

By Senator Grant

13-922-98

1 A bill to be entitled
2 An act relating to personnel and agencies of
3 the legislative branch; amending s. 11.0431,
4 F.S.; providing for the presiding officers to
5 determine legislative offices the records of
6 which are exempt from disclosure; amending s.
7 11.045, F.S.; defining the term "division," for
8 purposes of lobbyist registration, as the
9 Division of Legislative Information Services;
10 transferring certain functions of the Joint
11 Legislative Management Committee to the
12 division or to the presiding officers; amending
13 s. 11.12, F.S.; providing for the presiding
14 officers to determine subsistence rates;
15 amending s. 11.13, F.S.; transferring certain
16 functions of the Joint Legislative Management
17 Committee relating to compensation of members
18 to the Office of Legislative Services or to the
19 presiding officers; amending s. 11.147, F.S.;
20 abolishing the Joint Legislative Management
21 Committee and replacing it with an Office of
22 Legislative Services; repealing s. 11.39, F.S.,
23 relating to the Legislative Information
24 Technology Resource Committee; amending s.
25 112.0455, F.S.; transferring certain functions
26 of the Joint Legislative Management Committee
27 with respect to rules relating to drug-free
28 workplace requirements to the presiding
29 officers; amending s. 112.3148, F.S.;
30 transferring certain functions of the Joint
31 Legislative Management Committee relating to

1 reports of gifts to the Division of Legislative
2 Information Services; amending s. 121.055,
3 F.S.; transferring duties of the Joint
4 Legislative Management Committee relating to
5 designation of employees to participate in the
6 Senior Management Service Optional Annuity
7 Program to the presiding officers; amending s.
8 216.136, F.S.; conforming provisions to the
9 amendments made by the act; amending s.
10 216.251, F.S.; clarifying authority with
11 respect to approval of classification and pay
12 plans for legislative employees; amending s.
13 985.401, F.S.; transferring duties of the Joint
14 Legislative Management Committee with respect
15 to the Juvenile Justice Advisory Board to the
16 Department of Juvenile Justice; amending ss.
17 11.241, 11.242, 11.243, 11.70, 13.01, 13.10,
18 15.155, 20.315, 27.709, 112.061, 112.321,
19 119.15, 218.60, 229.593, 282.3091, 282.310,
20 282.322, 350.031, 402.50, 790.22, F.S.;
21 conforming provisions to the amendments made by
22 the act; providing an effective date.

23

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

25

26 Section 1. Subsection (3) of section 11.0431, Florida
27 Statutes, is amended to read:

28 11.0431 Legislative records; intent of legislation;
29 exemption from public disclosure.--

30 (3) Any record created prior to July 1, 1993, which
31 was not available to the public from the house, commission,

1 committee, or office of the legislative branch that created
2 the record, is exempt from inspection and copying until July
3 1, 1993. Prior to July 1, 1993, the presiding officer of each
4 house shall determine which records held by that house should
5 remain exempt from inspection and copying. The presiding
6 officers of both houses shall jointly determine which records
7 held by joint committees and other legislative offices should
8 remain exempt from inspection and copying. No later than July
9 1, 1993, the presiding officers shall publish a list of
10 records that remain exempt from inspection and copying.

11 Section 2. Section 11.045, Florida Statutes, is
12 amended to read:

13 11.045 Lobbyists; registration and reporting;
14 exemptions; penalties.--

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

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

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

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

26 (d)~~(c)~~ "Legislative action" means introduction,
27 sponsorship, testimony, debate, voting, or any other official
28 action on any measure, resolution, amendment, nomination,
29 appointment, or report of, or any matter which may be the
30 subject of action by, either house of the Legislature or any
31 committee thereof.

1 (e)~~(d)~~ "Lobbying" means influencing or attempting to
2 influence legislative action or nonaction through oral or
3 written communication or an attempt to obtain the goodwill of
4 a member or employee of the Legislature.

5 (f)~~(e)~~ "Lobbyist" means a person who is employed and
6 receives payment, or who contracts for economic consideration,
7 for the purpose of lobbying, or a person who is principally
8 employed for governmental affairs by another person or
9 governmental entity to lobby on behalf of that other person or
10 governmental entity.

11 (g)~~(f)~~ "Principal" means the person, firm,
12 corporation, or other entity which has employed or retained a
13 lobbyist.

14 (2) Each house of the Legislature shall provide by
15 rule, or may provide by a joint rule adopted by both houses,
16 for the registration of lobbyists who lobby the Legislature.
17 The rule may provide for the payment of a registration fee.
18 The rule may provide for exemptions from registration or
19 registration fees. The rule shall provide that:

20 (a) Registration is required for each principal
21 represented.

22 (b) Registration shall include a statement signed by
23 the principal or principal's representative that the
24 registrant is authorized to represent the principal.

25 (c) A registrant shall promptly send a written
26 statement to the division ~~Joint Legislative Management~~
27 ~~Committee~~ canceling the registration for a principal upon
28 termination of the lobbyist's representation of that
29 principal. Notwithstanding this requirement, the committee may
30 remove the name of a registrant from the list of registered
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1 lobbyists if the principal notifies the office that a person
2 is no longer authorized to represent that principal.

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

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

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

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

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

20 (a) Statements shall be filed by all registered
21 lobbyists two times per year and after each special session of
22 the Legislature, which statements shall disclose all lobbying
23 expenditures by the lobbyist and the principal and the source
24 of funds for such expenditures. All expenditures made by the
25 lobbyist and the principal for the purpose of lobbying must be
26 reported. Reporting of expenditures shall be made on an
27 accrual basis. The report of such expenditures must identify
28 whether the expenditure was made directly by the lobbyist,
29 directly by the principal, initiated or expended by the
30 lobbyist and paid for by the principal, or initiated or
31 expended by the principal and paid for by the lobbyist. The

1 principal is responsible for the accuracy of the expenditures
2 reported as lobbying expenditures made by the principal. The
3 lobbyist is responsible for the accuracy of the expenditures
4 reported as lobbying expenditures made by the lobbyist.
5 Expenditures made must be reported by the category of the
6 expenditure, including, but not limited to, the categories of
7 food and beverages, entertainment, research, communication,
8 media advertising, publications, travel, and lodging.
9 Lobbying expenditures do not include a lobbyist's or
10 principal's salary, office expenses, and personal expenses for
11 lodging, meals, and travel.

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

26 (c) For each reporting period the division ~~Joint~~
27 ~~Legislative Management Committee~~ shall aggregate the
28 expenditures reported by all of the lobbyists for a principal
29 represented by more than one lobbyist. Further, the committee
30 shall aggregate figures that provide a cumulative total of
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1 expenditures reported as spent by and on behalf of each
2 principal for the calendar year.

