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

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

25

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

27

28 Section 1. Section 11.045, Florida Statutes, is
29 amended to read:30 11.045 Lobbyists; registration and reporting;
31 exemptions; penalties.--

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

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

6 **(b)** "Division" means the Division of Legislative
7 Information Services within the Office of Legislative
8 Services.

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

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

18 ~~(e)~~~~(d)~~ "Lobbying" means influencing or attempting to
19 influence legislative action or nonaction through oral or
20 written communication or an attempt to obtain the goodwill of
21 a member or employee of the Legislature.

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

28 ~~(g)~~~~(f)~~ "Principal" means the person, firm,
29 corporation, or other entity which has employed or retained a
30 lobbyist.

31

1 (2) Each house of the Legislature shall provide by
2 rule, or may provide by a joint rule adopted by both houses,
3 for the registration of lobbyists who lobby the Legislature.
4 The rule may provide for the payment of a registration fee.
5 The rule may provide for exemptions from registration or
6 registration fees. The rule shall provide that:

7 (a) Registration is required for each principal
8 represented.

9 (b) Registration shall include a statement signed by
10 the principal or principal's representative that the
11 registrant is authorized to represent the principal.

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

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

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

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

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

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

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

29 (b) A principal who is represented by two or more
30 lobbyists shall designate one lobbyist whose expenditure
31 report shall include all lobbying expenditures made directly

1 by the principal and those expenditures of the designated
2 lobbyist on behalf of that principal as required by paragraph
3 (a). All other lobbyists registered to represent that
4 principal shall file a report pursuant to paragraph (a). The
5 report of lobbying expenditures by the principal shall be made
6 pursuant to the requirements of paragraph (a). The principal
7 is responsible for the accuracy of figures reported by the
8 designated lobbyist as lobbying expenditures made directly by
9 the principal. The designated lobbyist is responsible for the
10 accuracy of the figures reported as lobbying expenditures made
11 by that lobbyist.

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

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

1 Reporting statements may be filed by electronic means, when
2 feasible.

3 (e) Reports shall be filed not later than 5 p.m. of
4 the report due date. However, any report that is postmarked
5 by the United States Postal Service no later than midnight of
6 the due date shall be deemed to have been filed in a timely
7 manner, and a certificate of mailing obtained from and dated
8 by the United States Postal Service at the time of the
9 mailing, or a receipt from an established courier company
10 which bears a date on or before the due date, shall be proof
11 of mailing in a timely manner.

12 (f) Each house of the Legislature shall provide by
13 rule, or both houses may provide by joint rule, a procedure by
14 which a lobbyist who fails to timely file a report shall be
15 notified and assessed fines. The rule shall provide for the
16 following:

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

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

26 a. When a report is actually received by the lobbyist
27 registration and reporting office.

28 b. When the report is postmarked.

29 c. When the certificate of mailing is dated.

30 d. When the receipt from an established courier
31 company is dated.

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

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

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

31

1 6. The person designated to review the timeliness of
2 reports shall notify the director of the division ~~Joint~~
3 ~~Legislative Management Committee~~ of the failure of a lobbyist
4 to file a report after notice or of the failure of a lobbyist
5 to pay the fine imposed.

6 (4) Each house of the Legislature shall provide by
7 rule a procedure by which a person, when in doubt about the
8 applicability and interpretation of this section in a
9 particular context, may submit in writing the facts for an
10 advisory opinion to the committee of either ~~the respective~~
11 house and may appear in person before the committee. The rule
12 shall provide a procedure by which:

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

16 (b) The committee shall make sufficient deletions to
17 prevent disclosing the identity of persons in the decisions or
18 opinions.

