

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

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

Prepared By: The Professional Staff of the Policy and Steering Committee on Ways and Means

**BILL:** CS/CS/SB 2160

**INTRODUCER:** Policy and Steering Committee on Ways and Means and Finance and Tax Committee and Senator Haridopolos

**SUBJECT:** Agency Plans, Reports, and Programs

**DATE:** April 18, 2009      **REVISED:** \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>McKay</u>	<u>Wilson</u>	<u>GO</u>	<b>Favorable</b>
2.	<u>Johansen</u>	<u>McKee</u>	<u>FT</u>	<b>Fav/CS</b>
3.	<u>McVaney</u>	<u>Kelly</u>	<u>WPSC</u>	<b>Fav/CS</b>
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**Please see Section VIII. for Additional Information:**

- |                              |                                     |   |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes        |
| B. AMENDMENTS.....           | <input type="checkbox"/>            | Technical amendments were recommended   |
|                              | <input type="checkbox"/>            | Amendments were recommended             |
|                              | <input type="checkbox"/>            | Significant amendments were recommended |

**I. Summary:**

The bill modifies or deletes numerous specific agency program, planning, and reporting requirements.

This bill amends the following sections of the Florida Statutes:

14.26, 17.32, 17.325, 20.057, 20.43, 39.4086(2)(h), 98.255, 110.1227, 120.542(9), 121.45, 161.053, 161.161, 163.3167, 163.3177, 163.3178, 189.4035, 189.412, 194.034(2), 206.606, 212.054, 212.08, 215.70(3), 216.011, 252.55, 253.7825, 259.037, 287.059, 288.1229, 288.7771, 288.95155, 288.9604, 288.9610, 292.05, 319.324, 373.0391, 373.046, 379.2211(2), 379.2212(2), 380.06, 381.795, 381.931, 383.19(6), 383.2161, 394.4985, 397.333(4), 400.967, 403.4131, 409.1451(7)(b), 409.1685, 409.25575, 409.2558, 409.906(24), 409.912(4)(b), 409.912(29), 409.912(44), 409.912(49)(c), 411.01, 411.0102(5)(d), 414.14, 415.1045, 420.622, 427.704, 427.706, 429.07(3)(b), 429.41(5), 430.04, 430.502, 445.006, 446.50, 456.005, 456.025, 517.302, 603.204, 627.64872(6), 744.708, 768.295, 775.084, 790.22, 943.125, 943.68, 944.023, 944.801, 960.045, 985.047, 985.47(8)(a), 985.483(8)(a), 985.622(1), 1004.22, 1004.95(4), 1009.70(8), 1011.32(8), 1011.62(1)(r), 1012.42(1), 1013.11, 161.142(3), 163.065(4)(a), 163.2511(1),

163.2514, 163.3202(2), 259.041(11)(b), 259.101(3)(c), 369.305, 379.2431(1)(g), 381.732, 381.733, 411.01(5)(d), 411.232(3)(a), and 445.006(6)(a).

This bill repeals the following sections of the Florida Statutes:

14.25, 14.27, 16.58, 20.316(4)(e), (f), and (g), 153.952, 163.2526, 163.519(12), 186.007(9), 213.0452, 213.054, 216.172, 216.181(10)(c), 253.7826, 253.789, 267.074(4), 284.50(3), 287.045(11), 288.108(7), 288.1185, 288.7015(4), 288.8175(8), (10), and (11), 288.853(5), 296.16, 296.39, 315.03(12)(c), 322.181, 322.251(7)(c), 341.8201-341.842, 376.121(14), 376.17, 376.30713, 379.2523(8), 380.0677(3), 381.0011(3), 381.0036, 381.731, 383.21, 394.4573(4), 394.82, 394.9082(9), 394.9083, 395.807(2)(c), 397.332(3), 397.94(1), 400.148(2), 402.3016(3), 402.40(9), 406.02(4)(a), 408.914(4), 408.915(3)(i), 408.917, 409.152, 409.1679(1), 409.221(4)(k), 409.441(3), 410.0245, 410.604(10), 411.221, 411.242, 414.36(1), 414.391(3), 420.623(4), 429.08(2), 455.204, 455.2226(8), 455.2228(6), 456.034(6), 531.415(3), 570.0705(3), 570.0725(5), 570.543(3), 943.125(2), 945.35(10), 958.045(9), 985.02(8)(c), 985.61(5), 985.632(7), 1002.34(19), 1003.61(4), 1004.50(6), 1004.94(2) and (4), 1006.0605, 1006.67, and, 1012.05(2)(1).

## II. Present Situation:

The Florida Statutes contain reporting and planning requirements that are imposed on executive, legislative, and judicial agencies as well as semi-governmental corporations and advisory bodies. Some of these requirements remain in statute despite dates for requirements that fall in the past. Some are reporting and planning requirement attached to what were once new initiatives and were reasonable at the time the programs were created.

## III. Effect of Proposed Changes:

**Section 1** repeals s. 14.25, F.S., which creates and provides the duties of the Florida State Commission on Hispanic Affairs, currently established in the Executive Office of the Governor (EOG).

**Section 2** amends s. 14.26, F.S., to modify the timing and content of reports that must be made to the EOG by the Citizen's Assistance Office, by removing the quarterly reporting requirement, deleting a requirement that the reports include suggested legislation, and clarifying the recommendations that must be made in the reports.

**Section 3** repeals s. 14.27, F.S., which creates and provides the duties of the Florida Commission on African-American Affairs, currently established in the EOG.

**Section 4** repeals s. 16.58, F.S., which creates and provides the duties of the Florida Legal Resource Center within the Department of Legal Affairs.

**Section 5** amends s. 17.32, F.S., by changing the list of required recipients of the Chief Financial Officer's annual report on all trust funds defined in s. 215.32, F.S., from the President of the Senate and the Speaker of the House of Representatives to the Governor and the Legislature.