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

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

27 (f) Each house of the Legislature shall provide by
28 rule, or both houses may provide by joint rule, a procedure by
29 which a lobbyist who fails to timely file a report shall be
30 notified and assessed fines. The rule shall provide for the
31 following:

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

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

10 a. When a report is actually received by the lobbyist
11 registration and reporting office.

12 b. When the report is postmarked.

13 c. When the certificate of mailing is dated.

14 d. When the receipt from an established courier
15 company is dated.

16 3. Such fine shall be paid within 20 days after
17 receipt of the notice of payment due, unless appeal is made to
18 the division ~~Joint Legislative Management Committee of the~~
19 ~~Legislature~~. The moneys shall be deposited into the
20 Legislative Lobbyist Registration Trust Fund.

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

28 5. Any lobbyist may appeal or dispute a fine, based
29 upon unusual circumstances surrounding the failure to file on
30 the designated due date, and may request and shall be entitled
31 to a hearing before the director of the division ~~Joint~~

1 ~~Legislative Management Committee, who~~ which shall recommend to
2 the President of the Senate and the Speaker of the House of
3 Representatives, or their respective designees, that ~~have the~~
4 ~~authority to waive~~ the fine be waived in whole or in part for
5 good cause shown. Any such request shall be made within 20
6 days after receipt of the notice of payment due. In such
7 case, the lobbyist shall, within the 20-day period, notify the
8 person designated to review the timeliness of reports in
9 writing of his or her intention to bring the matter before the
10 committee.

11 6. The person designated to review the timeliness of
12 reports shall notify the director of the division ~~Joint~~
13 ~~Legislative Management Committee~~ of the failure of a lobbyist
14 to file a report after notice or of the failure of a lobbyist
15 to pay the fine imposed.

16 (4) Each house of the Legislature shall provide by
17 rule a procedure by which a person, when in doubt about the
18 applicability and interpretation of this section in a
19 particular context, may submit in writing the facts for an
20 advisory opinion to the committee of either ~~the respective~~
21 house and may appear in person before the committee. The rule
22 shall provide a procedure by which:

23 (a) The committee shall render advisory opinions to
24 any person who seeks advice as to whether the facts in a
25 particular case would constitute a violation of this section.

26 (b) The committee shall make sufficient deletions to
27 prevent disclosing the identity of persons in the decisions or
28 opinions.

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

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

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

23 (7) Any person required to be registered or to provide
24 information pursuant to this section or pursuant to rules
25 established in conformity with this section who knowingly
26 fails to disclose any material fact required by this section
27 or by rules established in conformity with this section, or
28 who knowingly provides false information on any report
29 required by this section or by rules established in conformity
30 with this section, commits a noncriminal infraction,
31 punishable by a fine not to exceed \$5,000. Such penalty shall

1 be in addition to any other penalty assessed by a house of the
2 Legislature pursuant to subsection (6).

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

13 Section 3. Section 11.12, Florida Statutes, is amended
14 to read:

15 11.12 Salary, subsistence, and mileage of members and
16 employees; expenses authorized by resolution; appropriation;
17 preaudit by Comptroller.--

18 (1) The Treasurer is authorized to pay the salary,
19 subsistence, and mileage of the members of the Legislature, as
20 the same shall be authorized from time to time by law, upon
21 receipt of a warrant therefor of the Comptroller for the
22 stated amount. The Treasurer is authorized to pay the
23 compensation of employees of the Legislature, together with
24 reimbursement for their authorized travel as provided in s.
25 112.061, and such expense of the Legislature as shall be
26 authorized by law, a concurrent resolution, a resolution of
27 either house, or rules adopted by the respective houses,
28 provided the total amount appropriated to the legislative
29 branch shall not be altered, upon receipt of such warrant
30 therefor. The number, duties, and compensation of the
31 employees of the respective houses and of their committees

1 shall be determined as provided by the rules of the respective
2 house or in this chapter. Each legislator may designate no
3 more than two employees to attend sessions of the Legislature,
4 and those employees who change their places of residence in
5 order to attend the session shall be paid subsistence at a
6 rate to be established by the President of the Senate or the
7 Speaker of the House of Representatives ~~Joint Legislative~~
8 ~~Management Committee~~. Such employees, in addition to
9 subsistence, shall be paid transportation expenses in
10 accordance with s. 112.061(7) and (8) for actual
11 transportation between their homes and the seat of government
12 in order to attend the legislative session and return home, as
13 well as for two round trips during the course of any regular
14 session of the Legislature.

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

18 Section 4. Section 11.13, Florida Statutes, is amended
19 to read:

20 11.13 Compensation of members.--

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

24 1. The President of the Senate and Speaker of the
25 House of Representatives, \$25,000 each.

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

28 (b) Effective July 1, 1986, and each July 1
29 thereafter, the annual salaries of members of the Senate and
30 House of Representatives shall be adjusted by the average
31 percentage increase in the salaries of state career service

1 employees for the fiscal year just concluded. The
2 Appropriations Committee of each house shall certify to the
3 Office of Legislative Services ~~Joint Legislative Management~~
4 ~~Committee~~ the average percentage increase in the salaries of
5 state career service employees before ~~prior to~~ July 1 of each
6 year, ~~and~~ The Office of Legislative Services shall, before
7 July 1 of each year, provide a recommendation for average
8 percentage increase in the salaries of state career service
9 employees to the President of the Senate and the Speaker of
10 the House of Representatives, who ~~Joint Legislative Management~~
11 ~~Committee~~ shall, as of July 1, of each year, determine the
12 adjusted annual salaries as provided herein.

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

24 (3) Members of any standing or select committee or
25 subcommittee thereof shall receive per diem and travel
26 expenses as provided in s. 112.061 from the appropriation for
27 legislative expenses.

28 (4) Each member of the Legislature shall be entitled
29 to receive a monthly allowance for intradistrict expenses in a
30 uniform amount set annually by the President of the Senate and
31 the Speaker of the House of Representatives ~~Joint Legislative~~

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

16 (5)(a) All expenditures of the Senate, House of
17 Representatives, and offices, committees, and divisions of the
18 Legislature shall be made pursuant to and, unless changed as
19 provided below, within the limits of budgetary estimates of
20 expenditure for each fiscal year prepared and submitted prior
21 to June 15 by the administrative head of each such house,
22 office, committee, or division and approved by the Committee
23 on Rules and Calendar of the Senate and the President of the
24 Senate as to Senate budgets, by the Committee on
25 Administration of the House of Representatives and the Speaker
26 of the House of Representatives as to House budgets, and by
27 the Office of Legislative Services ~~Joint Legislative~~
28 ~~Management Committee~~ as to joint committees and the divisions
29 of the Legislature other than the Legislative Auditing
30 Committee and the Auditor General's office. Amounts in the
31 approved estimates of expenditure may be transferred between

1 budgetary units within the Senate, House of Representatives,
2 and joint activities by the original approving authority.
3 Funds may be transferred between items of appropriation to the
4 Legislature when approved by the President of the Senate and,
5 the Speaker of the House of Representatives ~~and the Joint~~
6 ~~Legislative Management Committee~~, provided the total amount
7 appropriated to the legislative branch shall not be altered.
8 The Office of Legislative Services ~~Joint Legislative~~
9 ~~Management Committee~~ shall formulate and present to each house
10 and office thereof recommendations concerning the form and
11 preparation of such budgets and procedures for their adoption
12 and transmission.

