures for their adoption  
19 and transmission.

20 (b) Thirty days prior to the date established by s.  
21 216.023 for submission of legislative budgets by all state  
22 agencies to the Governor, all budgetary units required to  
23 submit estimates of expenditures as provided by paragraph (a)  
24 shall annually submit tentative estimates of their financial  
25 needs for the next fiscal year beginning July 1 to the  
26 authorities required by that paragraph so that the financial  
27 needs of the Legislature for the ensuing fiscal year may be  
28 reported to the Governor by ~~a committee composed of the~~  
29 President of the Senate and the Speaker of the House of  
30 Representatives, ~~and the chair or co-chairs of the Joint~~  
31 ~~Legislative Management Committee, pursuant to ss. 11.148 and~~

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1 ~~11.40~~ and as required by s. 216.081.

2 (c) The Office of Legislative Services ~~Joint~~  
3 ~~Legislative Management Committee~~ shall submit on forms  
4 prescribed by the Comptroller requested allotments of  
5 appropriations for the fiscal year. It shall be the duty of  
6 the Comptroller to release the funds and authorize the  
7 expenditures for the legislative branch to be made from the  
8 appropriations on the basis of the requested allotments.  
9 However, the aggregate of such allotments shall not exceed the  
10 total appropriations available for the fiscal year.

11 (6) The pay of members of the Senate and House of  
12 Representatives shall be only as set by law.

13 Section 4. Section 11.147, Florida Statutes, is  
14 amended to read:

15 11.147 Office of Legislative Services ~~Joint~~  
16 ~~Legislative Management Committee~~.--

17 (1) There is ~~hereby~~ created the Office of Legislative  
18 Services to provide support services that are determined by  
19 the President of the Senate and the Speaker of the House of  
20 Representatives to be necessary and that can be effectively  
21 and efficiently provided jointly to both houses ~~Joint~~  
22 ~~Legislative Management Committee, which shall consist of three~~  
23 ~~members of the House of Representatives appointed by the~~  
24 ~~Speaker of the House of Representatives, one of whom shall be~~  
25 ~~a member of the minority party, and three members of the~~  
26 ~~Senate appointed by the President of the Senate, one of whom~~  
27 ~~shall be a member of the minority party.~~

28 (2) The President of the Senate and the Speaker of the  
29 House of Representatives may select a coordinator for the  
30 Office of Legislative Services, who shall report directly to  
31 the President of the Senate and the Speaker of the House of

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1 Representatives or their respective designees.

2 ~~(3)(2)~~ The joint committees and other units of the  
3 Legislature committee shall be governed by joint rules of the  
4 Senate and House of Representatives which shall remain in  
5 effect until repealed or amended by concurrent resolution.

6 ~~(4)(3)~~ The Office of Legislative Services joint  
7 committee shall deliver such vouchers covering legislative  
8 expenses as required to the Comptroller and, if found to be  
9 correct, state warrants shall be issued therefor.

10 Section 5. Section 11.39, Florida Statutes, is  
11 repealed.

12 Section 6. Effective July 1, 1998, the legislative  
13 library is hereby transferred to the Department of State by a  
14 type two transfer, as defined in section 20.06, Florida  
15 Statutes.

16 Section 7. Paragraph (g) of subsection (13) of section  
17 112.0455, Florida Statutes, is amended to read:

18 112.0455 Drug-Free Workplace Act.--

19 (13) RULES.--

20 (g) The President of the Senate and the Speaker of the  
21 House of Representatives Joint Legislative Management  
22 Committee may adopt rules, policies, or procedures for the  
23 employees and members of the legislative branch implementing  
24 this section.

25  
26 This section shall not be construed to eliminate the  
27 bargainable rights as provided in the collective bargaining  
28 process where applicable.

29 Section 8. Subsection (5) of section 112.3148, Florida  
30 Statutes, is amended to read:

31 112.3148 Reporting and prohibited receipt of gifts by

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1 individuals filing full or limited public disclosure of  
2 financial interests and by procurement employees.--

3 (5)(a) A political committee or a committee of  
4 continuous existence, as defined in s. 106.011; a lobbyist who  
5 lobbies a reporting individual's or procurement employee's  
6 agency; the partner, firm, employer, or principal of a  
7 lobbyist; or another on behalf of the lobbyist or partner,  
8 firm, principal, or employer of the lobbyist is prohibited  
9 from giving, either directly or indirectly, a gift that has a  
10 value in excess of \$100 to the reporting individual or  
11 procurement employee or any other person on his or her behalf;  
12 however, such person may give a gift having a value in excess  
13 of \$100 to a reporting individual or procurement employee if  
14 the gift is intended to be transferred to a governmental  
15 entity or a charitable organization.

16 (b) However, a person who is regulated by this  
17 subsection, who is not regulated by subsection (6), and who  
18 makes, or directs another to make, an individual gift having a  
19 value in excess of \$25, but not in excess of \$100, other than  
20 a gift which the donor knows will be accepted on behalf of a  
21 governmental entity or charitable organization, must file a  
22 report on the last day of each calendar quarter, for the  
23 previous calendar quarter in which a reportable gift is made.  
24 The report shall be filed with the Secretary of State, except  
25 with respect to gifts to reporting individuals of the  
26 legislative branch, in which case the report shall be filed  
27 with the Division of Legislative Information Services in the  
28 Office of Legislative Services ~~Joint Legislative Management~~  
29 ~~Committee~~. The report must contain a description of each gift,  
30 the monetary value thereof, the name and address of the person  
31 making such gift, the name and address of the recipient of the

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1 gift, and the date such gift is given. In addition, when a  
2 gift is made which requires the filing of a report under this  
3 subsection, the donor must notify the intended recipient at  
4 the time the gift is made that the donor, or another on his or  
5 her behalf, will report the gift under this subsection. Under  
6 this paragraph, a gift need not be reported by more than one  
7 person or entity.

8 Section 9. Paragraph (c) of subsection (1) of section  
9 121.055, Florida Statutes, is amended to read:

10 121.055 Senior Management Service Class.--There is  
11 hereby established a separate class of membership within the  
12 Florida Retirement System to be known as the "Senior  
13 Management Service Class," which shall become effective  
14 February 1, 1987.

15 (c)1. Effective January 1, 1990, participation in the  
16 Senior Management Service Class shall be compulsory for up to  
17 75 nonelective positions at the level of committee staff  
18 director or higher or equivalent managerial or policymaking  
19 positions within the House of Representatives, as selected by  
20 the Speaker of the House of Representatives, up to 50  
21 nonelective positions at the level of committee staff director  
22 or higher or equivalent managerial or policymaking positions  
23 within the Senate, as selected by the President of the Senate,  
24 all staff directors of joint committees and service offices of  
25 the Legislature, the Auditor General and up to 9 managerial or  
26 policymaking positions within his or her office as selected by  
27 the Auditor General, and the executive director of the  
28 Commission on Ethics.