**Section 6** amends s. 17.325, F.S., by removing the requirement that the Chief Financial Officer (CFO) report monthly to the appropriations committees of the Legislature on the information or suggestions received through the governmental efficiency hotline.

**Section 7** amends s. 20.057, F.S., by removing the requirement that the Governor report annually, to the President of the Senate and the Speaker of the House, on interagency agreements made to delete duplication of inspections.

**Section 8** amends s. 20.19, F.S., relating to the Department of Children and Family Services (DCF). The bill modifies the mission of the DCF, deletes the requirement that the DCF develop a strategic plan and establish measurable goals and performance standards, and deletes the provision providing that the DCF deliver services by contracts through private providers to the extent allowed by law and within specific appropriations. The bill deletes the requirement that the DCF develop projections of the number of child abuse cases and include in its LBR a specific appropriation for funds and positions for: (1) child protection investigation workers so that caseloads do not exceed certain standards; and, (2) child protection case workers so that caseloads do not exceed certain standards.

**Section 8** repeals ss. 20.316(4)(e), (f), and (g), F.S., relating to Department of Juvenile Justice (DJJ) information system providing information. The bill deletes requirements that the DJJ (a) aggregate quarterly and annual program information and disseminate same to substantive committees of the Legislature; (b) provide an annual report on the juvenile justice information system to the Criminal and Juvenile Justice Information Systems Council, which then forwards the report with comments to appropriate substantive and appropriations committees of the Legislature; and, (c) include in its annual budget request a comprehensive summary of costs and cost savings associated with the implementation of the DJJ information system.

**Section 9** amends s. 20.43, F.S., to change terminology from “strategic” plan to “long-range program” plan, consistent with the reference to s. 186.021, F.S.

**Section 10** amends s. 39.4086(2)(h), F.S., to delete an obsolete requirement to submit a report evaluating the establishment, operation, and impact of the Attorney Ad Litem Program in the Ninth Judicial Circuit. A final report was required by October 1, 2003, which must include an evaluation of the pilot program; findings on the feasibility of a statewide program; and, recommendations, if any, for locating, establishing, and operating a statewide program.

**Section 11** amends s. 98.255, F.S., relating to voter education programs, deleting a date already passed, removing the requirement that the Department of State (DOS) review current voter education programs within each county in adopting rules prescribing minimum standards for nonpartisan voter education, and removing the requirement that each year after a general election, the DOS report to the Legislature and the Governor on the effectiveness of voter education programs.

**Section 12** amends s. 110.1227(7)(a), F.S., relating to the Florida Employee Long-Term-Care Plan Act, by requiring the board of directors of the Florida Long Term Care Plan to submit to the Governor and the Legislature an annual report of the plan, upon its implementation.

**Section 13** amends s. 120.542, F.S., which requires a yearly report from agencies to the Legislature and Governor on agency petitions for rule variances and waivers.

**Section 14** amends s. 121.45, F.S., concerning interstate compacts relating to pension portability, by removing requirements for actuarial studies at certain points when the Department of Management Services (DMS) is considering a proposed interstate compact between Florida and another state.

**Section 15** repeals s. 153.952, F.S., the legislative findings and intent paragraph of the Local Government Utilities Assistance Act, a pilot program operated by the Department of Environmental Protection to assist local governments in acquiring privately owned water-wastewater facilities.

**Section 16** amends s. 161.053, F.S., relating to coastal construction, excavation, and regulation, by removing a legislative intent paragraph concerning the updating of a coastal construction control line.

**Section 17** amends s. 161.161(2), F.S., concerning the procedure for approval of beach management projects, by requiring that recommendations for the funding of beach erosion control projects be presented to the Legislature annually, instead of upon approval of the beach management plan.

**Section 18** repeals s. 163.2526, F.S., which required a review of and report on the “Growth Policy Act.”

**Section 19** amends s. 163.3167(2), F.S., relating to the Agricultural Lands and Practices Act, by removing requirements concerning a schedule for submitting comprehensive plans.

**Section 20** amends s. 163.3177, F.S., by removing a schedule for comprehensive plan amendments, removing an outdated provision for recommending statutory changes for annexation, and removing a provision that exempted some comprehensive plan amendments from administrative challenge, for dates in the past.

**Section 21** amends s. 163.3178, F.S., by removing the provision that required the Coastal Resources Interagency Management Committee to submit its recommendations regarding local government initiatives to the Legislature by December 1, 1993.

**Section 22** repeals s. 163.519(12), F.S., which requires the Department of Legal Affairs to annually submit to the Legislature and the Governor a report on neighborhood improvement districts.

**Section 23** repeals s. 186.007(9), F.S., which requires the EOG to appoint a committee to review and make recommendations as to appropriate revisions to the state comprehensive plan.

**Section 24** amends s. 189.4035, F.S., to change the requirement that the Department of Community Affairs (DCA) distribute the official list of special districts to various entities to a requirement that the DCA make the list available on the DCA’s website.

**Section 25** amends s. 189.412, F.S., to change the requirement that the DCA update and distribute a master list of independent and special districts to a requirement that the DCA make the list available on the DCA's website.

**Section 26** amends s. 194.034(2), F.S., by deleting a requirement that the Department of Revenue receive notification of certain decisions by value adjustment boards.

**Section 27** amends s. 206.606, F.S., to change the requirement that the Fish and Wildlife Conservation Commission annually update and distribute to the Legislature a master list of independent and special districts to a requirement that the Commission make the list available on its website.

**Section 28** amends s. 212.054, F.S., to remove a requirement that the DOR annually report to the Legislature and county governing authorities on the administration costs relating to the Sales Surtax Clearing Trust Fund.

**Section 29** amends s. 212.08, F.S., to renumber subparagraph (5)(j)7., and remove the requirement that the Office of Tourism, Trade, and Economic Development annually report to the Legislature on the business information relating to entities that have applied for a tax exemption on machinery and equipment used in semiconductor, defense, or space technology production and research and development.

**Section 30** repeals s. 213.0452, F.S., which requires the DOR to annually report to legislative appropriations committees on the DOR's structure.