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

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

26 (6) The committee of either ~~the respective~~ house shall
27 investigate any person engaged in legislative lobbying upon
28 receipt of a sworn complaint alleging a violation of this
29 section, s. 112.3148, or s. 112.3149 by such person. Such
30 proceedings shall be conducted pursuant to the rules of the
31 respective houses. If the committee finds that there has been

1 a violation of this section, s. 112.3148, or s. 112.3149, it
2 shall report its findings to the President of the Senate or
3 the Speaker of the House of Representatives, as appropriate,
4 together with a recommended penalty, to include a fine of not
5 more than \$5,000, reprimand, censure, probation, or
6 prohibition from lobbying for a period of time not to exceed
7 24 months. Upon the receipt of such report, the President of
8 the Senate or the Speaker of the House of Representatives
9 shall cause the committee report and recommendations to be
10 brought before the respective house and a final determination
11 shall be made by a majority of said house.

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

23 (8) There is hereby created the Legislative Lobbyist
24 Registration Trust Fund, to be used for the purpose of funding
25 any office established for ~~the purpose of funding~~ the
26 administration of the registration of lobbyist lobbying the
27 Legislature, including the payment of salaries and other
28 expenses. The trust fund is not subject to the service charge
29 to general revenue provisions of chapter 215. Fees collected
30 pursuant to rules established in accordance with subsection
31

1 (2) shall be deposited into the Legislative Lobbyist
2 Registration Trust Fund.

3 Section 2. Section 11.12, Florida Statutes, is amended
4 to read:

5 11.12 Salary, subsistence, and mileage of members and
6 employees; expenses authorized by resolution; appropriation;
7 preaudit by Comptroller.--

8 (1) The Treasurer is authorized to pay the salary,
9 subsistence, and mileage of the members of the Legislature, as
10 the same shall be authorized from time to time by law, upon
11 receipt of a warrant therefor of the Comptroller for the
12 stated amount. The Treasurer is authorized to pay the
13 compensation of employees of the Legislature, together with
14 reimbursement for their authorized travel as provided in s.
15 112.061, and such expense of the Legislature as shall be
16 authorized by law, a concurrent resolution, a resolution of
17 either house, or rules adopted by the respective houses,
18 provided the total amount appropriated to the legislative
19 branch shall not be altered, upon receipt of such warrant
20 therefor. The number, duties, and compensation of the
21 employees of the respective houses and of their committees
22 shall be determined as provided by the rules of the respective
23 house or in this chapter. Each legislator may designate no
24 more than two employees to attend sessions of the Legislature,
25 and those employees who change their places of residence in
26 order to attend the session shall be paid subsistence at a
27 rate to be established by the President of the Senate for
28 Senate employees and the Speaker of the House of
29 Representatives for House employees ~~Joint Legislative~~
30 ~~Management Committee~~. Such employees, in addition to
31 subsistence, shall be paid transportation expenses in

1 accordance with s. 112.061(7) and (8) for actual
2 transportation between their homes and the seat of government
3 in order to attend the legislative session and return home, as
4 well as for two round trips during the course of any regular
5 session of the Legislature.

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

9 Section 3. Section 11.13, Florida Statutes, is amended
10 to read:

11 11.13 Compensation of members.--

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

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

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

19 (b) Effective July 1, 1986, and each July 1
20 thereafter, the annual salaries of members of the Senate and
21 House of Representatives shall be adjusted by the average
22 percentage increase in the salaries of state career service
23 employees for the fiscal year just concluded. The
24 Appropriations Committee of each house shall certify to the
25 Office of Legislative Services ~~Joint Legislative Management~~
26 ~~Committee~~ the average percentage increase in the salaries of
27 state career service employees before ~~prior to~~ July 1 of each
28 year, ~~and~~ The Office of Legislative Services ~~Joint~~
29 ~~Legislative Management Committee~~ shall, as of July 1 of each
30 year, determine the adjusted annual salaries as provided
31 herein.

1 (2) During the time the Legislature is in session,
2 each legislator shall be paid subsistence at a rate to be
3 established by the President of the Senate for members of the
4 Senate and the Speaker of the House of Representatives for
5 members of the House ~~Joint Legislative Management Committee~~.
6 Each legislator, in addition to subsistence, shall be paid
7 travel expenses in accordance with s. 112.061(7) and (8) for
8 actual travel between the legislator's home and the seat of
9 government for not more than one round trip per week or
10 fraction of a week during any regular, special, or
11 extraordinary session of the Legislature or for the convening
12 of either the House or Senate for official business.