29 2. Participation in this class shall be compulsory,  
30 except as provided in subparagraph 3., for any legislative  
31 employee who holds a position designated for coverage in the

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1 Senior Management Service Class, and such participation shall  
 2 continue until the employee terminates employment in a covered  
 3 position.

4 3. In lieu of participation in the Senior Management  
 5 Service Class, at in the discretion of the President of the  
 6 Senate and the Speaker of the House of Representatives ~~Joint~~  
 7 ~~Legislative Management Committee~~, such members may participate  
 8 in the Senior Management Service Optional Annuity Program as  
 9 established in subsection (6).

10 Section 10. Section 216.136, Florida Statutes, is  
 11 amended to read:

12 216.136 Consensus estimating conferences; duties and  
 13 principals.--

14 (1) ECONOMIC ESTIMATING CONFERENCE.--

15 (a) Duties.--

16 1. The Economic Estimating Conference shall develop  
 17 such official information with respect to the national and  
 18 state economies as the conference determines is needed for the  
 19 state planning and budgeting system. The basic, long-term  
 20 forecasts which are a part of its official information shall  
 21 be trend forecasts. However, the conference may include cycle  
 22 forecasts as a part of its official information if the subject  
 23 matter of the forecast warrants a cycle forecast and if such  
 24 forecast is developed in a special impact session of the  
 25 conference.

26 2. Prior to the submission of the Governor's budget  
 27 recommendations to the Legislature pursuant to s. 216.162, and  
 28 again prior to each Regular Session of the Legislature, the  
 29 Economic Estimating Conference shall evaluate and project the  
 30 financial condition of the employee group health  
 31 self-insurance plan. This analysis shall also consider any

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1 financial impact of the state's use of health maintenance  
2 organizations on the funding of the self-insurance plan. The  
3 conference shall indicate whether the current plan premium  
4 rates are sufficient to fund projected plan claims and other  
5 expenses during the fiscal year.

6 (b) Principals.--The Executive Office of the Governor,  
7 the coordinator ~~director~~ of the Office Division of Economic  
8 and Demographic Research ~~of the Joint Legislative Management~~  
9 ~~Committee~~, and professional staff of the Senate and House of  
10 Representatives who have forecasting expertise, or their  
11 designees, are the principals of the Economic Estimating  
12 Conference. The responsibility of presiding over sessions of  
13 the conference shall be rotated among the principals.

14 (2) DEMOGRAPHIC ESTIMATING CONFERENCE.--

15 (a) Duties.--The Demographic Estimating Conference  
16 shall develop such official information with respect to the  
17 population of the nation and state by age, race, and sex as  
18 the conference determines is needed for the state planning and  
19 budgeting system. The conference shall use the official  
20 population estimates provided under s. 186.901 in developing  
21 its official information.

22 (b) Principals.--The Executive Office of the Governor,  
23 the coordinator ~~director~~ of the Office Division of Economic  
24 and Demographic Research ~~of the Joint Legislative Management~~  
25 ~~Committee~~, and professional staff of the Senate and House of  
26 Representatives who have forecasting expertise, or their  
27 designees, are the principals of the Demographic Estimating  
28 Conference. The responsibility of presiding over sessions of  
29 the conference shall be rotated among the principals.

30 (3) REVENUE ESTIMATING CONFERENCE.--

31 (a) Duties.--The Revenue Estimating Conference shall

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1 develop such official information with respect to anticipated  
2 state and local government revenues as the conference  
3 determines is needed for the state planning and budgeting  
4 system. Any principal may request the conference to review  
5 and estimate revenues for any trust fund.

6 (b) Principals.--The Executive Office of the Governor,  
7 the coordinator ~~director~~ of the Office ~~Division~~ of Economic  
8 and Demographic Research ~~of the Joint Legislative Management~~  
9 ~~Committee~~, and professional staff of the Senate and House of  
10 Representatives who have forecasting expertise, or their  
11 designees, are the principals of the Revenue Estimating  
12 Conference. The responsibility of presiding over sessions of  
13 the conference shall be rotated among the principals.

14 (4) EDUCATION ESTIMATING CONFERENCE.--

15 (a) Duties.--The Education Estimating Conference shall  
16 develop such official information relating to the state public  
17 educational system, including forecasts of student  
18 enrollments, students qualified for state financial aid  
19 programs, fixed capital outlay needs, and Florida Education  
20 Finance Program formula needs, as the conference determines is  
21 needed for the state planning and budgeting system. The  
22 conference's initial projections of enrollments in public  
23 schools shall be forwarded by the conference to each school  
24 district no later than 2 months prior to the start of the  
25 regular session of the Legislature. Each school district may,  
26 in writing, request adjustments to the initial projections.  
27 Any adjustment request shall be submitted to the conference no  
28 later than 1 month prior to the start of the regular session  
29 of the Legislature and shall be considered by the principals  
30 of the conference. A school district may amend its adjustment  
31 request, in writing, during the first 3 weeks of the

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1 legislative session, and such amended adjustment request shall  
2 be considered by the principals of the conference. For any  
3 adjustment so requested, the district shall indicate and  
4 explain, using definitions adopted by the conference, the  
5 components of anticipated enrollment changes that correspond  
6 to continuation of current programs with workload changes;  
7 program improvement; program reduction or elimination;  
8 initiation of new programs; and any other information that may  
9 be needed by the Legislature. For public schools, the  
10 conference shall submit its full-time equivalent student  
11 consensus estimate to the Legislature no later than 1 month  
12 after the start of the regular session of the Legislature. No  
13 conference estimate may be changed without the agreement of  
14 the full conference.

15 (b) Principals.--The Associate Deputy Commissioner for  
16 Educational Management, the Executive Office of the Governor,  
17 the coordinator ~~director~~ of the Office Division of Economic  
18 and Demographic Research ~~of the Joint Legislative Management~~  
19 ~~Committee~~, and professional staff of the Senate and House of  
20 Representatives who have forecasting expertise, or their  
21 designees, are the principals of the Education Estimating  
22 Conference. The Associate Deputy Commissioner for Educational  
23 Management or his or her designee shall preside over sessions  
24 of the conference.

25 (5) CRIMINAL JUSTICE ESTIMATING CONFERENCE.--

26 (a) Duties.--The Criminal Justice Estimating  
27 Conference shall develop such official information relating to  
28 the criminal justice system, including forecasts of prison  
29 admissions by offense categories specified in Rule 3.701,  
30 Florida Rules of Criminal Procedure, as the conference  
31 determines is needed for the state planning and budgeting

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1 system.

