

By the Committee on Governmental Reform and Oversight and
Senator Grant

302-1719C-98

1 A bill to be entitled
2 An act relating to personnel and agencies of
3 the legislative branch; amending s. 11.045,
4 F.S.; defining the term "division," for
5 purposes of lobbyist registration, as the
6 Division of Legislative Information Services;
7 transferring certain functions of the Joint
8 Legislative Management Committee to the
9 division or to the presiding officers; amending
10 s. 11.12, F.S.; providing for the presiding
11 officers to determine subsistence rates;
12 amending s. 11.13, F.S.; transferring certain
13 functions of the Joint Legislative Management
14 Committee relating to compensation of members
15 to the Office of Legislative Services or to the
16 presiding officers; amending s. 11.147, F.S.;
17 abolishing the Joint Legislative Management
18 Committee and replacing it with an Office of
19 Legislative Services; repealing s. 11.39, F.S.,
20 relating to the Legislative Information
21 Technology Resource Committee; amending s.
22 112.0455, F.S.; transferring certain functions
23 of the Joint Legislative Management Committee
24 with respect to rules relating to drug-free
25 workplace requirements to the presiding
26 officers; amending s. 112.3148, F.S.;
27 transferring certain functions of the Joint
28 Legislative Management Committee relating to
29 reports of gifts to the Division of Legislative
30 Information Services; amending s. 121.055,
31 F.S.; transferring duties of the Joint

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

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Section 11.045, Florida Statutes, is
24 amended to read:

25 11.045 Lobbyists; registration and reporting;
26 exemptions; penalties.--

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

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

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

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

7 (d)~~(c)~~ "Legislative action" means introduction,
8 sponsorship, testimony, debate, voting, or any other official
9 action on any measure, resolution, amendment, nomination,
10 appointment, or report of, or any matter which may be the
11 subject of action by, either house of the Legislature or any
12 committee thereof.

13 (e)~~(d)~~ "Lobbying" means influencing or attempting to
14 influence legislative action or nonaction through oral or
15 written communication or an attempt to obtain the goodwill of
16 a member or employee of the Legislature.

17 (f)~~(e)~~ "Lobbyist" means a person who is employed and
18 receives payment, or who contracts for economic consideration,
19 for the purpose of lobbying, or a person who is principally
20 employed for governmental affairs by another person or
21 governmental entity to lobby on behalf of that other person or
22 governmental entity.

23 (g)~~(f)~~ "Principal" means the person, firm,
24 corporation, or other entity which has employed or retained a
25 lobbyist.

26 (2) Each house of the Legislature shall provide by
27 rule, or may provide by a joint rule adopted by both houses,
28 for the registration of lobbyists who lobby the Legislature.
29 The rule may provide for the payment of a registration fee.
30 The rule may provide for exemptions from registration or
31 registration fees. The rule shall provide that:

1 (a) Registration is required for each principal
2 represented.

3 (b) Registration shall include a statement signed by
4 the principal or principal's representative that the
5 registrant is authorized to represent the principal.

6 (c) A registrant shall promptly send a written
7 statement to the division ~~Joint Legislative Management~~
8 ~~Committee~~ canceling the registration for a principal upon
9 termination of the lobbyist's representation of that
10 principal. Notwithstanding this requirement, the division
11 ~~committee~~ may remove the name of a registrant from the list of
12 registered lobbyists if the principal notifies the office that
13 a person is no longer authorized to represent that principal.

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

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

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

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

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

31

1 (a) Statements shall be filed by all registered
2 lobbyists two times per year and after each special session of
3 the Legislature, which statements shall disclose all lobbying
4 expenditures by the lobbyist and the principal and the source
5 of funds for such expenditures. All expenditures made by the
6 lobbyist and the principal for the purpose of lobbying must be
7 reported. Reporting of expenditures shall be made on an
8 accrual basis. The report of such expenditures must identify
9 whether the expenditure was made directly by the lobbyist,
10 directly by the principal, initiated or expended by the
11 lobbyist and paid for by the principal, or initiated or
12 expended by the principal and paid for by the lobbyist. The
13 principal is responsible for the accuracy of the expenditures
14 reported as lobbying expenditures made by the principal. The
15 lobbyist is responsible for the accuracy of the expenditures
16 reported as lobbying expenditures made by the lobbyist.
17 Expenditures made must be reported by the category of the
18 expenditure, including, but not limited to, the categories of
19 food and beverages, entertainment, research, communication,
20 media advertising, publications, travel, and lodging.
21 Lobbying expenditures do not include a lobbyist's or
22 principal's salary, office expenses, and personal expenses for
23 lodging, meals, and travel.