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

17 (4) Each member of the Legislature shall be entitled
18 to receive a monthly allowance for intradistrict expenses in
19 an a-uniform amount set annually by the President of the
20 Senate for members of the Senate and the Speaker of the House
21 of Representatives for members of the House ~~Joint Legislative~~
22 ~~Management Committee~~ not later than November 1 for the next
23 fiscal year. In setting the amount, the costs of maintaining
24 a legislative district office that provides an appropriate
25 level of constituent services shall be considered. The
26 procedure for disbursement of the monthly intradistrict
27 expense allowed shall be set from time to time by the Office
28 of Legislative Services, with the approval of the President of
29 the Senate and the Speaker of the House of Representatives or
30 their respective designees ~~Joint Legislative Management~~
31 ~~Committee~~. Such expenses shall be a proper expense of the

1 Legislature and shall be disbursed from the appropriation for
2 legislative expense. The expenses provided under this
3 subsection shall not include any travel and per diem
4 reimbursed under subsections (2) and (3) or the rules of
5 either house.

6 (5)(a) All expenditures of the Senate, House of
7 Representatives, and offices, committees, and divisions of the
8 Legislature shall be made pursuant to and, unless changed as
9 provided below, within the limits of budgetary estimates of
10 expenditure for each fiscal year prepared and submitted prior
11 to June 15 by the administrative head of each such house,
12 office, committee, or division and approved by the ~~Committee~~
13 ~~on Rules and Calendar of the Senate and the~~ President of the
14 Senate as to Senate budgets, by ~~the Committee on~~
15 ~~Administration of the House of Representatives and the Speaker~~
16 of the House of Representatives as to House budgets, and by
17 the President of the Senate and the Speaker of the House of
18 Representatives acting jointly ~~Joint Legislative Management~~
19 ~~Committee~~ as to joint committees and other units ~~the divisions~~
20 of the Legislature ~~other than the Legislative Auditing~~
21 ~~Committee and the Auditor General's office~~. Amounts in the
22 approved estimates of expenditure may be transferred between
23 budgetary units within the Senate, House of Representatives,
24 and joint activities by the original approving authority.
25 Funds may be transferred between items of appropriation to the
26 Legislature when approved by the President of the Senate and
27 the Speaker of the House of Representatives ~~and the Joint~~
28 ~~Legislative Management Committee~~, provided the total amount
29 appropriated to the legislative branch shall not be altered.
30 The Office of Legislative Services ~~Joint Legislative~~
31 ~~Management Committee~~ shall formulate and present to each house

1 and office thereof recommendations concerning the form and
2 preparation of such budgets and procedures for their adoption
3 and transmission.

4 (b) Thirty days prior to the date established by s.
5 216.023 for submission of legislative budgets by all state
6 agencies to the Governor, all budgetary units required to
7 submit estimates of expenditures as provided by paragraph (a)
8 shall annually submit tentative estimates of their financial
9 needs for the next fiscal year beginning July 1 to the
10 authorities required by that paragraph so that the financial
11 needs of the Legislature for the ensuing fiscal year may be
12 reported to the Governor by ~~a committee composed of the~~
13 ~~President of the Senate and the Speaker of the House of~~
14 ~~Representatives, and the chair or co-chairs of the Joint~~
15 ~~Legislative Management Committee, pursuant to ss. 11.148 and~~
16 ~~11.40 and as required by s. 216.081.~~

17 (c) The Office of Legislative Services ~~Joint~~
18 ~~Legislative Management Committee~~ shall submit on forms
19 prescribed by the Comptroller requested allotments of
20 appropriations for the fiscal year. It shall be the duty of
21 the Comptroller to release the funds and authorize the
22 expenditures for the legislative branch to be made from the
23 appropriations on the basis of the requested allotments.
24 However, the aggregate of such allotments shall not exceed the
25 total appropriations available for the fiscal year.