2 (b) Principals.--The Executive Office of the Governor,  
3 the coordinator ~~director~~ of the Office ~~Division~~ of Economic  
4 and Demographic Research ~~of the Joint Legislative Management~~  
5 ~~Committee~~, and professional staff, who have forecasting  
6 expertise, from the Senate, the House of Representatives, and  
7 the Supreme Court, or their designees, are the principals of  
8 the Criminal Justice Estimating Conference. The principal  
9 representing the Executive Office of the Governor shall  
10 preside over sessions of the conference.

11 (6) SOCIAL SERVICES ESTIMATING CONFERENCE.--

12 (a) Duties.--

13 1. The Social Services Estimating Conference shall  
14 develop such official information relating to the social  
15 services system of the state, including forecasts of social  
16 services caseloads, as the conference determines is needed for  
17 the state planning and budgeting system. Such official  
18 information shall include, but not be limited to, subsidized  
19 child care caseloads mandated by the Family Support Act of  
20 1988.

21 2. In addition, the Social Services Estimating  
22 Conference shall develop estimates and forecasts of the  
23 unduplicated count of children eligible for subsidized child  
24 care as defined in s. 402.3015(1). These estimates and  
25 forecasts shall not include children enrolled in the  
26 prekindergarten early intervention program established in s.  
27 230.2305.

28 3. The Department of Health and Rehabilitative  
29 Services and the Department of Education shall provide  
30 information on caseloads and waiting lists for the subsidized  
31 child care and prekindergarten early intervention programs

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1 requested by the Social Services Estimating Conference or  
2 individual conference principals, in a timely manner.

3 (b) Principals.--The Executive Office of the Governor,  
4 the coordinator ~~director~~ of the Office ~~Division~~ of Economic  
5 and Demographic Research ~~of the Joint Legislative Management~~  
6 ~~Committee~~, and professional staff, who have forecasting  
7 expertise, from the Department of Health and Rehabilitative  
8 Services, the Senate, and the House of Representatives, or  
9 their designees, are the principals of the Social Services  
10 Estimating Conference. The principal representing the  
11 Executive Office of the Governor shall preside over sessions  
12 of the conference.

13 (7) TRANSPORTATION ESTIMATING CONFERENCE.--

14 (a) Duties.--The Transportation Estimating Conference  
15 shall develop such official budget information relating to  
16 transportation planning and budgeting as is determined by the  
17 conference principals to be needed for the state planning and  
18 budgeting system. This information shall include estimates of  
19 transportation cost indices and other budget-related  
20 estimates. This conference shall not address estimates of  
21 transportation revenues.

22 (b) Principals.--The Executive Office of the Governor,  
23 the coordinator ~~director~~ of the Office ~~Division~~ of Economic  
24 and Demographic Research ~~of the Joint Legislative Management~~  
25 ~~Committee~~, and professional staff with budgeting expertise  
26 from the Department of Transportation, the Senate, and the  
27 House of Representatives are the principals of the  
28 Transportation Estimating Conference. The principal  
29 representing the Executive Office of the Governor shall  
30 preside over sessions of the conference.

31 (8) CHILD WELFARE SYSTEM ESTIMATING CONFERENCE.--

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1 (a) Duties.--The Child Welfare System Estimating  
2 Conference shall develop the following information relating to  
3 the child welfare system:

4 1. Estimates and projections of the number of initial  
5 and additional reports of child abuse or neglect made to the  
6 central abuse registry and tracking system maintained by the  
7 Department of Health and Rehabilitative Services as  
8 established in s. 415.504(4)(a).

9 2. Estimates and projections of the number of children  
10 who are alleged to be victims of child abuse or neglect and  
11 are in need of placement in an emergency shelter.

12  
13 In addition, the conference shall develop other official  
14 information relating to the child welfare system of the state  
15 which the conference determines is needed for the state  
16 planning and budgeting system. The Department of Health and  
17 Rehabilitative Services shall provide information on the child  
18 welfare system requested by the Child Welfare System  
19 Estimating Conference, or individual conference principals, in  
20 a timely manner.

21 (b) Principals.--The Executive Office of the Governor,  
22 the coordinator ~~director~~ of the Office ~~Division~~ of Economic  
23 and Demographic Research ~~of the Joint Legislative Management~~  
24 ~~Committee~~, and professional staff who have forecasting  
25 expertise from the Department of Health and Rehabilitative  
26 Services, the Senate, and the House of Representatives, or  
27 their designees, are the principals of the Child Welfare  
28 System Estimating Conference. The principal representing the  
29 Executive Office of the Governor shall preside over sessions  
30 of the conference.

31 (9) JUVENILE JUSTICE ESTIMATING CONFERENCE.--

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1           (a) Duties.--The Juvenile Justice Estimating  
2 Conference shall develop such official information relating to  
3 the juvenile justice system of the state as is determined by  
4 the conference principals to be needed for the state planning  
5 and budgeting system. This information shall include, but is  
6 not limited to: estimates of juvenile delinquency caseloads  
7 and workloads; estimates for secure, nonsecure, and home  
8 juvenile detention placements; estimates of workloads in the  
9 juvenile sections in the offices of the state attorneys and  
10 public defenders; estimates of mental health and substance  
11 abuse treatment relating to juveniles; and such other  
12 information as is determined by the conference principals to  
13 be needed for the state planning and budgeting system.

14           (b) Principals.--The Executive Office of the Governor,  
15 the Office ~~Division~~ of Economic ~~Economics~~ and Demographic  
16 Research ~~of the Joint Legislative Management Committee~~, and  
17 professional staff who have forecasting expertise from the  
18 Department of Juvenile Justice, the Department of Health and  
19 Rehabilitative Services Alcohol, Drug Abuse, and Mental Health  
20 Program Office, the Department of Law Enforcement, the Senate  
21 Appropriations Committee staff, the House of Representatives  
22 Appropriations Committee staff, or their designees, are the  
23 principals of the Juvenile Justice Estimating Conference. The  
24 responsibility of presiding over sessions of the conference  
25 shall be rotated among the principals. To facilitate policy  
26 and legislative recommendations, the conference may call upon  
27 professional staff of the Juvenile Justice Advisory Board and  
28 appropriate legislative staff.

29           (10) OCCUPATIONAL FORECASTING CONFERENCE.--

30           (a) Duties.--The Occupational Forecasting Conference  
31 shall develop such official information on the workforce

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1 development system planning process as it relates to the  
2 personnel needs of current, new, and emerging industries as  
3 the conference determines is needed by the state planning and  
4 budgeting system. Such information must include at least:  
5 short-term and long-term forecasts of employment demand for  
6 high-skills/high-wage jobs by occupation and industry;  
7 relative wage forecasts among those occupations; and estimates  
8 of the supply of trained and qualified individuals available  
9 for employment in those occupations.