13 (b) Thirty days prior to the date established by s.
14 216.023 for submission of legislative budgets by all state
15 agencies to the Governor, all budgetary units required to
16 submit estimates of expenditures as provided by paragraph (a)
17 shall annually submit tentative estimates of their financial
18 needs for the next fiscal year beginning July 1 to the
19 authorities required by that paragraph so that the financial
20 needs of the Legislature for the ensuing fiscal year may be
21 reported to the Governor by ~~a committee composed of the~~
22 President of the Senate and, the Speaker of the House of
23 Representatives, ~~and the chair or co-chairs of the Joint~~
24 ~~Legislative Management Committee~~, pursuant to ss. 11.148 and
25 11.40 and as required by s. 216.081.

26 (c) The Office of Legislative Services ~~Joint~~
27 ~~Legislative Management Committee~~ shall submit on forms
28 prescribed by the Comptroller requested allotments of
29 appropriations for the fiscal year. It shall be the duty of
30 the Comptroller to release the funds and authorize the
31 expenditures for the legislative branch to be made from the

1 appropriations on the basis of the requested allotments.
2 However, the aggregate of such allotments shall not exceed the
3 total appropriations available for the fiscal year.

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

6 Section 5. Section 11.147, Florida Statutes, is
7 amended to read:

8 11.147 Office of Legislative Services ~~Joint~~
9 ~~Legislative Management Committee.~~--

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

21 (2) The President of the Senate and the Speaker of the
22 House of Representatives may select a coordinator for the
23 Office of Legislative Services, who shall report directly to
24 the President of the Senate and the Speaker of the House of
25 Representatives or their respective designees ~~joint committee~~
26 ~~shall be governed by joint rules of the Senate and House of~~
27 ~~Representatives which shall remain in effect until repealed or~~
28 ~~amended by concurrent resolution.~~

29 (3) The Office of Legislative Services ~~joint committee~~
30 shall deliver such vouchers covering legislative expenses as
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1 required to the Comptroller and, if found to be correct, state
2 warrants shall be issued therefor.

3 Section 6. Section 11.39, Florida Statutes, is
4 repealed.

5 Section 7. Paragraph (g) of subsection (13) of section
6 112.0455, Florida Statutes, is amended to read:

7 112.0455 Drug-Free Workplace Act.--

8 (13) RULES.--

9 (g) The President of the Senate and the Speaker of the
10 House of Representatives ~~Joint Legislative Management~~
11 ~~Committee~~ may adopt rules, policies, or procedures for the
12 employees and members of the legislative branch implementing
13 this section.

14

15 This section shall not be construed to eliminate the
16 bargainable rights as provided in the collective bargaining
17 process where applicable.

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

20 112.3148 Reporting and prohibited receipt of gifts by
21 individuals filing full or limited public disclosure of
22 financial interests and by procurement employees.--

23 (5)(a) A political committee or a committee of
24 continuous existence, as defined in s. 106.011; a lobbyist who
25 lobbies a reporting individual's or procurement employee's
26 agency; the partner, firm, employer, or principal of a
27 lobbyist; or another on behalf of the lobbyist or partner,
28 firm, principal, or employer of the lobbyist is prohibited
29 from giving, either directly or indirectly, a gift that has a
30 value in excess of \$100 to the reporting individual or
31 procurement employee or any other person on his or her behalf;

1 however, such person may give a gift having a value in excess
2 of \$100 to a reporting individual or procurement employee if
3 the gift is intended to be transferred to a governmental
4 entity or a charitable organization.

5 (b) However, a person who is regulated by this
6 subsection, who is not regulated by subsection (6), and who
7 makes, or directs another to make, an individual gift having a
8 value in excess of \$25, but not in excess of \$100, other than
9 a gift which the donor knows will be accepted on behalf of a
10 governmental entity or charitable organization, must file a
11 report on the last day of each calendar quarter, for the
12 previous calendar quarter in which a reportable gift is made.
13 The report shall be filed with the Secretary of State, except
14 with respect to gifts to reporting individuals of the
15 legislative branch, in which case the report shall be filed
16 with the Division of Legislative Information Services in the
17 Office of Legislative Services ~~Joint Legislative Management~~
18 ~~Committee~~. The report must contain a description of each gift,
19 the monetary value thereof, the name and address of the person
20 making such gift, the name and address of the recipient of the
21 gift, and the date such gift is given. In addition, when a
22 gift is made which requires the filing of a report under this
23 subsection, the donor must notify the intended recipient at
24 the time the gift is made that the donor, or another on his or
25 her behalf, will report the gift under this subsection. Under
26 this paragraph, a gift need not be reported by more than one
27 person or entity.

28 Section 9. Paragraph (c) of subsection (1) of section
29 121.055, Florida Statutes, is amended to read:

30 121.055 Senior Management Service Class.--There is
31 hereby established a separate class of membership within the

1 Florida Retirement System to be known as the "Senior
2 Management Service Class," which shall become effective
3 February 1, 1987.

4 (c)1. Effective January 1, 1990, participation in the
5 Senior Management Service Class shall be compulsory for up to
6 75 nonelective positions at the level of committee staff
7 director or higher or equivalent managerial or policymaking
8 positions within the House of Representatives, as selected by
9 the Speaker of the House of Representatives, up to 50
10 nonelective positions at the level of committee staff director
11 or higher or equivalent managerial or policymaking positions
12 within the Senate, as selected by the President of the Senate,
13 all staff directors of Joint Committees of the Legislature,
14 the Auditor General and up to 9 managerial or policymaking
15 positions within his or her office as selected by the Auditor
16 General, and the executive director of the Commission on
17 Ethics.

18 2. Participation in this class shall be compulsory,
19 except as provided in subparagraph 3., for any legislative
20 employee who holds a position designated for coverage in the
21 Senior Management Service Class, and such participation shall
22 continue until the employee terminates employment in a covered
23 position.

24 3. In lieu of participation in the Senior Management
25 Service Class, at in the discretion of the President of the
26 Senate and the Speaker of the House of Representatives ~~Joint~~
27 ~~Legislative Management Committee~~, such members may participate
28 in the Senior Management Service Optional Annuity Program as
29 established in subsection (6).