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

28 Section 4. Section 11.147, Florida Statutes, is
29 amended to read:

30 11.147 Office of Legislative Services ~~Joint~~
31 ~~Legislative Management Committee.--~~

1 (1) There is ~~hereby~~ created the Office of Legislative
2 Services to provide support services that are determined by
3 the President of the Senate and the Speaker of the House of
4 Representatives to be necessary and that can be effectively
5 and efficiently provided jointly to both houses ~~Joint~~
6 ~~Legislative Management Committee, which shall consist of three~~
7 ~~members of the House of Representatives appointed by the~~
8 ~~Speaker of the House of Representatives, one of whom shall be~~
9 ~~a member of the minority party, and three members of the~~
10 ~~Senate appointed by the President of the Senate, one of whom~~
11 ~~shall be a member of the minority party.~~

12 (2) The President of the Senate and the Speaker of the
13 House of Representatives may select a coordinator for the
14 Office of Legislative Services, who shall report directly to
15 the President of the Senate and the Speaker of the House of
16 Representatives or their respective designees.

17 (3)~~(2)~~ The joint committees and other units of the
18 Legislature committee shall be governed by joint rules of the
19 Senate and House of Representatives which shall remain in
20 effect until repealed or amended by concurrent resolution.

21 (4)~~(3)~~ The Office of Legislative Services ~~joint~~
22 ~~committee~~ shall deliver such vouchers covering legislative
23 expenses as required to the Comptroller and, if found to be
24 correct, state warrants shall be issued therefor.

25 Section 5. Section 11.39, Florida Statutes, is
26 repealed.

27 Section 6. Effective July 1, 1998, the legislative
28 library is hereby transferred to the Department of State by a
29 type two transfer, as defined in section 20.06, Florida
30 Statutes.

31

1 Section 7. Paragraph (g) of subsection (13) of section
2 112.0455, Florida Statutes, is amended to read:

3 112.0455 Drug-Free Workplace Act.--

4 (13) RULES.--

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

10
11 This section shall not be construed to eliminate the
12 bargainable rights as provided in the collective bargaining
13 process where applicable.

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

16 112.3148 Reporting and prohibited receipt of gifts by
17 individuals filing full or limited public disclosure of
18 financial interests and by procurement employees.--

19 (5)(a) A political committee or a committee of
20 continuous existence, as defined in s. 106.011; a lobbyist who
21 lobbies a reporting individual's or procurement employee's
22 agency; the partner, firm, employer, or principal of a
23 lobbyist; or another on behalf of the lobbyist or partner,
24 firm, principal, or employer of the lobbyist is prohibited
25 from giving, either directly or indirectly, a gift that has a
26 value in excess of \$100 to the reporting individual or
27 procurement employee or any other person on his or her behalf;
28 however, such person may give a gift having a value in excess
29 of \$100 to a reporting individual or procurement employee if
30 the gift is intended to be transferred to a governmental
31 entity or a charitable organization.

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

24 Section 9. Paragraph (c) of subsection (1) of section
25 121.055, Florida Statutes, is amended to read:

26 121.055 Senior Management Service Class.--There is
27 hereby established a separate class of membership within the
28 Florida Retirement System to be known as the "Senior
29 Management Service Class," which shall become effective
30 February 1, 1987.

31

1 (c)1. Effective January 1, 1990, participation in the
2 Senior Management Service Class shall be compulsory for up to
3 75 nonelective positions at the level of committee staff
4 director or higher or equivalent managerial or policymaking
5 positions within the House of Representatives, as selected by
6 the Speaker of the House of Representatives, up to 50
7 nonelective positions at the level of committee staff director
8 or higher or equivalent managerial or policymaking positions
9 within the Senate, as selected by the President of the Senate,
10 all staff directors of joint committees and service offices of
11 the Legislature, the Auditor General and up to 9 managerial or
12 policymaking positions within his or her office as selected by
13 the Auditor General, and the executive director of the
14 Commission on Ethics.