**Section 31** repeals s. 213.054, F.S., which requires the DOR to annually report to the CFO the names and addresses of all persons claiming exemptions under s. 199.185(1)(i), F.S.,<sup>1</sup> or deductions under s. 220.63(5), F.S.<sup>2</sup>

**Section 32** amends s. 215.70(3), F.S., to require that the State Board of Administration advise the Governor, not just the Legislature, of any projected need to appropriate funds to honor the pledge of the full faith and credit of the state, in regards to debt service accounts.

**Section 33** amends s. 216.011(1)(z), F.S., to delete the definition of "long-range program plan," and refer to the s. 216.013, F.S., description of "long-range program plan."

**Section 34** repeals s. 216.181(10)(c), F.S., requiring state agencies and the judicial branch to report, each fiscal quarter, the number of filled positions, the number of vacant positions, and the salary rate associated with each category to the Legislative Budget Commission.

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<sup>1</sup> All intangible personal property issued in or arising out of any international banking transaction and owned by a banking organization.

<sup>2</sup> Eligible net income of an international banking facility.

**Section 35** amends s. 252.55, F.S., to change from annual to biennial a reporting requirement by the Florida Wing of the Civil Air Patrol to the Bureau of Emergency Management, to be included in the report submitted pursuant to s. 252.35, F.S.

**Section 36** amends s. 253.7825, F.S., to remove a reference to the conceptual recreational plan within the University of Florida Management Plan, and deletes a description of the purpose of the plan.

**Section 37** repeals s. 253.7826, F.S., providing the process for the DEP to follow in the disposition of the Inglis Lock.

**Section 38** repeals s. 253.7829, F.S., the requirement for a management plan for retention or disposition of former Cross Florida Barge Canal lands.

**Section 39** amends s. 259.037, F.S., to delete the requirement that the Land Management Uniform Accounting Council within the DEP annually report to the Legislature.

**Section 40** repeals s. 267.074(4), F.S., requiring the Division of Historical Resources of the DOS to develop a comprehensive plan for the State Historical Marker Program.

**Section 41** repeals s. 284.50(3), F.S., requiring the Interagency Advisory Council on Loss Prevention and each department head to report annually to the Governor on any actions taken to prevent job-related employee accidents, and suggestions of safeguards and improvements.

**Section 42** repeals s. 287.045(11), F.S., which requires each agency to report annually to DMS on agency total expenditures on, and use of, products with recycled content and the percentage of its budget that represents purchases of similar products made from virgin materials, and requires DMS to prepare annual summaries of statewide purchases delineating those with recycled content to be submitted to the Governor and the Legislature.

**Section 43** amends s. 287.059(15), F.S., by removing the requirement that fee schedules proposed by the Attorney General's office for court reporting services be submitted to the Legislature, the Governor, and the Chief Justice of the Florida Supreme Court at least 60 days prior to publication of the notice to adopt the rule.

**Section 44** repeals s. 288.108(7), F.S., which requires the Office of Tourism, Trade, and Economic Development to annually report to the Legislature and the Governor on all designated high-impact sectors, all applications received and their disposition, all final orders issued, and all payments made, including analyses of benefits and costs, types of projects supported, and employment and investments created.

**Section 45** repeals s. 288.1185, F.S., which creates and provides the duties for the Recycling Markets Advisory Committee in the Office of Tourism, Trade, and Economic Development (OTTED).

**Section 46** amends s. 288.1229(8)(e), F.S., to remove the following powers and duties of the direct-support organization of the Office of Tourism, Trade, and Economic Development:

assisting communities in seeking to host the Summer Olympics or Pan Am Games, and reporting annually and such efforts.

**Section 47** repeals s. 288.7015(4), F.S., which requires that the rules ombudsman in the EOG annually submit to the Legislature a report on the extent to which agency rules impact trade, and the impact of state economic development incentives on minority-owned businesses.

**Section 48** amends s. 288.7771, F.S., by deleting an annual reporting requirement of the Florida Export Finance Corporation to the Governor and Legislature, and requiring that it instead be included in Enterprise Florida's annual report.

**Section 49** repeals ss. 288.8175(8), (10), and (11), F.S., which deletes requirements that the Department of Education (DOE) make an annual report on linkage institutes, make linkage institute budget requests, and report on which linkage institutes received moneys from the DOE.

**Section 50** repeals s. 288.853(5), F.S., requiring an annual report from the Governor to the Legislature on the status of certain elements of Florida's sanctions against Cuba.

**Section 51** amends s. 288.95155(5), F.S., to change the requirement that Enterprise Florida report annually on the Florida Small Business Technology Growth Program to the board of Enterprise Florida and the Legislature to a requirement that the report be included in Enterprise Florida's annual report.

**Section 52** amends s. 288.9604(4)(c), F.S., by removing a requirement that the Florida Development Finance Corporation (FDFC) annually report on its activities to the Legislature, the Governor, and other entities.

**Section 53** amends s. 288.9610, F.S., to modify an annual reporting requirement of the FDFC, to require the report be filed soon after the close of the FDFC's fiscal year, and provide for specific information to be included in the report.

**Section 54** amends s. 292.05(6), F.S., by adding a requirement that in an annual report to the Governor, Cabinet, and Legislature, the Department of Veterans' Affairs (VA) will include information relating to the department's domiciliary and nursing homes established pursuant to chapter 296.

**Section 55** repeals s. 296.16, F.S., a provision requiring reports concerning VA homes.

**Section 56** repeals s. 296.39, F.S., a provision requiring reports concerning VA homes.

**Section 57** repeals s. 315.03(12)(c), F.S., which requires that the Legislature review the loan program established pursuant to this subsection during the 2004 Regular Session of the Legislature.

**Section 58** amends s. 319.324(2), F.S., by removing a provision requiring the Department of Highway Safety and Motor Vehicles (DHS) to annually report to the Legislature on investigations into odometer fraud.