24 (b) A principal who is represented by two or more
25 lobbyists shall designate one lobbyist whose expenditure
26 report shall include all lobbying expenditures made directly
27 by the principal and those expenditures of the designated
28 lobbyist on behalf of that principal as required by paragraph
29 (a). All other lobbyists registered to represent that
30 principal shall file a report pursuant to paragraph (a). The
31 report of lobbying expenditures by the principal shall be made

1 pursuant to the requirements of paragraph (a). The principal
2 is responsible for the accuracy of figures reported by the
3 designated lobbyist as lobbying expenditures made directly by
4 the principal. The designated lobbyist is responsible for the
5 accuracy of the figures reported as lobbying expenditures made
6 by that lobbyist.

7 (c) For each reporting period the division ~~Joint~~
8 ~~Legislative Management Committee~~ shall aggregate the
9 expenditures reported by all of the lobbyists for a principal
10 represented by more than one lobbyist. Further, the division
11 ~~committee~~ shall aggregate figures that provide a cumulative
12 total of expenditures reported as spent by and on behalf of
13 each principal for the calendar year.

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

29 (e) Reports shall be filed not later than 5 p.m. of
30 the report due date. However, any report that is postmarked
31 by the United States Postal Service no later than midnight of

1 the due date shall be deemed to have been filed in a timely
2 manner, and a certificate of mailing obtained from and dated
3 by the United States Postal Service at the time of the
4 mailing, or a receipt from an established courier company
5 which bears a date on or before the due date, shall be proof
6 of mailing in a timely manner.

7 (f) Each house of the Legislature shall provide by
8 rule, or both houses may provide by joint rule, a procedure by
9 which a lobbyist who fails to timely file a report shall be
10 notified and assessed fines. The rule shall provide for the
11 following:

12 1. Upon determining that the report is late, the
13 person designated to review the timeliness of reports shall
14 immediately notify the lobbyist as to the failure to timely
15 file the report and that a fine is being assessed for each
16 late day. The fine shall be \$50 per day per report for each
17 late day.

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

21 a. When a report is actually received by the lobbyist
22 registration and reporting office.

23 b. When the report is postmarked.

24 c. When the certificate of mailing is dated.

25 d. When the receipt from an established courier
26 company is dated.

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

1 4. A fine shall not be assessed against a lobbyist the
2 first time any reports for which the lobbyist is responsible
3 are not timely filed. However, to receive the one-time fine
4 waiver, all reports for which the lobbyist is responsible must
5 be filed within 20 days after receipt of notice that any
6 reports have not been timely filed. A fine shall be assessed
7 for any subsequent late-filed reports.

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

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

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

1 house and may appear in person before the committee. The rule
2 shall provide a procedure by which:

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

6 (b) The committee shall make sufficient deletions to
7 prevent disclosing the identity of persons in the decisions or
8 opinions.

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

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

16 (6) The committee of the respective house shall
17 investigate any person engaged in legislative lobbying upon
18 receipt of a sworn complaint alleging a violation of this
19 section, s. 112.3148, or s. 112.3149 by such person. Such
20 proceedings shall be conducted pursuant to the rules of the
21 respective houses. If the committee finds that there has been
22 a violation of this section, s. 112.3148, or s. 112.3149, it
23 shall report its findings to the President of the Senate or
24 the Speaker of the House of Representatives, as appropriate,
25 together with a recommended penalty, to include a fine of not
26 more than \$5,000, reprimand, censure, probation, or
27 prohibition from lobbying for a period of time not to exceed
28 24 months. Upon the receipt of such report, the President of
29 the Senate or the Speaker of the House of Representatives
30 shall cause the committee report and recommendations to be
31

1 brought before the respective house and a final determination
2 shall be made by a majority of said house.