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

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

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

29 216.136 Consensus estimating conferences; duties and
30 principals.--

31 (1) ECONOMIC ESTIMATING CONFERENCE.--

1 (a) Duties.--

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

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

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

31 (2) DEMOGRAPHIC ESTIMATING CONFERENCE.--

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

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

16 (3) REVENUE ESTIMATING CONFERENCE.--

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

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

31 (4) EDUCATION ESTIMATING CONFERENCE.--

1 (a) Duties.--The Education Estimating Conference shall
2 develop such official information relating to the state public
3 educational system, including forecasts of student
4 enrollments, students qualified for state financial aid
5 programs, fixed capital outlay needs, and Florida Education
6 Finance Program formula needs, as the conference determines is
7 needed for the state planning and budgeting system. The
8 conference's initial projections of enrollments in public
9 schools shall be forwarded by the conference to each school
10 district no later than 2 months prior to the start of the
11 regular session of the Legislature. Each school district may,
12 in writing, request adjustments to the initial projections.
13 Any adjustment request shall be submitted to the conference no
14 later than 1 month prior to the start of the regular session
15 of the Legislature and shall be considered by the principals
16 of the conference. A school district may amend its adjustment
17 request, in writing, during the first 3 weeks of the
18 legislative session, and such amended adjustment request shall
19 be considered by the principals of the conference. For any
20 adjustment so requested, the district shall indicate and
21 explain, using definitions adopted by the conference, the
22 components of anticipated enrollment changes that correspond
23 to continuation of current programs with workload changes;
24 program improvement; program reduction or elimination;
25 initiation of new programs; and any other information that may
26 be needed by the Legislature. For public schools, the
27 conference shall submit its full-time equivalent student
28 consensus estimate to the Legislature no later than 1 month
29 after the start of the regular session of the Legislature. No
30 conference estimate may be changed without the agreement of
31 the full conference.

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

11 (5) CRIMINAL JUSTICE ESTIMATING CONFERENCE.--

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

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

28 (6) SOCIAL SERVICES ESTIMATING CONFERENCE.--

29 (a) Duties.--

30 1. The Social Services Estimating Conference shall
31 develop such official information relating to the social

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

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

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

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

30 (7) TRANSPORTATION ESTIMATING CONFERENCE.--

31

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

9 (b) Principals.--The Executive Office of the Governor,
10 the coordinator ~~director~~ of the Office ~~Division~~ of Economic
11 and Demographic Research ~~of the Joint Legislative Management~~
12 ~~Committee~~, and professional staff with budgeting expertise
13 from the Department of Transportation, the Senate, and the
14 House of Representatives are the principals of the
15 Transportation Estimating Conference. The principal
16 representing the Executive Office of the Governor shall
17 preside over sessions of the conference.

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

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

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

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

30
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 coordinator ~~director~~ of the Office ~~Division~~ of Economic
11 and 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 coordinator ~~director~~ of the Office Division of
3 Economic and Demographic Research ~~of the Joint Legislative~~
4 ~~Management Committee~~, or their designees, are the principals
5 of the Occupational Forecasting Conference. The Commissioner
6 of Education, or the commissioner's designee, shall preside
7 over 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 and ~~the~~ Speaker of the House of
26 Representatives, ~~the Joint Legislative Management Committee,~~
27 or by the Legislative Auditing Committee, as the case may be,
28 for 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. Section 985.401, Florida Statutes, is
5 amended to read:

6 985.401 Juvenile Justice Accountability ~~Advisory~~
7 Board.--

8 (1) The Juvenile Justice Accountability ~~Advisory~~ Board
9 shall be composed of nine members. Members of the board shall
10 have direct experience and a strong interest in juvenile
11 justice issues. The authority to appoint the board is
12 allocated as follows:

13 (a) Three members appointed by the Governor.

14 (b) Three members appointed by the President of the
15 Senate.