**Section 59** amends s. 322.181, F.S., by removing the list of issues to be studied by the DHS advisory council on the effects of aging on driving ability.

**Section 60** repeals s. 322.251(7)(c), F.S., which requires that the DHS and the Department of Law Enforcement (FDLE) implement a plan to ensure the identification of any person who is the subject of an outstanding warrant or capias for passing worthless bank checks and to ensure the identification of the person's driver's license record.

**Section 61** repeals ss. 341.8201 through 341.842, F.S., relating to the Florida High Speed Rail Authority Act. These statutes were intended to implement s. 19, Art. X of the State Constitution which was repealed on January 4, 2005.

**Section 62** amends s. 373.0391, F.S., by removing a requirement that each water management district prepare and provide information and data to assist local governments in the preparation and implementation of their local government comprehensive plans or public facilities report as required by s. 189.415, F.S., whichever is applicable.

**Section 63** amends s. 373.046(4), F.S., by removing a requirement that the DEP report by 1993 to the Legislature on the status of interagency agreements between the DEP and water management districts.

**Section 64** repeals s. 376.121(14), F.S., which requires a biennial report by the DEP to the Legislature on compensation assessed by the DEP for damage to natural resources.

**Section 65** repeals s. 376.17, F.S., which requires the DEP to report annually to the Legislature on recommendations as to various duties of the DEP.

**Section 66** repeals s. 376.30713(5), F.S., which requires the DEP to report annually to the Legislature on data relating to preapproved advanced cleanup of sites.

**Section 67** amends s. 379.2211(2), F.S., by deleting an annual reporting requirement from the Fish and Wildlife Conservation Commission (FWCC) on waterfowl permit revenues, and replacing it with a requirement that the commission make the report available on its internet website.

**Section 68** amends s. 379.2212(2), F.S., by deleting an annual reporting requirement from the FWCC on wild turkey permit revenues, and replacing it with a requirement that the commission make the report available on its internet website.

**Section 69** repeals s. 379.2523(8), F.S., which requires the FWCC to provide assistance to the Department of Agriculture and Consumer Services in the development of an aquaculture plan for the state.

**Section 70** amends s. 380.06(2)(a), F.S., by removing a requirement that the Administration Commission transmit to the Legislature revisions to the present statewide guidelines and standards to be used in determining whether particular developments must undergo



development-of-regional-impact review. The bill also deletes a requirement that revisions to the present guidelines and standards will not become effective unless approved by law by the Legislature.

**Section 71** repeals s. 380.0677(3), F.S., which provides for some of the powers of the Green Swamp Land Authority, and an annual reporting requirement.

**Section 72** repeals 381.0011(3), F.S., which requires that the Department of Health (DOH) include in its strategic plan developed under s. 186.021, F.S., a summary of all aspects of the public health mission and health status objectives to direct the use of public health resources.

**Section 73** repeals s. 381.0036, F.S., which requires the Department of Business and Professional Regulation (DBPR) and the DOH to begin planning for the implementation of the sections of law which require, as a part of initial licensure, applicants for certain specified professions to complete an educational course on the transmission, control, treatment, and prevention of human immunodeficiency virus and acquired immune deficiency syndrome.

**Section 74** repeals s. 381.731, F.S., which requires the DOH to include population-based health-promotion strategies in the department's strategic plan developed under s. 186.021, F.S.

**Section 75** amends s. 381.795, F.S., by removing a requirement that the DOH study the long-term needs for community-based supports and services for individuals who have sustained traumatic brain or spinal cord injuries, and submit the study to the Legislature and the Governor.

**Section 76** amends s. 381.931, F.S., by removing a requirement that the DOH, in cooperation with the Agency for Health Care Administration (AHCA), prepare and submit an annual report on Medicaid expenditures under the Mary Brogan Breast and Cervical Cancer Early Detection Program Act.

**Section 77** amends s. 383.19(6), F.S., to require that each hospital that contracts with the DOH to provide perinatal intensive care services shall prepare and submit to the DOH an annual report that includes, but is not limited to, the number of clients served and the costs of services. The bill also moves into this section the s. 383.21, F.S., requirement that requires the DOH annually conduct a programmatic and financial evaluation of each center, though it no longer requires that these reviews be given to the Legislature.

**Section 78** repeals s. 383.21, F.S., which requires that at least annually during the contract period, the DOH evaluate the services rendered by each center, and requires the DOH to submit an annual programmatic and financial evaluation report, by center, to the Legislature.

**Section 79** amends s. 383.2161, F.S., by removing a requirement that the DOH annually report to the Legislature on information relating to maternal and child health, which is collected and maintained by the Office of Vital Statistics. The bill retains the requirement that the DOH maintain such data.

**Section 80** repeals s. 394.4573(4), F.S., which requires the DCF to submit an annual report to the Legislature outlining departmental progress towards the implementation of the minimum staffing patterns' standards in state mental health treatment facilities.

**Section 81** amends s. 394.4985, F.S., by removing a requirement that the detailed implementation plan for a district-wide comprehensive child and adolescent mental health information and referral network developed by each service district of the DCF be submitted to the Legislature by 1998. The bill also deletes a requirement that an annual report be submitted concerning mental health referral and information requests.

**Section 82** repeals s. 394.82, F.S., which addresses the funding and implementation of certain DCF services.

**Section 83** amends s. 394.9082, F.S., by maintaining the requirement that at least one service delivery strategy for behavioral health services must be in one of the service districts in the G. Pierce Woods Memorial Hospital, but removing the conditional reference to s. 409.912(4)(b)1., F.S. The bill deletes a list of essential elements which must be amended into the master state plan by 2001, and the bill deletes a requirement that the DCF furnish, by dates now in the past, status reports on its substance abuse programs to the Legislature.

**Section 84** repeals s. 394.9083, F.S., which establishes and provides the duties for the Behavioral Health Services Integration Workgroup.