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

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

24 Section 2. Section 11.12, Florida Statutes, is amended
25 to read:

26 11.12 Salary, subsistence, and mileage of members and
27 employees; expenses authorized by resolution; appropriation;
28 preaudit by Comptroller.--

29 (1) The Treasurer is authorized to pay the salary,
30 subsistence, and mileage of the members of the Legislature, as
31 the same shall be authorized from time to time by law, upon

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

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

30 Section 3. Section 11.13, Florida Statutes, is amended
31 to read:

1 11.13 Compensation of members.--

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

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

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

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

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

1 extraordinary session of the Legislature or for the convening
2 of either the House or Senate for official business.

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

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

27 (5)(a) All expenditures of the Senate, House of
28 Representatives, and offices, committees, and divisions of the
29 Legislature shall be made pursuant to and, unless changed as
30 provided below, within the limits of budgetary estimates of
31 expenditure for each fiscal year prepared and submitted prior

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

24 (b) Thirty days prior to the date established by s.
25 216.023 for submission of legislative budgets by all state
26 agencies to the Governor, all budgetary units required to
27 submit estimates of expenditures as provided by paragraph (a)
28 shall annually submit tentative estimates of their financial
29 needs for the next fiscal year beginning July 1 to the
30 authorities required by that paragraph so that the financial
31 needs of the Legislature for the ensuing fiscal year may be

1 reported to the Governor by ~~a committee composed of the~~
2 President of the Senate and the Speaker of the House of
3 Representatives, ~~and the chair or co-chairs of the Joint~~
4 ~~Legislative Management Committee, pursuant to ss. 11.148 and~~
5 ~~11.40 and as required by s. 216.081.~~

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

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

17 Section 4. Section 11.147, Florida Statutes, is
18 amended to read:

19 11.147 Office of Legislative Services ~~Joint~~
20 ~~Legislative Management Committee.--~~

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

1 (2) The President of the Senate and the Speaker of the
2 House of Representatives may select a coordinator for the
3 Office of Legislative Services, who shall report directly to
4 the President of the Senate and the Speaker of the House of
5 Representatives or their respective designees ~~joint committee~~
6 ~~shall be governed by joint rules of the Senate and House of~~
7 ~~Representatives which shall remain in effect until repealed or~~
8 ~~amended by concurrent resolution.~~

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

13 Section 5. Section 11.39, Florida Statutes, is
14 repealed.

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

19 Section 7. Paragraph (g) of subsection (13) of section
20 112.0455, Florida Statutes, is amended to read:

21 112.0455 Drug-Free Workplace Act.--

22 (13) RULES.--

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

28
29 This section shall not be construed to eliminate the
30 bargainable rights as provided in the collective bargaining
31 process where applicable.

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

3 112.3148 Reporting and prohibited receipt of gifts by
4 individuals filing full or limited public disclosure of
5 financial interests and by procurement employees.--

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

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

1 ~~Committee~~. The report must contain a description of each gift,
2 the monetary value thereof, the name and address of the person
3 making such gift, the name and address of the recipient of the
4 gift, and the date such gift is given. In addition, when a
5 gift is made which requires the filing of a report under this
6 subsection, the donor must notify the intended recipient at
7 the time the gift is made that the donor, or another on his or
8 her behalf, will report the gift under this subsection. Under
9 this paragraph, a gift need not be reported by more than one
10 person or entity.

11 Section 9. Paragraph (c) of subsection (1) of section
12 121.055, Florida Statutes, is amended to read:

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

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

1 2. Participation in this class shall be compulsory,
2 except as provided in subparagraph 3., for any legislative
3 employee who holds a position designated for coverage in the
4 Senior Management Service Class, and such participation shall
5 continue until the employee terminates employment in a covered
6 position.