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

1 216.136 Consensus estimating conferences; duties and
2 principals.--

3 (1) ECONOMIC ESTIMATING CONFERENCE.--

4 (a) Duties.--

5 1. The Economic Estimating Conference shall develop
6 such official information with respect to the national and
7 state economies as the conference determines is needed for the
8 state planning and budgeting system. The basic, long-term
9 forecasts which are a part of its official information shall
10 be trend forecasts. However, the conference may include cycle
11 forecasts as a part of its official information if the subject
12 matter of the forecast warrants a cycle forecast and if such
13 forecast is developed in a special impact session of the
14 conference.

15 2. Prior to the submission of the Governor's budget
16 recommendations to the Legislature pursuant to s. 216.162, and
17 again prior to each Regular Session of the Legislature, the
18 Economic Estimating Conference shall evaluate and project the
19 financial condition of the employee group health
20 self-insurance plan. This analysis shall also consider any
21 financial impact of the state's use of health maintenance
22 organizations on the funding of the self-insurance plan. The
23 conference shall indicate whether the current plan premium
24 rates are sufficient to fund projected plan claims and other
25 expenses during the fiscal year.

26 (b) Principals.--The Executive Office of the Governor,
27 the director of the Office ~~Division~~ of Economic and
28 Demographic Research ~~of the Joint Legislative Management~~
29 ~~Committee~~, and professional staff of the Senate and House of
30 Representatives who have forecasting expertise, or their
31 designees, are the principals of the Economic Estimating

1 Conference. The responsibility of presiding over sessions of
2 the conference shall be rotated among the principals.

3 (2) DEMOGRAPHIC ESTIMATING CONFERENCE.--

4 (a) Duties.--The Demographic Estimating Conference
5 shall develop such official information with respect to the
6 population of the nation and state by age, race, and sex as
7 the conference determines is needed for the state planning and
8 budgeting system. The conference shall use the official
9 population estimates provided under s. 186.901 in developing
10 its official information.

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

19 (3) REVENUE ESTIMATING CONFERENCE.--

20 (a) Duties.--The Revenue Estimating Conference shall
21 develop such official information with respect to anticipated
22 state and local government revenues as the conference
23 determines is needed for the state planning and budgeting
24 system. Any principal may request the conference to review
25 and estimate revenues for any trust fund.

26 (b) Principals.--The Executive Office of the Governor,
27 the director of the Office ~~Division~~ of Economic and
28 Demographic Research ~~of the Joint Legislative Management~~
29 ~~Committee~~, and professional staff of the Senate and House of
30 Representatives who have forecasting expertise, or their
31 designees, are the principals of the Revenue Estimating

1 Conference. The responsibility of presiding over sessions of
2 the conference shall be rotated among the principals.

3 (4) EDUCATION ESTIMATING CONFERENCE.--

4 (a) Duties.--The Education Estimating Conference shall
5 develop such official information relating to the state public
6 educational system, including forecasts of student
7 enrollments, students qualified for state financial aid
8 programs, fixed capital outlay needs, and Florida Education
9 Finance Program formula needs, as the conference determines is
10 needed for the state planning and budgeting system. The
11 conference's initial projections of enrollments in public
12 schools shall be forwarded by the conference to each school
13 district no later than 2 months prior to the start of the
14 regular session of the Legislature. Each school district may,
15 in writing, request adjustments to the initial projections.
16 Any adjustment request shall be submitted to the conference no
17 later than 1 month prior to the start of the regular session
18 of the Legislature and shall be considered by the principals
19 of the conference. A school district may amend its adjustment
20 request, in writing, during the first 3 weeks of the
21 legislative session, and such amended adjustment request shall
22 be considered by the principals of the conference. For any
23 adjustment so requested, the district shall indicate and
24 explain, using definitions adopted by the conference, the
25 components of anticipated enrollment changes that correspond
26 to continuation of current programs with workload changes;
27 program improvement; program reduction or elimination;
28 initiation of new programs; and any other information that may
29 be needed by the Legislature. For public schools, the
30 conference shall submit its full-time equivalent student
31 consensus estimate to the Legislature no later than 1 month

1 after the start of the regular session of the Legislature. No
2 conference estimate may be changed without the agreement of
3 the full conference.

4 (b) Principals.--The Associate Deputy Commissioner for
5 Educational Management, the Executive Office of the Governor,
6 the director of the Office ~~Division~~ of Economic and
7 Demographic Research ~~of the Joint Legislative Management~~
8 ~~Committee~~, and professional staff of the Senate and House of
9 Representatives who have forecasting expertise, or their
10 designees, are the principals of the Education Estimating
11 Conference. The Associate Deputy Commissioner for Educational
12 Management or his or her designee shall preside over sessions
13 of the conference.

14 (5) CRIMINAL JUSTICE ESTIMATING CONFERENCE.--

15 (a) Duties.--The Criminal Justice Estimating
16 Conference shall develop such official information relating to
17 the criminal justice system, including forecasts of prison
18 admissions by offense categories specified in Rule 3.701,
19 Florida Rules of Criminal Procedure, as the conference
20 determines is needed for the state planning and budgeting
21 system.

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

31 (6) SOCIAL SERVICES ESTIMATING CONFERENCE.--

1 (a) Duties.--

2 1. The Social Services Estimating Conference shall
3 develop such official information relating to the social
4 services system of the state, including forecasts of social
5 services caseloads, as the conference determines is needed for
6 the state planning and budgeting system. Such official
7 information shall include, but not be limited to, subsidized
8 child care caseloads mandated by the Family Support Act of
9 1988.

10 2. In addition, the Social Services Estimating
11 Conference shall develop estimates and forecasts of the
12 unduplicated count of children eligible for subsidized child
13 care as defined in s. 402.3015(1). These estimates and
14 forecasts shall not include children enrolled in the
15 prekindergarten early intervention program established in s.
16 230.2305.

17 3. The Department of Health and Rehabilitative
18 Services and the Department of Education shall provide
19 information on caseloads and waiting lists for the subsidized
20 child care and prekindergarten early intervention programs
21 requested by the Social Services Estimating Conference or
22 individual conference principals, in a timely manner.

23 (b) Principals.--The Executive Office of the Governor,
24 the director of the Office ~~Division~~ of Economic and
25 Demographic Research ~~of the Joint Legislative Management~~
26 ~~Committee~~, and professional staff, who have forecasting
27 expertise, from the Department of Health and Rehabilitative
28 Services, the Senate, and the House of Representatives, or
29 their designees, are the principals of the Social Services
30 Estimating Conference. The principal representing the
31

1 Executive Office of the Governor shall preside over sessions
2 of the conference.

3 (7) TRANSPORTATION ESTIMATING CONFERENCE.--

4 (a) Duties.--The Transportation Estimating Conference
5 shall develop such official budget information relating to
6 transportation planning and budgeting as is determined by the
7 conference principals to be needed for the state planning and
8 budgeting system. This information shall include estimates of
9 transportation cost indices and other budget-related
10 estimates. This conference shall not address estimates of
11 transportation revenues.