**Section 85** repeals s. 395.807(2)(c), F.S., which requires that the family practice physician retention advisory committee in the AHCA report annually to the Legislature, on the retention of family practice residents in the state by family practice teaching hospitals.

**Section 86** repeals s. 397.332(3), F.S., which requires the Office of Drug Control within the EOG to annually report to the Governor and the Legislature on its efforts and recommendations.

**Section 87** amends s. 397.333(4), F.S., by removing a requirement that the Statewide Drug Policy Advisory Council within the EOG annually submit to the Legislature a report on its work and recommendations.

**Section 88** repeals s. 397.94(1), F.S., which requires each service district of the DCF to develop a plan for and implement a district-wide comprehensive children's substance abuse information and referral network to be operational by July 1, 2000.

**Section 89** repeals s. 400.148(2), F.S., which requires the AHCA to develop a pilot project in selected counties to demonstrate the effect of assigning skilled and trained medical personnel to ensure the quality of care, safety, and continuity of care for long-stay Medicaid recipients in the highest-scoring nursing homes in the Florida Nursing Home Guide.

**Section 90** amends s. 400.967(2), F.S., by substituting the APD for the DCF in provisions relating to duties, and by removing a requirement that the AHCA make recommendations to the Governor and Legislature as to renovation standards for intermediate care facilities for the

developmentally disabled. The bill deletes a requirement that rules pertaining to such facilities must include qualifications of medical personnel.

**Section 91** repeals s. 402.3016(3), F.S., which requires that the Florida Partnership for School Readiness annually report to the Legislature on the number of agencies receiving Early Head Start collaboration grants and the number of children served.

**Section 92** repeals s. 402.40(9), F.S., which requires the DCF to submit to the Legislature the competencies and standards concerning training for persons providing child welfare services, before competitively soliciting for training curricula or training academy contracts.

**Section 93** amends s. 403.4131(1), F.S., by deleting a requirement that the Department of Transportation report to the Governor and Legislature on the progress achieved and savings incurred by the adopt-a-highway program.

**Section 94** repeals s. 406.02(4)(a), F.S., which requires the Medical Examiners Commission within the FDLE to submit annual reports to the Governor and Legislature correlating and setting forth the activities and findings of the several district medical examiners appointed pursuant to the Medical Examiners Act.

**Section 95** amends s. 408.033(1)(g), F.S., by removing the requirement that the DOH consolidate all reports of local health councils relating to funding and submit them annually to the Legislature.

**Section 96** repeals s. 408.914(4), F.S., which requires the AHCA, by January 1, 2004, to submit to the Governor, the President of the Senate, and the Speaker of the House, a plan for integrating eligibility determination for health care services with information and referral services.

**Section 97** repeals s. 408.915(3)(i), F.S., which requires the AHCA to provide periodic reports to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the use of the information and referral system and on measures that demonstrate the effectiveness and efficiency of the information and referral services provided.

**Section 98** repeals s. 408.917, F.S., which requires the AHCA to conduct an evaluation of the information and referral services pilot project.

**Section 99** amends s. 409.1451(7)(b), F.S., by changing a requirement that the Independent Living Services Advisory Council of the DCF report to the Legislature on the status of the implementation of the system of independent living transition services and other services, to a requirement that such reporting be made to the secretary of the department. The bill also requires that the DCF submit annually to the Governor and the Legislature a report including a summary of the factors reported on by the council.

**Section 100** repeals s. 409.152, F.S., which requires each service district of the DCF to develop a family preservation service integration plan that identifies various programs that can be organized at the point of service delivery into a logical and cohesive family-centered services constellation.

**Section 101** repeals subsections (1) and (2) of s. 409.1679, F.S. Subsection (1) requires that the residential programs established pursuant to ss. 409.1676 and 409.1677, F.S., are to be operational within 6 months after those sections take effect. Subsection (2) requires that the residential programs must be included as part of the annual evaluation currently required under s. 409.1671, F.S.

**Section 102** amends s. 409.1685, F.S., by requiring that the DCF submit to the substantive committees of the Legislature an annual report concerning the status of children in foster care.

**Section 103** repeals s. 409.221(4)(k), F.S., by removing a requirement that AHCA, Elder Affairs, DOH, and DCF each, review the implementation of the consumer-directed care program and annually report to the Legislature.

**Section 104** amends s. 409.25575(3)(a), F.S., by removing a requirement that the DOR annually submit a report to state political leaders on the quality performance, outcome measure attainment, and cost efficiency on the outsourcing of enforcement services.

**Section 105** amends s. 409.2558(9), F.S., by removing a requirement that the DOR provide a draft to interested parties of proposed concepts for the rule for undistributable support collections.

**Section 106** repeals s. 409.441(3), F.S., which requires the DCF to develop a state plan for the handling of runaway youths, and submit the plan to the Governor, the President of the Senate, and the Speaker of the House, by February 1, 1984.

**Section 107** amends s. 409.906(24), F.S., by removing the requirement that the results of targeted case management projects be reported by the AHCA to the Social Services Estimating Conference.

**Section 108** amends s. 409.912(4)(b), F.S., by removing a requirement that the AHCA modify the contracts with the entities providing comprehensive inpatient and outpatient mental health care services to Medicaid recipients in certain counties to include substance abuse treatment services. The bill also deletes a deadline by which AHCA and the DCF must execute a written agreement that requires joint development of all policy, budgets, procurement documents, contracts, and monitoring plans that have an impact on the state and Medicaid community mental health and targeted case management programs. The bill deletes a requirement that by October 1, 2003, the AHCA and the DCF must submit a plan to state political leaders which provides for the full implementation of capitated prepaid behavioral health care in all areas of the state, and that implementation shall begin in 2003 in those AHCA areas of the state where the agency is able to establish sufficient capitation rates.

The bill deletes a requirement in s. 409.912(29), F.S., that the AHCA report to the Legislature on the effectiveness of initiatives to inform Medicaid recipients about their managed care options.

The bill deletes a requirement in s. 409.912(44), F.S., that the AHCA annually submit to state political leaders the audit results on Medicaid services.