16 (c) Three members appointed by the Speaker of the
17 House of Representatives.

18 (2)(a) A full term shall be 3 years, and the term for
19 each seat on the board commences on October 1 and expires on
20 September 30, without regard to the date of appointment. Each
21 appointing authority shall appoint a member to fill one of the
22 three vacancies that occurs with the expiration of terms on
23 September 30 of each year. A member is not eligible for
24 appointment to more than two full, consecutive terms. A
25 vacancy on the board shall be filled within 60 days after the
26 date on which the vacancy occurs. The appointing authority
27 that made the original appointment shall make the appointment
28 to fill a vacancy that occurs for any reason other than the
29 expiration of a term, and the appointment shall be for the
30 remainder of the unexpired term.

31

1 (b) The board shall annually select a chairperson from
2 among its members.

3 (c) The board shall meet at least once each quarter. A
4 member may not authorize a designee to attend a meeting of the
5 board in place of the member. A member who fails to attend two
6 consecutive regularly scheduled meetings of the board, unless
7 the member is excused by the chairperson, shall be deemed to
8 have abandoned the position, and the position shall be
9 declared vacant by the board.

10 (3)(a) The board members shall serve without
11 compensation, but are entitled to reimbursement for per diem
12 and travel expenses pursuant to s. 112.061.

13 (b) The board shall appoint an executive director and
14 other personnel who are exempt from part II of chapter 110,
15 relating to the Career Service System.

16 (c) The board is assigned, for the purpose of general
17 oversight, to the Joint Legislative Auditing Committee. The
18 board shall develop a budget pursuant to procedures
19 established by the Joint Legislative Auditing Committee.

20 (d) The composition of the board shall be broadly
21 reflective of the public and shall include minorities and
22 women. The term "minorities" as used in this paragraph means a
23 member of a socially or economically disadvantaged group that
24 includes African Americans, Hispanics, and American Indians.
25 Members of the board shall have direct experience and a strong
26 interest in juvenile justice issues.

27 (4) The board shall:

28 (a) Review and recommend programmatic and fiscal
29 policies governing the operation of programs, services, and
30 facilities for which the Department of Juvenile Justice is
31 responsible.

1 (b) Monitor the development and implementation of
2 long-range juvenile justice policies, including prevention,
3 early intervention, diversion, adjudication, and commitment.

4 (c) Monitor all activities of the executive and
5 judicial branch and their effectiveness in implementing
6 policies pursuant to this chapter.

7 (d) Establish and operate a comprehensive system to
8 annually measure and report program outcome and effectiveness
9 for each program operated by the Department of Juvenile
10 Justice or operated by a provider under contract with the
11 department. The board shall use its evaluation research to
12 make advisory recommendations to the Legislature, the
13 Governor, and the department concerning the effectiveness and
14 future funding priorities of juvenile justice programs.

15 (e) Advise the President of the Senate, the Speaker of
16 the House of Representatives, the Governor, and the department
17 on matters relating to this chapter.

18 (f) Serve as a clearinghouse to provide information
19 and assistance to the district juvenile justice boards and
20 county juvenile justice councils.

21 (g) Hold public hearings and inform the public of
22 activities of the board and of the Department of Juvenile
23 Justice, as appropriate.

24 (h) Monitor the delivery and use of services,
25 programs, or facilities operated, funded, regulated, or
26 licensed by the Department of Juvenile Justice for juvenile
27 offenders or alleged juvenile offenders, and for prevention,
28 diversion, or early intervention of delinquency, and to
29 develop programs to educate the citizenry about such services,
30 programs, and facilities and about the need and procedure for
31 siting new facilities.

1 (i) Contract for consultants as necessary and
2 appropriate. The board may apply for and receive grants for
3 the purposes of conducting research and evaluation activities.

4 (j) Conduct such other activities as the board may
5 determine are necessary and appropriate to monitor the
6 effectiveness of the delivery of juvenile justice programs and
7 services under this chapter.