12 (b) Principals.--The Executive Office of the Governor,
13 the director of the Office ~~Division~~ of Economic and
14 Demographic Research ~~of the Joint Legislative Management~~
15 ~~Committee~~, and professional staff with budgeting expertise
16 from the Department of Transportation, the Senate, and the
17 House of Representatives are the principals of the
18 Transportation Estimating Conference.

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

20 (a) Duties.--The Child Welfare System Estimating
21 Conference shall develop the following information relating to
22 the child welfare system:

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

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

31

1 In addition, the conference shall develop other official
2 information relating to the child welfare system of the state
3 which the conference determines is needed for the state
4 planning and budgeting system. The Department of Health and
5 Rehabilitative Services shall provide information on the child
6 welfare system requested by the Child Welfare System
7 Estimating Conference, or individual conference principals, in
8 a timely manner.

9 (b) Principals.--The Executive Office of the Governor,
10 the director of the Office ~~Division~~ of Economic and
11 Demographic Research ~~of the Joint Legislative Management~~
12 ~~Committee~~, and professional staff who have forecasting
13 expertise from the Department of Health and Rehabilitative
14 Services, the Senate, and the House of Representatives, or
15 their designees, are the principals of the Child Welfare
16 System Estimating Conference. The principal representing the
17 Executive Office of the Governor shall preside over sessions
18 of the conference.

19 (9) JUVENILE JUSTICE ESTIMATING CONFERENCE.--

20 (a) Duties.--The Juvenile Justice Estimating
21 Conference shall develop such official information relating to
22 the juvenile justice system of the state as is determined by
23 the conference principals to be needed for the state planning
24 and budgeting system. This information shall include, but is
25 not limited to: estimates of juvenile delinquency caseloads
26 and workloads; estimates for secure, nonsecure, and home
27 juvenile detention placements; estimates of workloads in the
28 juvenile sections in the offices of the state attorneys and
29 public defenders; estimates of mental health and substance
30 abuse treatment relating to juveniles; and such other

31

1 information as is determined by the conference principals to
2 be needed for the state planning and budgeting system.

3 (b) Principals.--The Executive Office of the Governor,
4 the Office ~~Division~~ of Economic ~~Economics~~ and Demographic
5 Research ~~of the Joint Legislative Management Committee~~, and
6 professional staff who have forecasting expertise from the
7 Department of Juvenile Justice, the Department of Health and
8 Rehabilitative Services Alcohol, Drug Abuse, and Mental Health
9 Program Office, the Department of Law Enforcement, the Senate
10 Appropriations Committee staff, the House of Representatives
11 Appropriations Committee staff, or their designees, are the
12 principals of the Juvenile Justice Estimating Conference. The
13 responsibility of presiding over sessions of the conference
14 shall be rotated among the principals. To facilitate policy
15 and legislative recommendations, the conference may call upon
16 professional staff of the Juvenile Justice Advisory Board and
17 appropriate legislative staff.

18 (10) OCCUPATIONAL FORECASTING CONFERENCE.--

19 (a) Duties.--The Occupational Forecasting Conference
20 shall develop such official information on the workforce
21 development system planning process as it relates to the
22 personnel needs of current, new, and emerging industries as
23 the conference determines is needed by the state planning and
24 budgeting system. Such information must include at least:
25 short-term and long-term forecasts of employment demand for
26 high-skills/high-wage jobs by occupation and industry;
27 relative wage forecasts among those occupations; and estimates
28 of the supply of trained and qualified individuals available
29 for employment in those occupations.

30 (b) Principals.--The Commissioner of Education, the
31 Executive Office of the Governor, the director of the Office

1 of Tourism, Trade, and Economic Development, the Secretary of
2 Labor, and the director of the Office ~~Division~~ of Economic and
3 Demographic Research ~~of the Joint Legislative Management~~
4 ~~Committee~~, or their designees, are the principals of the
5 Occupational Forecasting Conference. The Commissioner of
6 Education, or the commissioner's designee, shall preside over
7 the sessions of the conference.

8 Section 11. Paragraph (a) of subsection (2) of section
9 216.251, Florida Statutes, is amended to read:

10 216.251 Salary appropriations; limitations.--

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

14 1. Within the classification and pay plans provided
15 for in chapter 110.

16 2. Within the classification and pay plans established
17 by the Board of Trustees for the Florida School for the Deaf
18 and the Blind of the Department of Education and approved by
19 the State Board of Education for academic and academic
20 administrative personnel.

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

24 4. Within the classification and pay plan approved by
25 the President of the Senate, the Speaker of the House of
26 Representatives, ~~the Joint Legislative Management Committee~~,
27 or the Legislative Auditing Committee, as the case may be, for
28 employees of the Legislature.

29 5. Within the approved classification and pay plan for
30 the judicial branch.

31

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

4 Section 12. Paragraph (c) of subsection (3) of section
5 985.401, Florida Statutes, is amended to read:

6 985.401 Juvenile Justice Advisory Board.--

7 (3)

8 (c) The board is assigned, for the purpose of general
9 oversight, to the Department of Juvenile Justice ~~Joint~~
10 ~~Legislative Auditing Committee~~. The board shall develop a
11 budget pursuant to procedures established by the Department of
12 Juvenile Justice ~~Joint Legislative Auditing Committee~~.

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

15 11.241 Permanent statutory revision plan
16 created.--There is created a permanent statutory revision plan
17 to be implemented and maintained under the supervision of the
18 Office of Legislative Services ~~joint committee~~.

19 Section 14. Section 11.242, Florida Statutes, is
20 amended to read:

21 11.242 Powers, duties, and functions as to statutory
22 revision.--The powers, duties, and functions of the Office of
23 Legislative Services ~~joint committee~~ in the operation and
24 maintenance of a statutory revision program shall be as
25 follows:

26 (1) To conduct a systematic and continuing study of
27 the statutes and laws of this state for the purpose of
28 reducing their number and bulk, removing inconsistencies,
29 redundancies, and unnecessary repetitions and otherwise
30 improving their clarity and facilitating their correct and
31 proper interpretation; and for the same purpose, to prepare

1 and submit to the Legislature reviser's bills and bills for
2 the amendment, consolidation, revision, repeal, or other
3 alterations or changes in any general statute or laws or parts
4 thereof of a general nature and application of the preceding
5 session or sessions which may appear to be subject to
6 revision. Any revision, either complete, partial, or topical,
7 prepared for submission to the Legislature shall be
8 accompanied by revision and history notes relating to the
9 same, showing the changes made therein and the reason for such
10 recommended change.