The bill deletes a requirement in s. 409.912(49), F.S., that the AHCA annually submit to state political leaders the audit results on Medicaid services to historically underserved minority patients.

**Section 109** repeals s. 410.0245, F.S., which requires the Adult Services Program Office of the DCF to contract for a study of and plan for the service needs of the 18-to-59-year-old disabled adult population served or waiting to be served by the community care for disabled adults program.

**Section 110** repeals s. 410.604(10), F.S., which requires the DCF to biennially evaluate the progress of the community care for disabled adults program and submit such evaluation to the Legislature.

**Section 111** amends s. 411.0102(5)(d), F.S., by deleting a requirement that task forces related to child care purchasing pools must develop plans for the purchasing pool funds.

**Section 112** repeals s. 411.221, F.S., which requires the DCF and the DOE shall prepare a joint strategic plan relating to prevention of and early assistance to handicapping conditions.

**Section 113** repeals s. 411.242, F.S., which creates the Florida Education Now and Babies Later (ENABL) program for children and their families, with the goal of reducing the incidence of childhood pregnancies in this state by encouraging children to abstain from sexual activities.

**Section 114** amends s. 414.14, F.S., by removing a requirement that the secretary of DCF provide written notice to the Legislature summarizing the proposed modifications to be made by rule and changes necessary to conform state law to federal law concerning public assistance.

**Section 115** repeals s. 414.36(1), F.S., which requires the DCF to develop and implement a plan for the statewide privatization of activities relating to the recovery of public assistance overpayment claims.

**Section 116** repeals s. 414.391(3), F.S., which requires the DCF to prepare, by April 1998, a plan for implementation of statewide program to prevent public assistance fraud by using automated fingerprint imaging of adult and teen parent applicants for, and adult and teen parent recipients of, public assistance.

**Section 117** amends s. 415.1045(6), F.S., by removing a requirement that the OPPAGA review the efficacy of working agreements between the DCF and jurisdictionally responsible county sheriffs' offices or local police departments that will be the lead agency when conducting any criminal investigation arising from an allegation of abuse, neglect, or exploitation of a vulnerable adult.

**Section 118** amends s. 420.622(9), F.S., by clarifying the content of a report to be submitted by the Council on Homelessness within the DCF.

**Section 119** repeals s. 420.623(4), F.S., which requires the DCF to submit to state political leaders an annual report consisting of a compilation of data collected by local coalitions, progress made in the development and implementation of local homeless assistance continuums of care plans in each district, local spending plans, programs and resources available at the local level, and recommendations for programs and funding.

**Section 120** amends s. 427.704(9), F.S., by changing a requirement that the PSC provide an annual report to the Legislature on the operation of the telecommunications access system to a requirement that the report be posted on the commission's internet website.

**Section 121** amends s. 427.706(2), F.S., by changing a requirement that the advisory committee of the PSC provide an annual report to the Legislature on the operation of the telecommunications access system to a requirement that the report be posted with the commission's report on the commission's internet website in accordance with s. 427.704, F.S.

**Section 122** amends s. 429.07(3)(b), F.S., by deleting a requirement that the Department of Elderly Affairs (DEA) submit to the Governor and Legislature an annual report on extended congregate care services.

**Section 123** repeals s. 429.08(2), F.S., which requires each field office of AHCA to establish a local coordinating workgroup to assist in identifying the operation of unlicensed assisted living facilities and to develop and implement a plan to ensure effective enforcement of state laws relating to such facilities. The workgroups must report their findings, actions, and recommendations semiannually to the Director of Health Quality Assurance of AHCA.

**Section 124** amends s. 429.41(5), F.S., by removing a requirement that the Department of Elderly Affairs submit to the Legislature an annual report on DEA's implementation of abbreviated biennial licensure inspections of assisted living facilities.

**Section 125** amends s. 430.04, F.S., by removing a requirement that the DEA prepare and submit to political leaders a master plan for policies in the state related to aging. The bill changes references to entities and persons within the Legislature to references to "the Legislature." The bill deletes a requirement that agency budget requests reflect the results and recommendations of program reviews concerning programs related to aging, and deletes requirements that the master plans be updated every three years, and that the implementation of the plan be reported every year.

**Section 126** amends s. 430.502, F.S., by requiring the Alzheimer's Disease Advisory Committee to make recommendations to the DEA and the Legislature concerning the need for additional memory disorder clinics in the state. The bill deletes a requirement that the waiver program design be submitted to the Legislature for consultation during the development process.

**Section 127** amends s. 445.006, F.S., by removing a requirement that WFI annually submit to political leaders a strategic plan for workforce, with the goal of producing skilled employees for employers in the state.

**Section 128** repeals s. 455.204, F.S., which requires the DBPR and boards to develop and implement a long-range policy planning and monitoring process to include recommendations specific to each profession.

**Section 129** repeals s. 455.2226(8), F.S., which requires the Board of Funeral Directors and Embalmers to annually report to the Legislature on the requirement that each person licensed or certified under chapter 470, F.S., to complete a continuing educational course, approved by the board, on human immunodeficiency virus and acquired immune deficiency syndrome as part of biennial relicensure or recertification.

**Section 130** repeals s. 455.2228(6), F.S., which requires the board, or the DBPR where there is no board, to annually report to the Legislature on the requirement that each person licensed as a barber or cosmetologist complete a continuing educational course approved by the board, or the department where there is no board, on human immunodeficiency virus and acquired immune deficiency syndrome as part of biennial relicensure or recertification.

**Section 131** amends s. 456.005, F.S., by requiring the DOH to obtain input from licensees concerning the department's long-range plan, deleting a requirement that the State Surgeon General approve the plan, and by removing a requirement that plans relating to professions be annually provided to state elected officials.

**Section 132** amends s. 456.025(9), F.S., by clarifying the contents of a DOH management report.

**Section 133** repeals s. 456.034(6), F.S., which requires that trainers and massage therapists licensed by DOH to annually report to the Legislature as to compliance with completing a continuing education course on human immunodeficiency virus and acquired immune deficiency syndrome.