10 (b) Principals.--The Commissioner of Education, the  
11 Executive Office of the Governor, the director of the Office  
12 of Tourism, Trade, and Economic Development, the Secretary of  
13 Labor, and the coordinator ~~director~~ of the Office ~~Division~~ of  
14 Economic and Demographic Research ~~of the Joint Legislative~~  
15 ~~Management Committee~~, or their designees, are the principals  
16 of the Occupational Forecasting Conference. The Commissioner  
17 of Education, or the commissioner's designee, shall preside  
18 over the sessions of the conference.

19 Section 11. Paragraph (a) of subsection (2) of section  
20 216.251, Florida Statutes, is amended to read:

21 216.251 Salary appropriations; limitations.--

22 (2)(a) The salary for each position not specifically  
23 indicated in the appropriations acts shall be as provided in  
24 one of the following subparagraphs:

25 1. Within the classification and pay plans provided  
26 for in chapter 110.

27 2. Within the classification and pay plans established  
28 by the Board of Trustees for the Florida School for the Deaf  
29 and the Blind of the Department of Education and approved by  
30 the State Board of Education for academic and academic  
31 administrative personnel.

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1           3. Within the classification and pay plan approved and  
2 administered by the Board of Regents for those positions in  
3 the State University System.

4           4. Within the classification and pay plan approved by  
5 the President of the Senate and, the Speaker of the House of  
6 Representatives, the Joint Legislative Management Committee,  
7 or by the Legislative Auditing Committee, as the case may be,  
8 for employees of the Legislature.

9           5. Within the approved classification and pay plan for  
10 the judicial branch.

11           6. The salary of all positions not specifically  
12 included in this subsection shall be set by the commission or  
13 by the Chief Justice for the judicial branch.

14           Section 12. Paragraph (c) of subsection (3) of section  
15 985.401, Florida Statutes, is amended to read:

16           985.401 Juvenile Justice Advisory Board.--

17           (3)

18           (c) The board is assigned, for the purpose of general  
19 oversight, to the Department of Juvenile Justice effective  
20 July 1, 1998 Joint Legislative Auditing Committee. The board  
21 shall develop a budget pursuant to procedures established by  
22 the Department of Juvenile Justice Joint Legislative Auditing  
23 Committee.

24           Section 13. Section 11.241, Florida Statutes, is  
25 amended to read:

26           11.241 Permanent statutory revision plan  
27 created.--There is created a permanent statutory revision plan  
28 to be implemented and maintained under the supervision of the  
29 Office of Legislative Services joint committee.

30           Section 14. Section 11.242, Florida Statutes, is  
31 amended to read:

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1           11.242 Powers, duties, and functions as to statutory  
2 revision.--The powers, duties, and functions of the Office of  
3 Legislative Services ~~joint committee~~ in the operation and  
4 maintenance of a statutory revision program shall be as  
5 follows:

6           (1) To conduct a systematic and continuing study of  
7 the statutes and laws of this state for the purpose of  
8 reducing their number and bulk, removing inconsistencies,  
9 redundancies, and unnecessary repetitions and otherwise  
10 improving their clarity and facilitating their correct and  
11 proper interpretation; and for the same purpose, to prepare  
12 and submit to the Legislature reviser's bills and bills for  
13 the amendment, consolidation, revision, repeal, or other  
14 alterations or changes in any general statute or laws or parts  
15 thereof of a general nature and application of the preceding  
16 session or sessions which may appear to be subject to  
17 revision. Any revision, either complete, partial, or topical,  
18 prepared for submission to the Legislature shall be  
19 accompanied by revision and history notes relating to the  
20 same, showing the changes made therein and the reason for such  
21 recommended change.

22           (2) To carry on the arrangements and identification of  
23 the general statutes and laws of the state, as adopted in the  
24 Florida Statutes, and the contents of the same, by adding  
25 thereto, in the future and in proper place, all new matter  
26 belonging therein; this new material to be compiled, revised,  
27 and republished periodically in continuation of the present  
28 systems, matters, tables, and other material as contained in  
29 the Florida Statutes.

30           (3) Reviser's bills shall not deal with nor carry  
31 forward into the Florida Statutes any statute of any of the

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1 following classes:

2 (a) Statutes relating to, for, or concerning only one  
3 or more counties or parts thereof, except in cases where the  
4 subject matter of the statute relates to the creation or  
5 jurisdiction of state or county courts.†

6 (b) Statutes relating to, for, or concerning and  
7 operative in only a portion of the state, except in cases  
8 where the subject matter of the statute relates to the  
9 creation or jurisdiction of state or county courts.†

10 (c) Statutes relating to, for, or concerning only a  
11 certain municipal corporation.†

12 (d) Statutes relating to, for or concerning only one  
13 or more designated individuals or corporations.†

14 (e) Statutes incorporating a designated individual  
15 corporation or making a grant thereto.†

16 (f) Road designation laws.

17 (4) The published edition of the Florida Statutes,†  
18 shall contain the following:

19 (a) The Florida Statutes, as adopted and enacted,  
20 together with the laws of a general nature enacted at any  
21 current session of the Legislature and directed to be embodied  
22 in said edition.

23 (b) The Florida Constitution.

24 (c) Complete indexes of all the material in the  
25 statutes.

26 (d) Such other matters, notes, data, and other  
27 material as may be deemed necessary or admissible by the  
28 Division of Statutory Revision of the Office of Legislative  
29 Services ~~joint committee~~ for reference, convenience, or  
30 interpretation.

31 (5) In carrying on the work of statutory revision and

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1 in preparing the Florida Statutes for publication:

2 (a) All amendments made to any section or chapter, or  
3 any part thereof, of the Florida Statutes or session laws of  
4 this state by any current session of the Legislature, whenever  
5 such amendments in express terms refer to sections or chapters  
6 of said statutes or session laws, shall be incorporated with  
7 the body of the text of the Florida Statutes.

8 (b) All sections, chapters, or titles of the Florida  
9 Statutes or session laws of this state which are expressly  
10 repealed by any current session of the Legislature shall be  
11 omitted.

12 (c) All laws of a general and permanent nature which  
13 are of general application throughout the state enacted by any  
14 current session of the Legislature shall be compiled and  
15 included, assigning thereto in all appropriate places such  
16 chapter and section identification, by the decimal system of  
17 numbering heretofore embodied in the Florida Statutes, as is  
18 appropriate and proper, but all chapters and sections so  
19 compiled shall be indicated with a history note, clearly  
20 showing that said section or chapter was not a part of the  
21 revision at the time of its adoption and giving the proper  
22 legislative session law chapter and section number. The  
23 matter included under the authority of this subsection shall  
24 be incorporated as enacted in any current session and shall be  
25 prima facie evidence of such law in all courts of the state.

26 (d) Any two or more sections, chapters, or laws, or  
27 parts thereof, may be consolidated.

28 (e) Any section, chapter, or law, or part thereof, may  
29 be transferred from one location to another.