11 (2) To carry on the arrangements and identification of
12 the general statutes and laws of the state, as adopted in the
13 Florida Statutes, and the contents of the same, by adding
14 thereto, in the future and in proper place, all new matter
15 belonging therein; this new material to be compiled, revised,
16 and republished periodically in continuation of the present
17 systems, matters, tables, and other material as contained in
18 the Florida Statutes.

19 (3) Reviser's bills shall not deal with nor carry
20 forward into the Florida Statutes any statute of any of the
21 following classes:

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

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

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

1 (d) Statutes relating to, for or concerning only one
2 or more designated individuals or corporations.~~†~~

3 (e) Statutes incorporating a designated individual
4 corporation or making a grant thereto.~~†~~

5 (f) Road designation laws.

6 (4) The published edition of the Florida Statutes,~~†~~
7 shall contain the following:

8 (a) The Florida Statutes, as adopted and enacted,
9 together with the laws of a general nature enacted at any
10 current session of the Legislature and directed to be embodied
11 in said edition.

12 (b) The Florida Constitution.

13 (c) Complete indexes of all the material in the
14 statutes.

15 (d) Such other matters, notes, data, and other
16 material as may be deemed necessary or admissible by the
17 Division of Statutory Revision of the Office of Legislative
18 Services ~~joint committee~~ for reference, convenience, or
19 interpretation.

20 (5) In carrying on the work of statutory revision and
21 in preparing the Florida Statutes for publication:

22 (a) All amendments made to any section or chapter, or
23 any part thereof, of the Florida Statutes or session laws of
24 this state by any current session of the Legislature, whenever
25 such amendments in express terms refer to sections or chapters
26 of said statutes or session laws, shall be incorporated with
27 the body of the text of the Florida Statutes.

28 (b) All sections, chapters, or titles of the Florida
29 Statutes or session laws of this state which are expressly
30 repealed by any current session of the Legislature shall be
31 omitted.

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

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

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

19 (f) The form or arrangement of any section, chapter,
20 or law, or part thereof, may be altered or changed by
21 transferring, combining, or dividing the same.

22 (g) Subsections, sections, chapters, and titles may be
23 renumbered and reference thereto may be changed to agree with
24 such renumbering.

25 (h) Grammatical, typographical and like errors may be
26 corrected and additions, alterations, and omissions, not
27 affecting the construction or meaning of the statutes or laws,
28 may be freely made.

29 (i) All statutes and laws, or parts thereof, which
30 have expired, become obsolete, been held invalid by a court of
31 last resort, have had their effect or have served their

1 purpose, or which have been repealed or superseded, either
2 expressly or by implication, shall be omitted through the
3 process of reviser's bills duly enacted by the Legislature.

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

9 (k) All things relating to form, position, order, or
10 arrangement of the revision, not inconsistent with the Florida
11 Statutes system, which may be found desirable or necessary for
12 the improvement, betterment, or perfection of same, may be
13 done.

14 (6) To award contracts from time to time for editorial
15 work in the preparation of copy and other necessary material,
16 and for printing as defined in s. 283.60; to pay expenses only
17 of members of revision committees appointed by the joint
18 committee to assist in revision of whole titles or chapters;
19 and to pay for such other things as are authorized to be done
20 and performed as part of a statutory revision program under
21 the laws of this state.

22 (7) To exchange Florida Statutes, and other available
23 publications, with the officers, boards, and agencies of other
24 states and of the United States, and with other governments.

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

29 Section 15. Section 11.243, Florida Statutes, is
30 amended to read:

31 11.243 Publishing Florida Statutes; price, sale.--

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

6 (2) All copies of the Florida Statutes shall be
7 delivered by the printer to the Office of Legislative Services
8 ~~joint committee~~, which shall distribute copies to the public
9 and governmental entities, including the judicial branch, at a
10 price to be fixed by the Office of Legislative Services ~~joint~~
11 ~~committee~~.

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

16 Section 16. Paragraph (c) of subsection (6) of section
17 11.70, Florida Statutes, is amended to read:

18 11.70 Legislative Committee on Intergovernmental
19 Relations.--

20 (6) STAFF.--

21 (c) Upon request of the committee, the Office of
22 Legislative Services ~~Joint Legislative Management Committee~~ is
23 directed to provide office space and equipment as the
24 committee deems necessary.

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

27 13.01 Commission on Interstate Cooperation.--

28 (2) The Florida Commissioners for the National
29 Conference of Commissioners on Uniform State Laws appointed
30 pursuant to s. 13.10 shall be ex officio honorary nonvoting
31 members of this commission. The commission shall elect a

1 chair and a vice chair from among its members. The director
2 of the office of planning and budgeting in the Executive
3 Office of the Governor shall serve ex officio as secretary of
4 the Governor's committee, and an employee of the Office of
5 Legislative Services ~~Joint Legislative Management Committee~~
6 designated by the ~~executive~~ director of the Office of
7 Legislative Services ~~Joint Legislative Management Committee~~
8 shall serve as secretary of the Joint Legislative Committee on
9 Interstate Cooperation.

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

12 13.10 Commissioners to the National Conference of
13 Commissioners on Uniform State Laws.--

14 (4) The ~~executive~~ director of the Office of
15 Legislative Services ~~Joint Legislative Management Committee~~
16 shall designate an appropriate legislative employee to serve
17 as an associate member and secretary to the Florida
18 commissioners to the National Conference of Commissioners on
19 Uniform State Laws. He or she shall prepare and sign all
20 vouchers authorized by law and keep such records as directed
21 by the commissioners.

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

24 15.155 Legislative documents; Department of State to
25 classify, number, and furnish copies of general laws, special
26 acts, resolutions, and memorials.--

27 (1) Immediately after any act of the Legislature or
28 any resolution or memorial is filed in the office of the
29 Department of State, the department shall:

30 (a) Select, segregate, and classify all acts of the
31 Legislature, including memorials and resolutions, by dividing

1 them into the following two classifications: Volume I,
2 General Acts, and Volume II, Special Acts;

3 (b) Include in such General Acts all acts passed as
4 general laws and all memorials and resolutions, including
5 proposed constitutional amendments, and include in such
6 Special Acts only those acts passed as special laws and
7 becoming law as such;

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

9 (d) Furnish true and accurate copies of such laws,
10 resolutions, and memorials passed by the Legislature to the
11 Office of Legislative Services ~~Joint Legislative Management~~
12 ~~Committee~~ for publication.

13 Section 20. Paragraph (b) of subsection (6) of section
14 20.315, Florida Statutes, is amended to read:

15 20.315 Department of Corrections.--There is created a
16 Department of Corrections.

17 (6) FLORIDA CORRECTIONS COMMISSION.--

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

19 1. Recommend major correctional policies for the
20 Governor's approval, and assure that approved policies and any
21 revisions thereto are properly executed.