**Section 134** amends s. 517.302, F.S., by removing a requirement that the Office of Financial Regulation of the Financial Services Commission annually report to the Governor on the amounts deposited into the Anti-Fraud Trust Fund, and removing the requirement that the Governor subsequently report to the Legislature.

**Section 135** repeals s. 531.415(3), F.S., which requires the DACS to notify the Legislature when the fees provided in the section relating to actual metrology laboratory calibration and testing services are no longer sufficient to cover the direct and indirect costs of tests and calibrations.

**Section 136** repeals s. 570.0705(3), F.S., which requires the Commissioner of the DACS to submit to certain state elected officials a list of each advisory committee established in the department.

**Section 137** repeals s. 570.0725(5), F.S., which requires the DACS to account for the direct and indirect costs associated with supporting food recovery programs throughout the state, and report to the Legislature.

**Section 138** repeals s. 570.543(3), F.S., which requires the Florida Consumers' Council of the DACS to transmit a written summary of its legislative recommendations to the President of the

Senate and the Speaker of the House of Representatives at least 60 days prior to the regular legislative session.

**Section 139** amends s. 603.204, F.S., by removing a requirement that the Commissioner of Agriculture, in consultation with the Tropical Fruit Advisory Council, shall, at least 90 days prior to the 1991 legislative session, submit to the President of the Senate, the Speaker of the House of Representatives, and the chairs of appropriate Senate and House of Representatives committees, a South Florida Tropical Fruit Plan. The bill also deletes a requirement that the recommendations in the South Florida Tropical Fruit Plan relating to education or research shall be submitted to the Institute of Food and Agricultural Sciences, and deletes a requirement that a revision and update of the South Florida Tropical Fruit Plan shall be submitted biennially, and that a progress report and budget request be submitted annually.

**Section 140** amends s. 627.64872(6), F.S., by removing provision for an interim report of the Florida Health Insurance Plan, and by adding a requirement that the board of directors of the Florida Comprehensive Health Association shall take no action to implement the Florida Health Insurance Plan, other than the completion of the authorized actuarial study, until funds are appropriated for startup costs and any projected deficits.

**Section 141** amends s. 744.708, F.S., by clarifying that an independent audit of each public guardian office shall be conducted by a qualified certified public accountant at least every 2 years, by removing a provision that the office of the public guardian shall be subject to audits or examinations by the Auditor General and the OPPAGA, and by removing a provision that the basis of a decision to change the ratio for professional staff to wards must be reported annually to state elected officials.

**Section 142** amends s. 768.295(6), F.S., by changing a requirement that the Attorney General (AG) report violations of the section addressing Strategic Lawsuits Against Public Participation to the Legislature to a requirement that the AG maintain a record of related court orders.

**Section 143** amends s. 775.084(3)(c), F.S., by removing a provision in the procedure for determining whether a defendant is a violent career criminal. The deleted provision relates to sentencing, and requires reporting of certain determinations to the Office of Economic and Demographic Research of the Legislature.

**Section 144** amends s. 790.22(8), F.S., by removing a requirement that the DJJ report to the Office of Economic and Demographic Research on certain types of juvenile firearms crimes.

**Section 145** amends s. 943.125, F.S., by deleting a requirement that the Florida Sheriffs Association and the Florida Police Chiefs Association report to the Speaker of the House of Representatives and the President of the Senate regarding the feasibility of a law enforcement agency accreditation program, and the status of the efforts of the two associations to develop a law enforcement agency accreditation program.

**Section 146** amends s. 943.68(9), F.S., by changing a semiannual requirement to an annual requirement that the FDLE submit a report to the Legislature, Governor, and Cabinet, detailing all transportation and protective services provided under subsections pertaining to the provision



of security for the Governor and family, visiting governors and families, and other state elected officials and Chief Justice of the Supreme Court.

**Section 147** amends s. 944.023, F.S., by removing the nomenclature and provisions regarding the comprehensive correctional master plan to be developed by the Department of Corrections (DOC).

**Section 148** amends s. 944.801(3)(f), F.S., by removing a requirement that the Correctional Education Program report annual activities to the Commissioner of Education, the Governor, and the Legislature.

**Section 149** repeals s. 945.35(10), F.S., by removing a requirement that the DOC annually report to the Legislature as to the implementation of the continuing education program on human immunodeficiency virus, acquired immune deficiency syndrome, and other communicable diseases, and the participation by inmates and staff.

**Section 150** repeals s. 958.045(9), F.S., which requires the DOC submit annual reports to the Governor, the President of the Senate, and the Speaker of the House of Representatives detailing the extent of implementation of the basic training program for youthful offenders and the community residential program, and outlining future goals and any recommendation the department has for future legislative action.

**Section 151** amends s. 960.045(1)(c), F.S., by changing a requirement that the Department of Legal Affairs (DLA) annually submit to the Legislature a report on the activities of the Crime Victims' Services Office, to a requirement that the department make the report available on the department's internet website.

**Section 152** repeals s. 985.02(8)(c), F.S., which requires the OPPAGA to conduct an analysis of programs for young females within the DJJ.

**Section 153** amends s. 985.047, F.S., by deleting a requirement that a multiagency task force be organized and utilized by the law enforcement agency or county in conjunction with the initiation of the juvenile justice information system, deletes the corresponding plan, and deletes reference to the multiagency task force in a later subsection.

**Section 154** amends s. 985.47(8)(a), F.S., by deleting a requirement that DJJ develop and annually present, to certain officials, a report related to assessment and treatment of habitual juvenile offenders.

**Section 155** amends s. 985.483(8)(a), F.S., by deleting a requirement that DJJ develop and annually present, to certain officials, a report related to intensive residential treatment programs.

**Section 156** repeals s. 985.61(5), F.S., which requires that DJJ present, to certain officials, a report related to the early delinquency intervention program.