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

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

15 216.136 Consensus estimating conferences; duties and
16 principals.--

17 (1) ECONOMIC ESTIMATING CONFERENCE.--

18 (a) Duties.--

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

29 2. Prior to the submission of the Governor's budget
30 recommendations to the Legislature pursuant to s. 216.162, and
31 again prior to each Regular Session of the Legislature, the

1 Economic Estimating Conference shall evaluate and project the
2 financial condition of the employee group health
3 self-insurance plan. This analysis shall also consider any
4 financial impact of the state's use of health maintenance
5 organizations on the funding of the self-insurance plan. The
6 conference shall indicate whether the current plan premium
7 rates are sufficient to fund projected plan claims and other
8 expenses during the fiscal year.

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 of the Senate and House of
13 Representatives who have forecasting expertise, or their
14 designees, are the principals of the Economic Estimating
15 Conference. The responsibility of presiding over sessions of
16 the conference shall be rotated among the principals.

17 (2) DEMOGRAPHIC ESTIMATING CONFERENCE.--

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

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

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

3 (3) REVENUE ESTIMATING CONFERENCE.--

4 (a) Duties.--The Revenue Estimating Conference shall
5 develop such official information with respect to anticipated
6 state and local government revenues as the conference
7 determines is needed for the state planning and budgeting
8 system. Any principal may request the conference to review
9 and estimate revenues for any trust fund.

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

18 (4) EDUCATION ESTIMATING CONFERENCE.--

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

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

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

29 (5) CRIMINAL JUSTICE ESTIMATING CONFERENCE.--

30 (a) Duties.--The Criminal Justice Estimating
31 Conference shall develop such official information relating to

1 the criminal justice system, including forecasts of prison
2 admissions by offense categories specified in Rule 3.701,
3 Florida Rules of Criminal Procedure, as the conference
4 determines is needed for the state planning and budgeting
5 system.

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

15 (6) SOCIAL SERVICES ESTIMATING CONFERENCE.--

16 (a) Duties.--

17 1. The Social Services Estimating Conference shall
18 develop such official information relating to the social
19 services system of the state, including forecasts of social
20 services caseloads, as the conference determines is needed for
21 the state planning and budgeting system. Such official
22 information shall include, but not be limited to, subsidized
23 child care caseloads mandated by the Family Support Act of
24 1988.

25 2. In addition, the Social Services Estimating
26 Conference shall develop estimates and forecasts of the
27 unduplicated count of children eligible for subsidized child
28 care as defined in s. 402.3015(1). These estimates and
29 forecasts shall not include children enrolled in the
30 prekindergarten early intervention program established in s.
31 230.2305.

1 3. The Department of Health and Rehabilitative
2 Services and the Department of Education shall provide
3 information on caseloads and waiting lists for the subsidized
4 child care and prekindergarten early intervention programs
5 requested by the Social Services Estimating Conference or
6 individual conference principals, in a timely manner.

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

17 (7) TRANSPORTATION ESTIMATING CONFERENCE.--

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

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 with budgeting expertise
30 from the Department of Transportation, the Senate, and the
31

1 House of Representatives are the principals of the
2 Transportation Estimating Conference.

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

4 (a) Duties.--The Child Welfare System Estimating
5 Conference shall develop the following information relating to
6 the child welfare system:

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

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

15

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

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

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

3 (9) JUVENILE JUSTICE ESTIMATING CONFERENCE.--

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

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

1 (10) OCCUPATIONAL FORECASTING CONFERENCE.--

2 (a) Duties.--The Occupational Forecasting Conference
3 shall develop such official information on the workforce
4 development system planning process as it relates to the
5 personnel needs of current, new, and emerging industries as
6 the conference determines is needed by the state planning and
7 budgeting system. Such information must include at least:
8 short-term and long-term forecasts of employment demand for
9 high-skills/high-wage jobs by occupation and industry;
10 relative wage forecasts among those occupations; and estimates
11 of the supply of trained and qualified individuals available
12 for employment in those occupations.

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

22 Section 11. Paragraph (a) of subsection (2) of section
23 216.251, Florida Statutes, is amended to read:

24 216.251 Salary appropriations; limitations.--

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

28 1. Within the classification and pay plans provided
29 for in chapter 110.