22 2. Periodically review the status of the state
23 correctional system and recommend improvements therein to the
24 Governor and the Legislature.

25 3. Perform an in-depth review of the recommendations
26 of the Sentencing Guidelines Commission on the need for
27 changes in the guidelines and of any alternative proposals
28 submitted by the Office Division of Economic and Demographic
29 Research ~~of the Joint Legislative Management Committee~~ to
30 revise statewide sentencing guidelines.

31

1 4. Annually perform an in-depth review of
2 community-based intermediate sanctions and recommend to the
3 Governor and the Legislature intergovernmental approaches
4 through the Community Corrections Partnership Act for planning
5 and implementing such sanctions and programs.

6 5. Perform an in-depth evaluation of the annual budget
7 request of the Department of Corrections, the comprehensive
8 correctional master plan, and the tentative construction
9 program for compliance with all applicable laws and
10 established departmental policies. The commission may not
11 consider individual construction projects, but shall consider
12 methods of accomplishing the department's goals in the most
13 effective, efficient, and businesslike manner.

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

18 7. Evaluate, at least quarterly, the efficiency,
19 productivity, and management of the Department of Corrections,
20 using performance and production standards developed by the
21 department under subsection (18).

22 8. Provide public education on corrections and
23 criminal justice issues.

24 9. Report to the President of the Senate, the Speaker
25 of the House of Representatives, and the Governor by November
26 1 of each year. The first annual report of the commission
27 shall be made by November 1, 1995.

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

1 20.315 Department of Corrections.--There is created a
2 Department of Corrections.

3 (6) FLORIDA CORRECTIONS COMMISSION.--

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

5 1. Recommend major correctional policies for the
6 Governor's approval, and assure that approved policies and any
7 revisions thereto are properly executed.

8 2. Periodically review the status of the state
9 correctional system and recommend improvements therein to the
10 Governor and the Legislature.

11 3. 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 4. 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 5. 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 6. 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).

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

3 8. 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.

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

8 27.709 Commission on the Administration of Justice in
9 Capital Cases.--

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

13 1. Two members appointed by the Governor.

14 2. Two members appointed by the President of the
15 Senate from the membership of the Senate. One member shall be
16 a member of the majority party, and one member shall be a
17 member of the minority party.

18 3. Two members appointed by the Speaker of the House
19 of Representatives from the membership of the House of
20 Representatives. One member shall be a member of the majority
21 party, and one member shall be a member of the minority party.

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

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

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

29 (e) The initial members of the commission must be
30 appointed on or before October 1, 1997. Members of the
31 commission shall be appointed to serve terms of 4 years each,

1 except that a member's term shall expire upon leaving office
2 as a member of the Senate or the House of Representatives. Two
3 of the initial members, one from the Senate and one from the
4 House of Representatives, shall be appointed for terms of 2
5 years each. Two of the initial members, one from the Senate
6 and one from the House of Representatives, shall be appointed
7 for terms of 3 years each.

8 (f) The Office of Legislative Services ~~Joint~~
9 ~~Legislative Management Committee~~ shall provide staff support
10 for the commission.

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

13 112.061 Per diem and travel expenses of public
14 officers, employees, and authorized persons.--

15 (13) DIRECT PAYMENT OF EXPENSES BY AGENCY.--Whenever
16 an agency requires an employee to incur either Class A or
17 Class B travel on emergency notice to the traveler, such
18 traveler may request the agency to pay his or her expenses for
19 meals and lodging directly to the vendor, and the agency may
20 pay the vendor the actual expenses for meals and lodging
21 during the travel period, limited to an amount not to exceed
22 that authorized pursuant to this section. In emergency
23 situations, the agency head may authorize an increase in the
24 amount paid for a specific meal, provided that the total daily
25 cost of meals does not exceed the total amount authorized for
26 meals each day. The agency head or his or her designee may
27 also grant prior approval for a state agency to make direct
28 payments of travel expenses in other situations that result in
29 cost savings to the state, and such cost savings shall be
30 documented in the voucher submitted to the Comptroller for the
31 direct payment of travel expenses. The provisions of this

1 subsection shall not be deemed to apply to any legislator or
2 to any employee of ~~either house of the Legislature or of the~~
3 ~~Joint Legislative Management Committee.~~

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

6 112.321 Membership, terms; travel expenses; staff.--

7 (4) In accordance with the uniform personnel, job
8 classification, and pay plan adopted with the approval of the
9 President of the Senate and the Speaker of the House of
10 Representatives and administered by the Office of Legislative
11 Services ~~Joint Legislative Management Committee pursuant to s.~~
12 ~~11.147(4)(c)~~, the commission shall employ an executive
13 director and shall provide the executive director with
14 necessary office space, assistants, and secretaries. Within
15 the above uniform plan, decisions relating to hiring,
16 promotion, demotion, and termination of commission employees
17 shall be made by the commission or, if so delegated by the
18 commission, by its executive director.

19 Section 25. Paragraph (d) of subsection (3) of section
20 119.15, Florida Statutes, is amended to read:

21 119.15 Legislative review of exemptions from public
22 meeting and public records requirements.--

23 (3)

24 (d) In the year before the repeal of an exemption
25 under this section, the Division of Statutory Revision of the
26 Office of Legislative Services ~~Joint Legislative Management~~
27 ~~Committee~~ shall certify to the President of the Senate and the
28 Speaker of the House of Representatives, by June 1, the
29 language and statutory citation of each exemption scheduled
30 for repeal the following year which meets the criteria of an
31 exemption as defined in this section. Any exemption that is

1 not identified and certified to the President of the Senate
2 and the Speaker of the House of Representatives is not subject
3 to legislative review and repeal under this section. If the
4 division fails to certify an exemption that it subsequently
5 determines should have been certified, it shall include the
6 exemption in the following year's certification after that
7 determination.

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

10 218.60 Definitions.--

11 (3) All estimates of moneys provided pursuant to this
12 part utilized by participating units of local government in
13 the first year of participation shall be equal to 95 percent
14 of those projections made by the revenue estimating conference
15 and provided to local governments by the Office Division of
16 Economic and Demographic Research ~~of the Joint Legislative~~
17 ~~Management Committee~~, in consultation with the Department of
18 Revenue.

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

21 229.593 Florida Commission on Education Reform and
22 Accountability.--

23 (5) Members of the commission shall serve without
24 compensation but are entitled to reimbursement for per diem
25 and travel expenses incurred in the performance of their
26 duties as provided in s. 112.061. Legislators are entitled to
27 receive travel and per diem expenses as provided by the Office
28 of Legislative Services ~~Joint Legislative Management Committee~~
29 for meetings of legislative committees. When appropriate,
30 commission members who are parents are to receive a stipend
31

1 for child care costs incurred while attending commission
2 meetings.