8 (k) The board shall submit an annual report to the
9 President of the Senate, the Speaker of the House of
10 Representatives, the Governor, and the secretary of the
11 department not later than February 15 of each calendar year,
12 summarizing the activities and reports of the board for the
13 preceding year, and any recommendations of the board for the
14 following year.

15 (5) Each state agency shall provide assistance when
16 requested by the board. The board shall have access to all
17 records, files, and reports that are material to its duties
18 and that are in the custody of a school board, a law
19 enforcement agency, a state attorney, a public defender, the
20 court, the Department of Children and Family Services, and the
21 department.

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

24 11.241 Permanent statutory revision plan
25 created.--There is created a permanent statutory revision plan
26 to be implemented and maintained under the supervision of the
27 Office of Legislative Services ~~joint committee~~.

28 Section 14. Section 11.242, Florida Statutes, is
29 amended to read:

30 11.242 Powers, duties, and functions as to statutory
31 revision.--The powers, duties, and functions of the Office of

1 Legislative Services ~~joint committee~~ in the operation and
2 maintenance of a statutory revision program shall be as
3 follows:

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

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

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

31

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

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

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

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

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

15 (f) Road designation laws.

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

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

22 (b) The Florida Constitution.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 11.243 Publishing Florida Statutes; price, sale.--

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

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

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

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

28 11.70 Legislative Committee on Intergovernmental
29 Relations.--

30 (6) STAFF.--

31

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

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

7 13.01 Commission on Interstate Cooperation.--

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

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

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

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

1 vouchers authorized by law and keep such records as directed
2 by the commissioners.

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

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

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

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

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

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

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

25 Section 20. Paragraph (b) of subsection (6) of section
26 20.315, Florida Statutes, is amended to read:

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

29 (6) FLORIDA CORRECTIONS COMMISSION.--

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

31

- 1 1. Recommend major correctional policies for the
2 Governor's approval, and assure that approved policies and any
3 revisions thereto are properly executed.
- 4 2. Periodically review the status of the state
5 correctional system and recommend improvements therein to the
6 Governor and the Legislature.
- 7 3. Perform an in-depth review of the recommendations
8 of the Sentencing Guidelines Commission on the need for
9 changes in the guidelines and of any alternative proposals
10 submitted by the Office ~~Division~~ of Economic and Demographic
11 Research ~~of the Joint Legislative Management Committee~~ to
12 revise statewide sentencing guidelines.
- 13 4. Annually perform an in-depth review of
14 community-based intermediate sanctions and recommend to the
15 Governor and the Legislature intergovernmental approaches
16 through the Community Corrections Partnership Act for planning
17 and implementing such sanctions and programs.
- 18 5. Perform an in-depth evaluation of the annual budget
19 request of the Department of Corrections, the comprehensive
20 correctional master plan, and the tentative construction
21 program for compliance with all applicable laws and
22 established departmental policies. The commission may not
23 consider individual construction projects, but shall consider
24 methods of accomplishing the department's goals in the most
25 effective, efficient, and businesslike manner.
- 26 6. Routinely monitor the financial status of the
27 Department of Corrections to assure that the department is
28 managing revenue and any applicable bond proceeds responsibly
29 and in accordance with law and established policy.
- 30 7. Evaluate, at least quarterly, the efficiency,
31 productivity, and management of the Department of Corrections,

1 using performance and production standards developed by the
2 department under subsection (18).

3 8. Provide public education on corrections and
4 criminal justice issues.

5 9. Report to the President of the Senate, the Speaker
6 of the House of Representatives, and the Governor by November
7 1 of each year. The first annual report of the commission
8 shall be made by November 1, 1995.

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

13 20.315 Department of Corrections.--There is created a
14 Department of Corrections.

15 (6) FLORIDA CORRECTIONS COMMISSION.--

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

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

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

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

28 4. Perform an in-depth evaluation of the annual budget
29 request of the Department of Corrections, the comprehensive
30 correctional master plan, and the tentative construction
31 program for compliance with all applicable laws and

1 established departmental policies. The commission may not
2 consider individual construction projects, but shall consider
3 methods of accomplishing the department's goals in the most
4 effective, efficient, and businesslike manner.