30 2. Within the classification and pay plans established
31 by the Board of Trustees for the Florida School for the Deaf

1 and the Blind of the Department of Education and approved by
2 the State Board of Education for academic and academic
3 administrative personnel.

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

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

12 5. Within the approved classification and pay plan for
13 the judicial branch.

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

17 Section 12. Paragraph (c) of subsection (3) of section
18 985.401, Florida Statutes, is amended to read:

19 985.401 Juvenile Justice Advisory Board.--

20 (3)

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

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

29 11.241 Permanent statutory revision plan
30 created.--There is created a permanent statutory revision plan
31

1 to be implemented and maintained under the supervision of the
2 Office of Legislative Services ~~joint committee~~.

3 Section 14. Section 11.242, Florida Statutes, is
4 amended to read:

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

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

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

1 systems, matters, tables, and other material as contained in
2 the Florida Statutes.

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

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

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

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

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

18 (e) Statutes incorporating a designated individual
19 corporation or making a grant thereto.†

20 (f) Road designation laws.

21 (4) The published edition of the Florida Statutes~~†~~
22 shall contain the following:

23 (a) The Florida Statutes, as adopted and enacted,
24 together with the laws of a general nature enacted at any
25 current session of the Legislature and directed to be embodied
26 in said edition.

27 (b) The Florida Constitution.

28 (c) Complete indexes of all the material in the
29 statutes.

30 (d) Such other matters, notes, data, and other
31 material as may be deemed necessary or admissible by the

1 Division of Statutory Revision of the Office of Legislative
2 Services ~~joint committee~~ for reference, convenience, or
3 interpretation.

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

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

12 (b) All sections, chapters, or titles of the Florida
13 Statutes or session laws of this state which are expressly
14 repealed by any current session of the Legislature shall be
15 omitted.

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

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

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

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

6 (g) Subsections, sections, chapters, and titles may be
7 renumbered and reference thereto may be changed to agree with
8 such renumbering.

9 (h) Grammatical, typographical and like errors may be
10 corrected and additions, alterations, and omissions, not
11 affecting the construction or meaning of the statutes or laws,
12 may be freely made.

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

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

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

29 (6) To award contracts from time to time for editorial
30 work in the preparation of copy and other necessary material,
31 and for printing as defined in s. 283.60; ~~to pay expenses only~~

1 ~~of members of revision committees appointed by the joint~~
2 ~~committee to assist in revision of whole titles or chapters;~~
3 and to pay for such other things as are authorized to be done
4 and performed as part of a statutory revision program under
5 the laws of this state.

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

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

13 Section 15. Section 11.243, Florida Statutes, is
14 amended to read:

15 11.243 Publishing Florida Statutes; price, sale.--

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

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

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

31

1 Section 16. Paragraph (c) of subsection (6) of section
2 11.70, Florida Statutes, is amended to read:

3 11.70 Legislative Committee on Intergovernmental
4 Relations.--

5 (6) STAFF.--

6 (c) Upon request of the committee, the Office of
7 Legislative Services ~~Joint Legislative Management Committee~~ is
8 directed to provide office space and equipment as the
9 committee deems necessary.

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

12 13.01 Commission on Interstate Cooperation.--

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

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

28 13.10 Commissioners to the National Conference of
29 Commissioners on Uniform State Laws.--

30 (4) The coordinator ~~executive director~~ of the Office
31 of Legislative Services ~~Joint Legislative Management Committee~~

1 shall designate an appropriate legislative employee to serve
2 as an associate member and secretary to the Florida
3 commissioners to the National Conference of Commissioners on
4 Uniform State Laws. He or she shall prepare and sign all
5 vouchers authorized by law and keep such records as directed
6 by the commissioners.