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

5 282.3091 State Technology Council; creation.--

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

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

11 (b) To recommend statewide policies to the Executive
12 Office of the Governor, and to the President of the Senate,
13 and to the Speaker of the House of Representatives Joint
14 Legislative Information Technology Resource Committee.

15 (c) To recommend innovation in the state's use of
16 technology to the Executive Office of the Governor, and the
17 President of the Senate, and the Speaker of the House of
18 Representatives Joint Legislative Information Technology
19 Resource Committee.

20 (d) To identify, develop, and recommend solutions to
21 address statewide technology issues to the Executive Office of
22 the Governor, and the President of the Senate, and the Speaker
23 of the House of Representatives Joint Legislative Information
24 Technology Resource Committee.

25 (e) To create ad hoc issue-oriented workgroups to make
26 recommendations to the council and to the Executive Office of
27 the Governor. Such workgroups may include private and public
28 sector representatives.

29 ~~(f) To review, evaluate, and comment on proposals by~~
30 ~~the Joint Legislative Information Technology Resource~~
31 ~~Committee.~~

1 (f)~~(g)~~ To consult with the Chief Information Officers
2 Council.

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

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

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

9 282.310 State Annual Report on Information Resources
10 Management.--

11 (3) The state annual report shall be made available in
12 writing or through electronic means to the Executive Office of
13 the Governor, the President of the Senate, the Speaker of the
14 House of Representatives, ~~the Joint Legislative Information~~
15 ~~Technology Resource Committee~~, and the Chief Justice of the
16 Supreme Court.

17 Section 30. Section 282.322, Florida Statutes, is
18 amended to read:

19 282.322 Special monitoring process for designated
20 information resources management projects.--For each
21 information resources management project which is designated
22 for special monitoring in the General Appropriations Act, with
23 a proviso requiring a contract with a project monitor, the
24 Technology Review Workgroup established pursuant to s.
25 216.0446, in consultation with each affected agency, shall be
26 responsible for contracting with the project monitor. Upon
27 contract award, funds equal to the contract amount shall be
28 transferred to the Technology Review Workgroup upon request
29 and subsequent approval of a budget amendment pursuant to s.
30 216.292. With the concurrence of the Legislative Auditing
31 Committee, the office of the Auditor General shall be the

1 project monitor for other projects designated for special
2 monitoring. However, nothing in this section precludes the
3 Auditor General from conducting such monitoring on any project
4 designated for special monitoring. In addition to monitoring
5 and reporting on significant communications between a
6 contracting agency and the appropriate federal authorities,
7 the project monitoring process shall consist of evaluating
8 each major stage of the designated project to determine
9 whether the deliverables have been satisfied and to assess the
10 level of risks associated with proceeding to the next stage of
11 the project. The major stages of each designated project shall
12 be determined based on the agency's information systems
13 development methodology. Within 20 days after an agency has
14 completed a major stage of its designated project, the project
15 monitor shall issue a written report, including the findings
16 and recommendations for correcting deficiencies, to the agency
17 head, for review and comment. Within 20 days after receipt of
18 the project monitor's report, the agency head shall submit a
19 written statement of explanation or rebuttal concerning the
20 findings and recommendations of the project monitor, including
21 any corrective action to be taken by the agency. The project
22 monitor shall include the agency's statement in its final
23 report which shall be forwarded, within 7 days after receipt
24 of the agency's statement, to the agency head, the inspector
25 general's office of the agency, the Executive Office of the
26 Governor, the appropriations committees of the Legislature,
27 the Joint Legislative Auditing Committee, and the Technology
28 Review Workgroup, ~~and the Legislative Information Technology~~
29 ~~Resource Committee~~. The Auditor General shall also receive a
30 copy of the project monitor's report for those projects in
31 which the Auditor General is not the project monitor.

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

3 350.031 Florida Public Service Commission Nominating
4 Council.--

5 (3) A majority of the membership of the council may
6 conduct any business before the council. All meetings and
7 proceedings of the council shall be staffed by the Office of
8 Legislative Services ~~Joint Legislative Management Committee~~
9 and shall be subject to the provisions of ss. 119.07 and
10 286.011. Members of the council are entitled to receive per
11 diem and travel expenses as provided in s. 112.061, which
12 shall be funded by the Florida Public Service Regulatory Trust
13 Fund. Applicants invited for interviews before the council
14 may, in the discretion of the council, receive per diem and
15 travel expenses as provided in s. 112.06, which shall be
16 funded by the Florida Public Service Regulatory Trust Fund.
17 The council shall establish policies and procedures to govern
18 the process by which applicants are nominated.

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

21 790.22 Use of BB guns, air or gas-operated guns, or
22 electric weapons or devices by minor under 16; limitation;
23 possession of firearms by minor under 18 prohibited;
24 penalties.--

25 (8) Notwithstanding s. 39.042 or s. 39.044(1), if a
26 minor under 18 years of age is charged with an offense that
27 involves the use or possession of a firearm, as defined in s.
28 790.001, other than a violation of subsection (3), or is
29 charged for any offense during the commission of which the
30 minor possessed a firearm, the minor shall be detained in
31 secure detention, unless the state attorney authorizes the

1 release of the minor, and shall be given a hearing within 24
2 hours after being taken into custody. Effective April 15,
3 1994, at the hearing, the court may order that the minor
4 continue to be held in secure detention in accordance with the
5 applicable time periods specified in s. 39.044(5), if the
6 court finds that the minor meets the criteria specified in s.
7 39.044(2), or if the court finds by clear and convincing
8 evidence that the minor is a clear and present danger to
9 himself or herself or the community. The Department of
10 Juvenile Justice shall prepare a form for all minors charged
11 under this subsection that states the period of detention and
12 the relevant demographic information, including, but not
13 limited to, the sex, age, and race of the minor; whether or
14 not the minor was represented by private counsel or a public
15 defender; the current offense; and the minor's complete prior
16 record, including any pending cases. The form shall be
17 provided to the judge to be considered when determining
18 whether the minor should be continued in secure detention
19 under this subsection. An order placing a minor in secure
20 detention because the minor is a clear and present danger to
21 himself or herself or the community must be in writing, must
22 specify the need for detention and the benefits derived by the
23 minor or the community by placing the minor in secure
24 detention, and must include a copy of the form provided by the
25 department. The Department of Juvenile Justice must send the
26 form, including a copy of any order, without
27 client-identifying information, to the Office ~~Division~~ of
28 Economic and Demographic Research ~~of the Joint Legislative~~
29 ~~Management Committee~~.

30 Section 33. This act shall take effect upon becoming a
31 law.

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SENATE SUMMARY

Abolishes the Joint Legislative Management Committee and replaces it with the Office of Legislative Services. Transfers duties presently in the committee to the office, to the presiding officers, or to the Division of Legislative Information Services.