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

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

13 7. Provide public education on corrections and
14 criminal justice issues.

15 8. Report to the President of the Senate, the Speaker
16 of the House of Representatives, and the Governor by November
17 1 of each year.

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

20 27.709 Commission on the Administration of Justice in
21 Capital Cases.--

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

25 1. Two members appointed by the Governor.

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

30 3. Two members appointed by the Speaker of the House
31 of Representatives from the membership of the House of

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

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

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

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

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

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

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

25 112.061 Per diem and travel expenses of public
26 officers, employees, and authorized persons.--

27 (13) DIRECT PAYMENT OF EXPENSES BY AGENCY.--Whenever
28 an agency requires an employee to incur either Class A or
29 Class B travel on emergency notice to the traveler, such
30 traveler may request the agency to pay his or her expenses for
31 meals and lodging directly to the vendor, and the agency may

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

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

18 112.321 Membership, terms; travel expenses; staff.--

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

31

1 Section 25. Paragraph (d) of subsection (3) of section
2 119.15, Florida Statutes, is amended to read:

3 119.15 Legislative review of exemptions from public
4 meeting and public records requirements.--

5 (3)

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

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

23 218.60 Definitions.--

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

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

3 229.593 Florida Commission on Education Reform and
4 Accountability.--

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

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

17 282.3091 State Technology Council; creation.--

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

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

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

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

1 (d) To identify, develop, and recommend solutions to
2 address statewide technology issues to the Executive Office of
3 the Governor, ~~and the President of the Senate, and the Speaker~~
4 ~~of the House of Representatives Joint Legislative Information~~
5 ~~Technology Resource Committee.~~

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

10 ~~(f) To review, evaluate, and comment on proposals by~~
11 ~~the Joint Legislative Information Technology Resource~~
12 ~~Committee.~~

13 (f)~~(g)~~ To consult with the Chief Information Officers
14 Council.

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

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

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

21 282.310 State Annual Report on Information Resources
22 Management.--

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

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

31

1 282.322 Special monitoring process for designated
2 information resources management projects.--For each
3 information resources management project which is designated
4 for special monitoring in the General Appropriations Act, with
5 a proviso requiring a contract with a project monitor, the
6 Technology Review Workgroup established pursuant to s.
7 216.0446, in consultation with each affected agency, shall be
8 responsible for contracting with the project monitor. Upon
9 contract award, funds equal to the contract amount shall be
10 transferred to the Technology Review Workgroup upon request
11 and subsequent approval of a budget amendment pursuant to s.
12 216.292. With the concurrence of the Legislative Auditing
13 Committee, the office of the Auditor General shall be the
14 project monitor for other projects designated for special
15 monitoring. However, nothing in this section precludes the
16 Auditor General from conducting such monitoring on any project
17 designated for special monitoring. In addition to monitoring
18 and reporting on significant communications between a
19 contracting agency and the appropriate federal authorities,
20 the project monitoring process shall consist of evaluating
21 each major stage of the designated project to determine
22 whether the deliverables have been satisfied and to assess the
23 level of risks associated with proceeding to the next stage of
24 the project. The major stages of each designated project shall
25 be determined based on the agency's information systems
26 development methodology. Within 20 days after an agency has
27 completed a major stage of its designated project, the project
28 monitor shall issue a written report, including the findings
29 and recommendations for correcting deficiencies, to the agency
30 head, for review and comment. Within 20 days after receipt of
31 the project monitor's report, the agency head shall submit a

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

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

16 350.031 Florida Public Service Commission Nominating
17 Council.--

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

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

3 790.22 Use of BB guns, air or gas-operated guns, or
4 electric weapons or devices by minor under 16; limitation;
5 possession of firearms by minor under 18 prohibited;
6 penalties.--

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