30 (f) The form or arrangement of any section, chapter,  
31 or law, or part thereof, may be altered or changed by

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1 transferring, combining, or dividing the same.

2 (g) Subsections, sections, chapters, and titles may be  
3 renumbered and reference thereto may be changed to agree with  
4 such renumbering.

5 (h) Grammatical, typographical and like errors may be  
6 corrected and additions, alterations, and omissions, not  
7 affecting the construction or meaning of the statutes or laws,  
8 may be freely made.

9 (i) All statutes and laws, or parts thereof, which  
10 have expired, become obsolete, been held invalid by a court of  
11 last resort, have had their effect or have served their  
12 purpose, or which have been repealed or superseded, either  
13 expressly or by implication, shall be omitted through the  
14 process of reviser's bills duly enacted by the Legislature.

15 (j) All statutes and laws general in form but of such  
16 local or limited application as to make their inclusion in the  
17 Florida Statutes or any revision or supplement thereof  
18 impracticable, undesirable or unnecessary shall be omitted  
19 therefrom, without effecting a repeal thereof.

20 (k) All things relating to form, position, order, or  
21 arrangement of the revision, not inconsistent with the Florida  
22 Statutes system, which may be found desirable or necessary for  
23 the improvement, betterment, or perfection of same, may be  
24 done.

25 (6) To award contracts from time to time for editorial  
26 work in the preparation of copy and other necessary material,  
27 and for printing as defined in s. 283.60; ~~to pay expenses only~~  
28 ~~of members of revision committees appointed by the joint~~  
29 ~~committee to assist in revision of whole titles or chapters;~~  
30 and to pay for such other things as are authorized to be done  
31 and performed as part of a statutory revision program under

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1 the laws of this state.

2 (7) To exchange Florida Statutes, and other available  
3 publications, with the officers, boards, and agencies of other  
4 states and of the United States, and with other governments.

5 (8) To exercise all other powers, duties, and  
6 functions necessary or convenient for properly carrying out  
7 the provisions of this law and all other laws relating to  
8 statutory revision.

9 Section 15. Section 11.243, Florida Statutes, is  
10 amended to read:

11 11.243 Publishing Florida Statutes; price, sale.--

12 (1) The Office of Legislative Services ~~joint committee~~  
13 shall continue the statutory revision system heretofore  
14 adopted in this state and shall bring the general acts of the  
15 Legislature within the revision system, as promptly after the  
16 adjournment of the legislative session as possible.

17 (2) All copies of the Florida Statutes shall be  
18 delivered by the printer to the Office of Legislative Services  
19 ~~joint committee~~, which shall distribute copies to the public  
20 and governmental entities, including the judicial branch, at a  
21 price to be fixed by the Office of Legislative Services ~~joint~~  
22 ~~committee~~.

23 (3) All moneys collected ~~by the joint committee~~ from  
24 the sale of the Florida Statutes or other publications shall  
25 be deposited in the State Treasury and credited to the  
26 appropriation for legislative expense.

27 Section 16. Paragraph (c) of subsection (6) of section  
28 11.70, Florida Statutes, is amended to read:

29 11.70 Legislative Committee on Intergovernmental  
30 Relations.--

31 (6) STAFF.--

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1           (c) Upon request of the committee, the Office of  
2 Legislative Services ~~Joint Legislative Management Committee~~ is  
3 directed to provide office space and equipment as the  
4 committee deems necessary.

5           Section 17. Subsection (2) of section 13.01, Florida  
6 Statutes, is amended to read:

7           13.01 Commission on Interstate Cooperation.--

8           (2) The Florida Commissioners for the National  
9 Conference of Commissioners on Uniform State Laws appointed  
10 pursuant to s. 13.10 shall be ex officio honorary nonvoting  
11 members of this commission. The commission shall elect a  
12 chair and a vice chair from among its members. The director  
13 of the office of planning and budgeting in the Executive  
14 Office of the Governor shall serve ex officio as secretary of  
15 the Governor's committee, and an employee of the Office of  
16 Legislative Services ~~Joint Legislative Management Committee~~  
17 designated by the coordinator ~~executive director~~ of the Office  
18 of Legislative Services ~~Joint Legislative Management Committee~~  
19 shall serve as secretary of the Joint Legislative Committee on  
20 Interstate Cooperation.

21           Section 18. Subsection (4) of section 13.10, Florida  
22 Statutes, is amended to read:

23           13.10 Commissioners to the National Conference of  
24 Commissioners on Uniform State Laws.--

25           (4) The coordinator ~~executive director~~ of the Office  
26 of Legislative Services ~~Joint Legislative Management Committee~~  
27 shall designate an appropriate legislative employee to serve  
28 as an associate member and secretary to the Florida  
29 commissioners to the National Conference of Commissioners on  
30 Uniform State Laws. He or she shall prepare and sign all  
31 vouchers authorized by law and keep such records as directed

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1 by the commissioners.

2 Section 19. Subsection (1) of section 15.155, Florida  
3 Statutes, is amended to read:

4 15.155 Legislative documents; Department of State to  
5 classify, number, and furnish copies of general laws, special  
6 acts, resolutions, and memorials.--

7 (1) Immediately after any act of the Legislature or  
8 any resolution or memorial is filed in the office of the  
9 Department of State, the department shall:

10 (a) Select, segregate, and classify all acts of the  
11 Legislature, including memorials and resolutions, by dividing  
12 them into the following two classifications: Volume I,  
13 General Acts, and Volume II, Special Acts;

14 (b) Include in such General Acts all acts passed as  
15 general laws and all memorials and resolutions, including  
16 proposed constitutional amendments, and include in such  
17 Special Acts only those acts passed as special laws and  
18 becoming law as such;

19 (c) Assign a chapter number to each such act; and

20 (d) Furnish true and accurate copies of such laws,  
21 resolutions, and memorials passed by the Legislature to the  
22 Office of Legislative Services ~~Joint Legislative Management~~  
23 ~~Committee~~ for publication.

24 Section 20. Paragraph (b) of subsection (6) of section  
25 20.315, Florida Statutes, is amended to read:

26 20.315 Department of Corrections.--There is created a  
27 Department of Corrections.

28 (6) FLORIDA CORRECTIONS COMMISSION.--

29 (b) The primary functions of the commission are to:

30 1. Recommend major correctional policies for the  
31 Governor's approval, and assure that approved policies and any

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1 revisions thereto are properly executed.

2           2. Periodically review the status of the state  
3 correctional system and recommend improvements therein to the  
4 Governor and the Legislature.

5           3. Perform an in-depth review of the recommendations  
6 of the Sentencing Guidelines Commission on the need for  
7 changes in the guidelines and of any alternative proposals  
8 submitted by the Office Division of Economic and Demographic  
9 Research ~~of the Joint Legislative Management Committee~~ to  
10 revise statewide sentencing guidelines.