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

9 15.155 Legislative documents; Department of State to
10 classify, number, and furnish copies of general laws, special
11 acts, resolutions, and memorials.--

12 (1) Immediately after any act of the Legislature or
13 any resolution or memorial is filed in the office of the
14 Department of State, the department shall:

15 (a) Select, segregate, and classify all acts of the
16 Legislature, including memorials and resolutions, by dividing
17 them into the following two classifications: Volume I,
18 General Acts, and Volume II, Special Acts;

19 (b) Include in such General Acts all acts passed as
20 general laws and all memorials and resolutions, including
21 proposed constitutional amendments, and include in such
22 Special Acts only those acts passed as special laws and
23 becoming law as such;

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

25 (d) Furnish true and accurate copies of such laws,
26 resolutions, and memorials passed by the Legislature to the
27 Office of Legislative Services ~~Joint Legislative Management~~
28 ~~Committee~~ for publication.

29 Section 20. Paragraph (b) of subsection (6) of section
30 20.315, Florida Statutes, is amended to read:

31

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. Perform an in-depth review of the recommendations
12 of the Sentencing Guidelines Commission on the need for
13 changes in the guidelines and of any alternative proposals
14 submitted by the Office ~~Division~~ of Economic and Demographic
15 Research ~~of the Joint Legislative Management Committee~~ to
16 revise statewide sentencing guidelines.

17 4. Annually perform an in-depth review of
18 community-based intermediate sanctions and recommend to the
19 Governor and the Legislature intergovernmental approaches
20 through the Community Corrections Partnership Act for planning
21 and implementing such sanctions and programs.

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

30 6. Routinely monitor the financial status of the
31 Department of Corrections to assure that the department is

1 managing revenue and any applicable bond proceeds responsibly
2 and in accordance with law and established policy.

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

7 8. Provide public education on corrections and
8 criminal justice issues.

9 9. Report to the President of the Senate, the Speaker
10 of the House of Representatives, and the Governor by November
11 1 of each year. The first annual report of the commission
12 shall be made by November 1, 1995.

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

17 20.315 Department of Corrections.--There is created a
18 Department of Corrections.

19 (6) FLORIDA CORRECTIONS COMMISSION.--

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

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

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

27 3. Annually perform an in-depth review of
28 community-based intermediate sanctions and recommend to the
29 Governor and the Legislature intergovernmental approaches
30 through the Community Corrections Partnership Act for planning
31 and implementing such sanctions and programs.

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

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

13 6. Evaluate, at least quarterly, the efficiency,
14 productivity, and management of the Department of Corrections,
15 using performance and production standards developed by the
16 department under subsection (18).

17 7. Provide public education on corrections and
18 criminal justice issues.

19 8. Report to the President of the Senate, the Speaker
20 of the House of Representatives, and the Governor by November
21 1 of each year.

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

24 27.709 Commission on the Administration of Justice in
25 Capital Cases.--

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

29 1. Two members appointed by the Governor.

30 2. Two members appointed by the President of the
31 Senate from the membership of the Senate. One member shall be

1 a member of the majority party, and one member shall be a
2 member of the minority party.

3 3. Two members appointed by the Speaker of the House
4 of Representatives from the membership of the House of
5 Representatives. One member shall be a member of the majority
6 party, and one member shall be a member of the minority party.

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

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

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

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

24 (f) The Office of Legislative Services ~~Joint~~
25 ~~Legislative Management Committee~~ shall provide staff support
26 for the commission.

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

29 112.061 Per diem and travel expenses of public
30 officers, employees, and authorized persons.--

31

1 (13) DIRECT PAYMENT OF EXPENSES BY AGENCY.--Whenever
2 an agency requires an employee to incur either Class A or
3 Class B travel on emergency notice to the traveler, such
4 traveler may request the agency to pay his or her expenses for
5 meals and lodging directly to the vendor, and the agency may
6 pay the vendor the actual expenses for meals and lodging
7 during the travel period, limited to an amount not to exceed
8 that authorized pursuant to this section. In emergency
9 situations, the agency head may authorize an increase in the
10 amount paid for a specific meal, provided that the total daily
11 cost of meals does not exceed the total amount authorized for
12 meals each day. The agency head or his or her designee may
13 also grant prior approval for a state agency to make direct
14 payments of travel expenses in other situations that result in
15 cost savings to the state, and such cost savings shall be
16 documented in the voucher submitted to the Comptroller for the
17 direct payment of travel expenses. The provisions of this
18 subsection shall not be deemed to apply to any legislator or
19 to any employee of ~~either house of the Legislature or of the~~
20 ~~Joint Legislative Management Committee.~~