**Section 157** amends s. 985.622(1), F.S., by deleting a requirement that, by May 1, 2001, DJJ must provide its multiagency plan for vocational education to certain elected officials.

**Section 158** repeals s. 985.632(7), F.S., which requires DJJ to submit a proposal to the Legislature by November 1, 2001, concerning funding incentives and disincentives for the department and its contractors.

**Section 159** repeals s. 1002.34(19), F.S., which requires the Commissioner of Education to provide for an annual comparative evaluation of charter technical career centers and public technical centers, and submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Senate and House committees that have responsibility for secondary and postsecondary career and technical education, a report of the comparative evaluation completed for the previous school year.

**Section 160** repeals s. 1003.61(4), F.S., which requires the Manatee County District School Board to implement a pilot project that raises the compulsory age of attendance for children from the age of 16 years to the age of 18 years, and report its findings to the President of the Senate, the Speaker of the House of Representatives, the minority leader of each house of the Legislature, the Governor, and the Commissioner of Education not later than August 1 following each year that the pilot project is in operation.

**Section 161** amends s. 1004.22, F.S., by deleting requirements that each university submit to the State Board of Education a report of the activities of each division of sponsored research together with an estimated budget for the next fiscal year, and that the State Board of Education submit to the chair of the appropriations committee of each house of the Legislature a compiled report, together with a compiled estimated budget for the next fiscal year.

**Section 162** repeals s. 1004.50(6), F.S., which requires the Governor to submit an annual report to the Legislature on the unmet needs in the state's urban communities.

**Section 163** repeals s. 1004.94(2) and (4), F.S., which requires the Commissioner of Education to establish guidelines for the purpose of determining achievement of the goals of the adult literacy program, and requires the commissioner to submit a state adult literacy plan to the State Board of Education.

**Section 164** amends s. 1004.95, F.S., by deleting a requirement that the State Board of Education include criteria for evaluating the performance of adult literacy centers in its rules, and deletes a requirement to submit an evaluation report of the centers to the Legislature on or before February 1 of each year.

**Section 165** repeals s. 1006.0605, F.S., which requires each district school superintendent to report to the DOE and the Legislature any activity or initiative that provides access to a food service program during school vacation periods of over 2 weeks to students who are eligible for free or reduced-price meals.

**Section 166** repeals s. 1006.67, F.S., which requires the reporting of campus crime statistics to the DOE and the Legislature.

**Section 167** amends s. 1009.70(8), F.S., by deleting a requirement that the board of directors of the Florida Education Fund annually compile and submit to elected state leaders a report on the program to increase by 200 the number of minority students enrolled in law schools in this state. Implementation of this program is to be phased in over a 3-year period. The bill also deletes the reporting requirement for the program for preparing minority students for law school.

**Section 168** amends s. 1011.32(8), F.S., by adding the Governor as a recipient to the existing reporting requirements for the State Board of Education of a list of projects which meet all eligibility requirements to participate in the Community College Facility Enhancement Challenge Grant Program and a budget request which includes the recommended schedule necessary to complete each project.

**Section 169** amends s. 1011.62(1)(r), F.S., by deleting a requirement that the DOE recommend to the Legislature the policies necessary for full implementation of an extended school year.

**Section 170** repeals s. 1012.05(2)(l), F.S., which requires the DOE to develop, in consultation with Workforce Florida, Inc., and the Agency for Workforce Innovation, a plan for accessing and identifying available resources in the state's workforce system for the purpose of enhancing teacher recruitment and retention.

**Section 171** amends s. 1012.42(1), by deleting a requirement that each district school board shall contact its regional workforce board to identify resources that may assist teachers who are teaching out-of-field and who are pursuing certification.

**Section 172** amends s. 1013.11, F.S., which requires the Commissioner of Education to convey the reports on physical plant safety to the President of the Senate and the Speaker of the House of Representatives no later than March 1 of each year.

**Sections 173 through 176** amends ss. 161.142(3), 163.065(4)(a), 163.2511(1), and 163.2514, F.S., to correct cross references.

**Section 177** amends s. 163.3202(2), F.S., by deleting a provision related to the timing of a local government's issuance of development orders.

**Sections 178 and 179** amends ss. 259.041(11)(b), and 259.101(3)(c), F.S., to correct cross references.

**Section 180** amends s. 369.305, F.S., to delete legislative intent language, and deleting a subsection related to any local comprehensive plan amendment or amendment to a land development regulation, adopted or issued by a county, which applies to the Wekiva River Protection Area, or any Wekiva River development permit.

**Sections 181 through 184** amends ss. 379.2431(1)(g), 381.732, 381.733, and 411.01(5)(d), F.S., to correct cross references.

**Section 185** amends s. 411.232(3)(a), F.S., by deleting reference to a strategic plan that will no longer be produced by operation of this bill.

**Section 186** amends s. 445.006(6)(a), F.S., by deleting reference to a program deleted by this bill.

**Section 187** provides that the bill will take effect upon becoming a law.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Agencies with less reporting requirements may experience a reduction in expenditures; the exact amount of any such reduction is indeterminate.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

A. Committee Substitute – Statement of Substantial Changes:

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

**CS by Policy and Steering Committee on Ways and Means on April 17, 2009:**

The Committee Substitute deletes the statutory provisions that established the Florida

High Speed Rail Authority Act. This act was intended to implement a constitutional provision which was repealed, effective January 4, 2005.

**CS by Finance and Tax Committee on April 1, 2009:**

The Committee Substitute deletes or modifies some of the bill's proposed amendments or repeals of sections of the Florida Statutes, resulting in the current language being maintained in all or part of the following sections of the Florida Statutes: 20.19, 120.60, 120.695, 288.1226, 377.703, 394.75, 415.111, 445.003, 39.3065(3)(d), 39.523, 216.103, 272.121, 287.16(10), 366.82(4), 397.321(1) and (20), 409.1251(3), and 445.022(4).

**B. Amendments:**

None.