11           4. Annually perform an in-depth review of  
12 community-based intermediate sanctions and recommend to the  
13 Governor and the Legislature intergovernmental approaches  
14 through the Community Corrections Partnership Act for planning  
15 and implementing such sanctions and programs.

16           5. Perform an in-depth evaluation of the annual budget  
17 request of the Department of Corrections, the comprehensive  
18 correctional master plan, and the tentative construction  
19 program for compliance with all applicable laws and  
20 established departmental policies. The commission may not  
21 consider individual construction projects, but shall consider  
22 methods of accomplishing the department's goals in the most  
23 effective, efficient, and businesslike manner.

24           6. Routinely monitor the financial status of the  
25 Department of Corrections to assure that the department is  
26 managing revenue and any applicable bond proceeds responsibly  
27 and in accordance with law and established policy.

28           7. Evaluate, at least quarterly, the efficiency,  
29 productivity, and management of the Department of Corrections,  
30 using performance and production standards developed by the  
31 department under subsection (18).

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1           8. Provide public education on corrections and  
2 criminal justice issues.

3           9. Report to the President of the Senate, the Speaker  
4 of the House of Representatives, and the Governor by November  
5 1 of each year. The first annual report of the commission  
6 shall be made by November 1, 1995.

7           Section 21. Effective October 1, 1998, paragraph (b)  
8 of subsection (6) of section 20.315, Florida Statutes, as  
9 amended by section 9 of chapter 97-194, Laws of Florida, is  
10 reenacted to read:

11           20.315 Department of Corrections.--There is created a  
12 Department of Corrections.

13           (6) FLORIDA CORRECTIONS COMMISSION.--

14           (b) The primary functions of the commission are to:

15           1. Recommend major correctional policies for the  
16 Governor's approval, and assure that approved policies and any  
17 revisions thereto are properly executed.

18           2. Periodically review the status of the state  
19 correctional system and recommend improvements therein to the  
20 Governor and the Legislature.

21           3. Annually perform an in-depth review of  
22 community-based intermediate sanctions and recommend to the  
23 Governor and the Legislature intergovernmental approaches  
24 through the Community Corrections Partnership Act for planning  
25 and implementing such sanctions and programs.

26           4. Perform an in-depth evaluation of the annual budget  
27 request of the Department of Corrections, the comprehensive  
28 correctional master plan, and the tentative construction  
29 program for compliance with all applicable laws and  
30 established departmental policies. The commission may not  
31 consider individual construction projects, but shall consider

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1 methods of accomplishing the department's goals in the most  
2 effective, efficient, and businesslike manner.

3           5. Routinely monitor the financial status of the  
4 Department of Corrections to assure that the department is  
5 managing revenue and any applicable bond proceeds responsibly  
6 and in accordance with law and established policy.

7           6. Evaluate, at least quarterly, the efficiency,  
8 productivity, and management of the Department of Corrections,  
9 using performance and production standards developed by the  
10 department under subsection (18).

11           7. Provide public education on corrections and  
12 criminal justice issues.

13           8. Report to the President of the Senate, the Speaker  
14 of the House of Representatives, and the Governor by November  
15 1 of each year.

16           Section 22. Subsection (1) of section 27.709, Florida  
17 Statutes, is amended to read:

18           27.709 Commission on the Administration of Justice in  
19 Capital Cases.--

20           (1)(a) There is created the Commission on the  
21 Administration of Justice in Capital Cases, which shall  
22 consist of the six following members:

23           1. Two members appointed by the Governor.

24           2. Two members appointed by the President of the  
25 Senate from the membership of the Senate. One member shall be  
26 a member of the majority party, and one member shall be a  
27 member of the minority party.

28           3. Two members appointed by the Speaker of the House  
29 of Representatives from the membership of the House of  
30 Representatives. One member shall be a member of the majority  
31 party, and one member shall be a member of the minority party.

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1 (b) The chair of the commission shall be selected by  
2 the members for a term of 1 year.

3 (c) The commission shall meet quarterly, and other  
4 meetings may be called by the chair upon giving at least 7  
5 days' notice to all members and the public.

6 (d) Members of the commission are entitled to per diem  
7 and travel expenses to be paid by the appointing entity.

8 (e) The initial members of the commission must be  
9 appointed on or before October 1, 1997. Members of the  
10 commission shall be appointed to serve terms of 4 years each,  
11 except that a member's term shall expire upon leaving office  
12 as a member of the Senate or the House of Representatives. Two  
13 of the initial members, one from the Senate and one from the  
14 House of Representatives, shall be appointed for terms of 2  
15 years each. Two of the initial members, one from the Senate  
16 and one from the House of Representatives, shall be appointed  
17 for terms of 3 years each.

18 (f) The Office of Legislative Services ~~Joint~~  
19 ~~Legislative Management Committee~~ shall provide staff support  
20 for the commission.

21 Section 23. Subsection (13) of section 112.061,  
22 Florida Statutes, is amended to read:

23 112.061 Per diem and travel expenses of public  
24 officers, employees, and authorized persons.--

25 (13) DIRECT PAYMENT OF EXPENSES BY AGENCY.--Whenever  
26 an agency requires an employee to incur either Class A or  
27 Class B travel on emergency notice to the traveler, such  
28 traveler may request the agency to pay his or her expenses for  
29 meals and lodging directly to the vendor, and the agency may  
30 pay the vendor the actual expenses for meals and lodging  
31 during the travel period, limited to an amount not to exceed

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1 that authorized pursuant to this section. In emergency  
2 situations, the agency head may authorize an increase in the  
3 amount paid for a specific meal, provided that the total daily  
4 cost of meals does not exceed the total amount authorized for  
5 meals each day. The agency head or his or her designee may  
6 also grant prior approval for a state agency to make direct  
7 payments of travel expenses in other situations that result in  
8 cost savings to the state, and such cost savings shall be  
9 documented in the voucher submitted to the Comptroller for the  
10 direct payment of travel expenses. The provisions of this  
11 subsection shall not be deemed to apply to any legislator or  
12 to any employee of ~~either house of the Legislature or of the~~  
13 ~~Joint Legislative Management Committee.~~

14 Section 24. Subsection (4) of section 112.321, Florida  
15 Statutes, is amended to read:

16 112.321 Membership, terms; travel expenses; staff.--

17 (4) In accordance with the uniform personnel, job  
18 classification, and pay plan adopted with the approval of the  
19 President of the Senate and the Speaker of the House of  
20 Representatives and administered by the Office of Legislative  
21 Services ~~Joint Legislative Management Committee pursuant to s.~~  
22 ~~11.147(4)(c)~~, the commission shall employ an executive  
23 director and shall provide the executive director with  
24 necessary office space, assistants, and secretaries. Within  
25 the above uniform plan, decisions relating to hiring,  
26 promotion, demotion, and termination of commission employees  
27 shall be made by the commission or, if so delegated by the  
28 commission, by its executive director.