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

23 112.321 Membership, terms; travel expenses; staff.--

24 (4) In accordance with the uniform personnel, job
25 classification, and pay plan adopted with the approval of the
26 President of the Senate and the Speaker of the House of
27 Representatives and administered by the Office of Legislative
28 Services ~~Joint Legislative Management Committee pursuant to s.~~
29 ~~11.147(4)(c)~~, the commission shall employ an executive
30 director and shall provide the executive director with
31 necessary office space, assistants, and secretaries. Within

1 the above uniform plan, decisions relating to hiring,
2 promotion, demotion, and termination of commission employees
3 shall be made by the commission or, if so delegated by the
4 commission, by its executive director.

5 Section 25. Paragraph (d) of subsection (3) of section
6 119.15, Florida Statutes, is amended to read:

7 119.15 Legislative review of exemptions from public
8 meeting and public records requirements.--

9 (3)

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

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

27 218.60 Definitions.--

28 (3) All estimates of moneys provided pursuant to this
29 part utilized by participating units of local government in
30 the first year of participation shall be equal to 95 percent
31 of those projections made by the revenue estimating conference

1 and provided to local governments by the Office ~~Division~~ of
2 Economic and Demographic Research ~~of the Joint Legislative~~
3 ~~Management Committee~~, in consultation with the Department of
4 Revenue.

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

7 229.593 Florida Commission on Education Reform and
8 Accountability.--

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

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

21 282.3091 State Technology Council; creation.--

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

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

27 (b) To recommend statewide policies to the Executive
28 Office of the Governor, and to the President of the Senate,
29 and to the Speaker of the House of Representatives ~~Joint~~
30 ~~Legislative Information Technology Resource Committee.~~

31

1 (c) To recommend innovation in the state's use of
2 technology to the Executive Office of the Governor, and the
3 President of the Senate, and the Speaker of the House of
4 Representatives ~~Joint Legislative Information Technology~~
5 ~~Resource Committee.~~

6 (d) To identify, develop, and recommend solutions to
7 address statewide technology issues to the Executive Office of
8 the Governor, and the President of the Senate, and the Speaker
9 of the House of Representatives ~~Joint Legislative Information~~
10 ~~Technology Resource Committee.~~

11 (e) To create ad hoc issue-oriented workgroups to make
12 recommendations to the council and to the Executive Office of
13 the Governor. Such workgroups may include private and public
14 sector representatives.

15 ~~(f) To review, evaluate, and comment on proposals by~~
16 ~~the Joint Legislative Information Technology Resource~~
17 ~~Committee.~~

18 (f)(g) To consult with the Chief Information Officers
19 Council.

20 (g)(h) To approve the State Annual Report on
21 Information Resources Management.

22 (h)(i) To recommend memoranda on guidelines and best
23 practices to the Executive Office of the Governor.

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

26 282.310 State Annual Report on Information Resources
27 Management.--

28 (3) The state annual report shall be made available in
29 writing or through electronic means to the Executive Office of
30 the Governor, the President of the Senate, the Speaker of the
31 House of Representatives, ~~the Joint Legislative Information~~

1 ~~Technology Resource Committee~~, and the Chief Justice of the
2 Supreme Court.