29 Section 25. Paragraph (d) of subsection (3) of section  
30 119.15, Florida Statutes, is amended to read:

31 119.15 Legislative review of exemptions from public

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1 meeting and public records requirements.--

2 (3)

3 (d) In the year before the repeal of an exemption  
4 under this section, the Division of Statutory Revision of the  
5 Office of Legislative Services ~~Joint Legislative Management~~  
6 ~~Committee~~ shall certify to the President of the Senate and the  
7 Speaker of the House of Representatives, by June 1, the  
8 language and statutory citation of each exemption scheduled  
9 for repeal the following year which meets the criteria of an  
10 exemption as defined in this section. Any exemption that is  
11 not identified and certified to the President of the Senate  
12 and the Speaker of the House of Representatives is not subject  
13 to legislative review and repeal under this section. If the  
14 division fails to certify an exemption that it subsequently  
15 determines should have been certified, it shall include the  
16 exemption in the following year's certification after that  
17 determination.

18 Section 26. Subsection (3) of section 218.60, Florida  
19 Statutes, is amended to read:

20 218.60 Definitions.--

21 (3) All estimates of moneys provided pursuant to this  
22 part utilized by participating units of local government in  
23 the first year of participation shall be equal to 95 percent  
24 of those projections made by the revenue estimating conference  
25 and provided to local governments by the Office Division of  
26 Economic and Demographic Research ~~of the Joint Legislative~~  
27 ~~Management Committee~~, in consultation with the Department of  
28 Revenue.

29 Section 27. Subsection (5) of section 229.593, Florida  
30 Statutes, is amended to read:

31 229.593 Florida Commission on Education Reform and

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1 Accountability.--

2 (5) Members of the commission shall serve without  
3 compensation but are entitled to reimbursement for per diem  
4 and travel expenses incurred in the performance of their  
5 duties as provided in s. 112.061. Legislators are entitled to  
6 receive travel and per diem expenses as provided by the Office  
7 of Legislative Services ~~Joint Legislative Management Committee~~  
8 for meetings of legislative committees. When appropriate,  
9 commission members who are parents are to receive a stipend  
10 for child care costs incurred while attending commission  
11 meetings.

12 Section 28. Subsection (7) of section 282.3091,  
13 Florida Statutes, is amended to read:

14 282.3091 State Technology Council; creation.--

15 (7) The council shall have the following duties and  
16 responsibilities:

17 (a) To develop a statewide vision for information  
18 resources management which shall be reflected in the State  
19 Annual Report on Information Resources Management.

20 (b) To recommend statewide policies to the Executive  
21 Office of the Governor, ~~and~~ to the President of the Senate,  
22 and to the Speaker of the House of Representatives ~~Joint~~  
23 ~~Legislative Information Technology Resource Committee.~~

24 (c) To recommend innovation in the state's use of  
25 technology to the Executive Office of the Governor, ~~and~~ the  
26 President of the Senate, and the Speaker of the House of  
27 Representatives ~~Joint Legislative Information Technology~~  
28 ~~Resource Committee.~~

29 (d) To identify, develop, and recommend solutions to  
30 address statewide technology issues to the Executive Office of  
31 the Governor, ~~and~~ the President of the Senate, and the Speaker

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1 ~~of the House of Representatives Joint Legislative Information~~  
2 ~~Technology Resource Committee.~~

3 (e) To create ad hoc issue-oriented workgroups to make  
4 recommendations to the council and to the Executive Office of  
5 the Governor. Such workgroups may include private and public  
6 sector representatives.

7 ~~(f) To review, evaluate, and comment on proposals by~~  
8 ~~the Joint Legislative Information Technology Resource~~  
9 ~~Committee.~~

10 ~~(f)(g)~~ To consult with the Chief Information Officers  
11 Council.

12 ~~(g)(h)~~ To approve the State Annual Report on  
13 Information Resources Management.

14 ~~(h)(i)~~ To recommend memoranda on guidelines and best  
15 practices to the Executive Office of the Governor.

16 Section 29. Subsection (3) of section 282.310, Florida  
17 Statutes, is amended to read:

18 282.310 State Annual Report on Information Resources  
19 Management.--

20 (3) The state annual report shall be made available in  
21 writing or through electronic means to the Executive Office of  
22 the Governor, the President of the Senate, the Speaker of the  
23 House of Representatives, ~~the Joint Legislative Information~~  
24 ~~Technology Resource Committee~~, and the Chief Justice of the  
25 Supreme Court.

26 Section 30. Section 282.322, Florida Statutes, is  
27 amended to read:

28 282.322 Special monitoring process for designated  
29 information resources management projects.--For each  
30 information resources management project which is designated  
31 for special monitoring in the General Appropriations Act, with

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1 a proviso requiring a contract with a project monitor, the  
2 Technology Review Workgroup established pursuant to s.  
3 216.0446, in consultation with each affected agency, shall be  
4 responsible for contracting with the project monitor. Upon  
5 contract award, funds equal to the contract amount shall be  
6 transferred to the Technology Review Workgroup upon request  
7 and subsequent approval of a budget amendment pursuant to s.  
8 216.292. With the concurrence of the Legislative Auditing  
9 Committee, the office of the Auditor General shall be the  
10 project monitor for other projects designated for special  
11 monitoring. However, nothing in this section precludes the  
12 Auditor General from conducting such monitoring on any project  
13 designated for special monitoring. In addition to monitoring  
14 and reporting on significant communications between a  
15 contracting agency and the appropriate federal authorities,  
16 the project monitoring process shall consist of evaluating  
17 each major stage of the designated project to determine  
18 whether the deliverables have been satisfied and to assess the  
19 level of risks associated with proceeding to the next stage of  
20 the project. The major stages of each designated project shall  
21 be determined based on the agency's information systems  
22 development methodology. Within 20 days after an agency has  
23 completed a major stage of its designated project, the project  
24 monitor shall issue a written report, including the findings  
25 and recommendations for correcting deficiencies, to the agency  
26 head, for review and comment. Within 20 days after receipt of  
27 the project monitor's report, the agency head shall submit a  
28 written statement of explanation or rebuttal concerning the  
29 findings and recommendations of the project monitor, including  
30 any corrective action to be taken by the agency. The project  
31 monitor shall include the agency's statement in its final

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1 report which shall be forwarded, within 7 days after receipt  
2 of the agency's statement, to the agency head, the inspector  
3 general's office of the agency, the Executive Office of the  
4 Governor, the appropriations committees of the Legislature,  
5 the Joint Legislative Auditing Committee, and the Technology  
6 Review Workgroup, ~~and the Legislative Information Technology~~  
7 ~~Resource Committee~~. The Auditor General shall also receive a  
8 copy of the project monitor's report for those projects in  
9 which the Auditor General is not the project monitor.

10 Section 31. Subsection (3) of section 350.031, Florida  
11 Statutes, is amended to read:

12 350.031 Florida Public Service Commission Nominating  
13 Council.--

14 (3) A majority of the membership of the council may  
15 conduct any business before the council. All meetings and  
16 proceedings of the council shall be staffed by the Office of  
17 Legislative Services ~~Joint Legislative Management Committee~~  
18 and shall be subject to the provisions of ss. 119.07 and  
19 286.011. Members of the council are entitled to receive per  
20 diem and travel expenses as provided in s. 112.061, which  
21 shall be funded by the Florida Public Service Regulatory Trust  
22 Fund. Applicants invited for interviews before the council  
23 may, in the discretion of the council, receive per diem and  
24 travel expenses as provided in s. 112.06, which shall be  
25 funded by the Florida Public Service Regulatory Trust Fund.  
26 The council shall establish policies and procedures to govern  
27 the process by which applicants are nominated.

28 Section 32. Subsection (8) of section 790.22, Florida  
29 Statutes, is amended to read:

30 790.22 Use of BB guns, air or gas-operated guns, or  
31 electric weapons or devices by minor under 16; limitation;

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1 possession of firearms by minor under 18 prohibited;  
2 penalties.--

3 (8) Notwithstanding s. 39.042 or s. 39.044(1), if a  
4 minor under 18 years of age is charged with an offense that  
5 involves the use or possession of a firearm, as defined in s.  
6 790.001, other than a violation of subsection (3), or is  
7 charged for any offense during the commission of which the  
8 minor possessed a firearm, the minor shall be detained in  
9 secure detention, unless the state attorney authorizes the  
10 release of the minor, and shall be given a hearing within 24  
11 hours after being taken into custody. Effective April 15,  
12 1994, at the hearing, the court may order that the minor  
13 continue to be held in secure detention in accordance with the  
14 applicable time periods specified in s. 39.044(5), if the  
15 court finds that the minor meets the criteria specified in s.  
16 39.044(2), or if the court finds by clear and convincing  
17 evidence that the minor is a clear and present danger to  
18 himself or herself or the community. The Department of  
19 Juvenile Justice shall prepare a form for all minors charged  
20 under this subsection that states the period of detention and  
21 the relevant demographic information, including, but not  
22 limited to, the sex, age, and race of the minor; whether or  
23 not the minor was represented by private counsel or a public  
24 defender; the current offense; and the minor's complete prior  
25 record, including any pending cases. The form shall be  
26 provided to the judge to be considered when determining  
27 whether the minor should be continued in secure detention  
28 under this subsection. An order placing a minor in secure  
29 detention because the minor is a clear and present danger to  
30 himself or herself or the community must be in writing, must  
31 specify the need for detention and the benefits derived by the

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1 minor or the community by placing the minor in secure  
 2 detention, and must include a copy of the form provided by the  
 3 department. The Department of Juvenile Justice must send the  
 4 form, including a copy of any order, without  
 5 client-identifying information, to the Office ~~Division~~ of  
 6 Economic and Demographic Research ~~of the Joint Legislative~~  
 7 ~~Management Committee.~~

8           Section 33. The Office of Legislative Services shall  
 9 assume all rights, duties, and obligations of the Joint  
 10 Legislative Management Committee under contracts in effect on  
 11 the effective date of this act to which the committee is a  
 12 party.

13           Section 34. There is hereby transferred to the Office  
 14 of Legislative Services the unexpended balances of Specific  
 15 Appropriations 1854 through 1857 of section 6, chapter 97-152,  
 16 Laws of Florida, from the Joint Legislative Management  
 17 Committee for Fiscal Year 1997-1998 upon the date this bill  
 18 becomes law.

19           Section 35. This act shall take effect upon becoming a  
 20 law.

21  
 22  
 23 ===== T I T L E   A M E N D M E N T =====

24 And the title is amended as follows:

25           Delete everything before the enacting clause

26  
 27 and insert:

28                                   A bill to be entitled  
 29           An act relating to personnel and agencies of  
 30           the legislative branch; amending s. 11.045,  
 31           F.S.; defining the term "division," for

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1 purposes of lobbyist registration, as the  
2 Division of Legislative Information Services;  
3 transferring certain functions of the Joint  
4 Legislative Management Committee to the  
5 division or to the presiding officers;  
6 authorizing the presiding officers to waive  
7 fines imposed against lobbyists; amending s.  
8 11.12, F.S.; providing for the presiding  
9 officers to determine subsistence rates;  
10 amending s. 11.13, F.S.; transferring certain  
11 functions of the Joint Legislative Management  
12 Committee relating to compensation of members  
13 to the Office of Legislative Services or to the  
14 presiding officers; amending s. 11.147, F.S. ;  
15 abolishing the Joint Legislative Management  
16 Committee and replacing it with an Office of  
17 Legislative Services; repealing s. 11.39, F.S.,  
18 relating to the Legislative Information  
19 Technology Resource Committee; amending s.  
20 112.0455, F.S.; transferring certain functions  
21 of the Joint Legislative Management Committee  
22 with respect to rules relating to drug-free  
23 workplace requirements to the presiding  
24 officers; amending s. 112.3148, F.S. ;  
25 transferring certain functions of the Joint  
26 Legislative Management Committee relating to  
27 reports of gifts to the Division of Legislative  
28 Information Services; amending s. 121.055,  
29 F.S.; transferring duties of the Joint  
30 Legislative Management Committee relating to  
31 designation of employees to participate in the

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1 Senior Management Service Optional Annuity  
2 Program to the presiding officers; amending s.  
3 216.136, F.S.; conforming provisions to the  
4 amendments made by the act; amending s.  
5 216.251, F.S.; clarifying authority with  
6 respect to approval of classification and pay  
7 plans for legislative employees; amending s.  
8 985.401, F.S.; transferring duties of the Joint  
9 Legislative Auditing Committee with respect to  
10 the Juvenile Justice Advisory Board to the  
11 Department of Juvenile Justice; amending ss.  
12 11.241, 11.242, 11.243, 11.70, 13.01, 13.10,  
13 15.155, 20.315, 27.709, 112.061, 112.321,  
14 119.15, 218.60, 229.593, 282.3091, 282.310,  
15 282.322, 350.031, 402.50, 790.22, F.S.;  
16 conforming provisions to the amendments made by  
17 the act; providing for the Office of  
18 Legislative Services to assume rights, duties,  
19 and obligations of the Joint Legislative  
20 Management Committee with respect to existing  
21 contracts; transferring unexpended balances of  
22 appropriated funds; providing an effective  
23 date.

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