3 Section 30. Section 282.322, Florida Statutes, is
4 amended to read:

5 282.322 Special monitoring process for designated
6 information resources management projects.--For each
7 information resources management project which is designated
8 for special monitoring in the General Appropriations Act, with
9 a proviso requiring a contract with a project monitor, the
10 Technology Review Workgroup established pursuant to s.
11 216.0446, in consultation with each affected agency, shall be
12 responsible for contracting with the project monitor. Upon
13 contract award, funds equal to the contract amount shall be
14 transferred to the Technology Review Workgroup upon request
15 and subsequent approval of a budget amendment pursuant to s.
16 216.292. With the concurrence of the Legislative Auditing
17 Committee, the office of the Auditor General shall be the
18 project monitor for other projects designated for special
19 monitoring. However, nothing in this section precludes the
20 Auditor General from conducting such monitoring on any project
21 designated for special monitoring. In addition to monitoring
22 and reporting on significant communications between a
23 contracting agency and the appropriate federal authorities,
24 the project monitoring process shall consist of evaluating
25 each major stage of the designated project to determine
26 whether the deliverables have been satisfied and to assess the
27 level of risks associated with proceeding to the next stage of
28 the project. The major stages of each designated project shall
29 be determined based on the agency's information systems
30 development methodology. Within 20 days after an agency has
31 completed a major stage of its designated project, the project

1 monitor shall issue a written report, including the findings
2 and recommendations for correcting deficiencies, to the agency
3 head, for review and comment. Within 20 days after receipt of
4 the project monitor's report, the agency head shall submit a
5 written statement of explanation or rebuttal concerning the
6 findings and recommendations of the project monitor, including
7 any corrective action to be taken by the agency. The project
8 monitor shall include the agency's statement in its final
9 report which shall be forwarded, within 7 days after receipt
10 of the agency's statement, to the agency head, the inspector
11 general's office of the agency, the Executive Office of the
12 Governor, the appropriations committees of the Legislature,
13 the Joint Legislative Auditing Committee, and the Technology
14 Review Workgroup, ~~and the Legislative Information Technology~~
15 ~~Resource Committee~~. The Auditor General shall also receive a
16 copy of the project monitor's report for those projects in
17 which the Auditor General is not the project monitor.

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

20 350.031 Florida Public Service Commission Nominating
21 Council.--

22 (3) A majority of the membership of the council may
23 conduct any business before the council. All meetings and
24 proceedings of the council shall be staffed by the Office of
25 Legislative Services ~~Joint Legislative Management Committee~~
26 and shall be subject to the provisions of ss. 119.07 and
27 286.011. Members of the council are entitled to receive per
28 diem and travel expenses as provided in s. 112.061, which
29 shall be funded by the Florida Public Service Regulatory Trust
30 Fund. Applicants invited for interviews before the council
31 may, in the discretion of the council, receive per diem and

1 travel expenses as provided in s. 112.06, which shall be
2 funded by the Florida Public Service Regulatory Trust Fund.
3 The council shall establish policies and procedures to govern
4 the process by which applicants are nominated.

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

7 790.22 Use of BB guns, air or gas-operated guns, or
8 electric weapons or devices by minor under 16; limitation;
9 possession of firearms by minor under 18 prohibited;
10 penalties.--

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

1 defender; the current offense; and the minor's complete prior
2 record, including any pending cases. The form shall be
3 provided to the judge to be considered when determining
4 whether the minor should be continued in secure detention
5 under this subsection. An order placing a minor in secure
6 detention because the minor is a clear and present danger to
7 himself or herself or the community must be in writing, must
8 specify the need for detention and the benefits derived by the
9 minor or the community by placing the minor in secure
10 detention, and must include a copy of the form provided by the
11 department. The Department of Juvenile Justice must send the
12 form, including a copy of any order, without
13 client-identifying information, to the Office ~~Division~~ of
14 Economic and Demographic Research ~~of the Joint Legislative~~
15 ~~Management Committee.~~

16 Section 33. This act shall take effect upon becoming a
17 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1574

The committee substitute eliminates the need for the presiding officers to determine legislative offices, the records of which are exempt from disclosure.

The President of the Senate will determine the rate of subsistence for Senate employees and the Speaker of the House of Representatives will determine the rate of subsistence for House employees.

The President of the Senate will determine the rate of subsistence for members.

The monthly allowance for intra district expenses for members will be determined independently by the President of the Senate for Senate members and the Speaker of the House for House members.

The President of the Senate and the Speaker of the House will act jointly in approving the budgets of the joint committees and divisions thereof.

The legislative library is transferred by type 2 transfer to the Department of State.

Effective July 1, 1998, the responsibility for oversight of the Juvenile Justice Advisory Board is transferred to the Department of Juvenile Justice.