

By Senator Haridopolos

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A bill to be entitled

An act relating to obsolete or outdated agency plans, reports, and programs; repealing s. 14.25, F.S., relating to the Florida State Commission on Hispanic Affairs; amending s. 14.26, F.S.; revising reporting requirements of the Citizen's Assistance Office; repealing s. 14.27, F.S., relating to the Florida Commission on African-American Affairs; repealing s. 16.58, F.S., relating to the Florida Legal Resource Center; amending s. 17.32, F.S.; revising the recipients of the annual report of trust funds by the Chief Financial Officer; amending s. 17.325, F.S.; deleting a reporting requirement relating to the governmental efficiency hotline; amending s. 20.057, F.S.; deleting a reporting requirement of the Governor relating to interagency agreements to delete duplication of inspections; amending s. 20.19, F.S.; deleting provisions relating to planning by the Department of Children and Family Services; deleting provisions relating to planning in service districts of the department; repealing s. 20.316(4)(e), (f), and (g), F.S.; deleting provisions relating to information systems of the Department of Juvenile Justice; amending s. 20.43, F.S.; revising provisions relating to planning by the Department of Health; repealing s. 39.3065(3)(d), F.S.; deleting certain provisions relating to evaluations and reports of child protective investigative services; amending s. 39.4086, F.S.; deleting provisions relating to a

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30 report by the State Courts Administrator on a guardian
31 ad litem program for dependent children; transferring
32 certain duties to the Statewide Guardian Ad Litem
33 Office; repealing s. 39.523(5), F.S.; deleting
34 provisions relating to a report on the placement of
35 children in licensed residential group care; amending
36 s. 98.255, F.S.; deleting provisions relating to a
37 report on the effectiveness of voter education
38 programs; amending s. 110.1227, F.S.; revising
39 provisions relating to a report by the board of
40 directors of the Florida Long-Term-Care Plan; amending
41 s. 120.542, F.S.; deleting provisions relating to
42 reports of petitions filed for variances to agency
43 rules; amending s. 120.60, F.S.; deleting a provision
44 relating to filing of notice and certification of an
45 agency's intent to grant or deny a license; amending
46 s. 120.695, F.S.; deleting obsolete provisions
47 relating to agency review of rules; amending s.
48 121.45, F.S.; deleting provisions relating to reports
49 on interstate compacts relating to pension
50 portability; repealing s. 153.952, F.S., relating to
51 legislative findings and intent concerning privately
52 owned wastewater systems and facilities; amending s.
53 161.053, F.S.; deleting a provision relating to a
54 report on the coastal construction control line;
55 amending s. 161.161, F.S.; deleting a provision
56 requiring a report on funding for beach erosion
57 control; repealing s. 163.2526, F.S., relating to a
58 review and evaluation of urban infill; amending s.

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163.3167, F.S.; deleting provisions relating to local
government comprehensive plans; amending s. 163.3177,
F.S.; revising requirements for comprehensive plans;
amending s. 163.3178, F.S.; deleting a duty of the
Coastal Resources Interagency Management Committee to
submit certain recommendations; repealing s.
163.519(12), F.S.; deleting a requirement for a report
on neighborhood improvement districts by the
Department of Legal Affairs; repealing s. 186.007(9),
F.S.; deleting provisions relating to a committee to
recommend to the Governor changes in the state
comprehensive plan; amending ss. 189.4035 and 189.412,
F.S.; revising requirements relating to dissemination
of the official list of special districts; amending s.
194.034, F.S.; deleting a requirement that the
Department of Revenue be notified of certain decisions
of value adjustment boards; amending s. 206.606, F.S.;
revising provisions relating to a report on the
Florida Boating Improvement Program; amending s.
212.054, F.S.; deleting the requirement for a report
on costs of administering the discretionary sales
surtax; amending s. 212.08, F.S.; deleting a
requirement for a report on the sales tax exemption
for machinery and equipment used in semiconductor,
defense, or space technology production and research
and development; repealing s. 213.0452, F.S., relating
to a report on the structure of the Department of
Revenue; repealing s. 213.054, F.S., relating to
monitoring and reporting on persons claiming tax

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88 exemptions; amending s. 215.70, F.S.; requiring the
89 State Board of Administration to report to the
90 Governor when funds need to be appropriated to honor
91 the full faith and credit of the state; amending s.
92 216.011, F.S.; redefining the term "long-range program
93 plan"; repealing s. 216.103, F.S., relating to
94 agencies receiving federal funds; repealing s.
95 216.172, F.S., relating to meetings of legislative
96 appropriations committees; repealing s.
97 216.181(10) (c), F.S.; deleting provisions relating to
98 reports of filled and vacant positions and salaries;
99 amending s. 252.55, F.S.; revising certain reporting
100 requirements relating to the Civil Air Patrol;
101 amending s. 253.7825, F.S.; deleting provisions
102 relating to the plan for the Cross Florida Greenways
103 State Recreation and Conservation Area; repealing s.
104 253.7826, F.S., relating to structures of the Cross
105 Florida Barge Canal; repealing s. 253.7829, F.S.,
106 relating to a management plan for retention or
107 disposition of lands of the Cross Florida Barge Canal;
108 amending s. 259.037, F.S.; revising provisions
109 relating to a report of the Land Management Uniform
110 Accounting Council; repealing s. 267.074(4), F.S.;
111 deleting provisions relating to a plan for the State
112 Historical Marker Program; repealing s. 272.121, F.S.,
113 relating to long-range planning for the Capitol
114 Center; repealing s. 284.50(3), F.S.; deleting a
115 requirement for a report by the Interagency Advisory
116 Council on Loss Prevention and department heads;

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117 repealing s. 287.045(11), F.S.; deleting a requirement
118 for reports on use of recycled products; amending s.
119 287.059, F.S.; deleting a requirement for reporting
120 proposed fee schedules for private attorney services
121 for the Attorney General's office; repealing s.
122 287.16(10), F.S.; deleting a requirement for a report
123 on aircraft use by the Department of Management
124 Services; repealing s. 288.108(7), F.S.; deleting a
125 requirement for a report by the Office of Tourism,
126 Trade, and Economic Development on high-impact
127 businesses; repealing s. 288.1185, F.S., relating to
128 the Recycling Markets Advisory Committee; amending s.
129 288.1226, F.S.; deleting a requirement for the Office
130 of Tourism, Trade, and Economic Development to certify
131 operations of the Florida Tourism Industry Marketing
132 Corporation; amending s. 288.1229, F.S.; revising
133 duties of the direct-support organization to support
134 sports-related industries and amateur athletics;
135 repealing s. 288.7015(4), F.S.; deleting a requirement
136 for a report by the rules ombudsman in the Executive
137 Office of the Governor; amending s. 288.7771, F.S.;
138 revising a reporting requirement of the Florida Export
139 Finance Corporation; repealing s. 288.8175(8), (10),
140 and (11), F.S.; deleting certain responsibilities of
141 the Department of Education with respect to linkage
142 institutes between postsecondary institutions in this
143 state and foreign countries; repealing s. 288.853(5),
144 F.S.; deleting the requirement for a report on
145 assistance to and commerce with Cuba; amending s.

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146 288.95155, F.S.; revising requirements for a report by
147 Enterprise Florida, Inc., on the Florida Small
148 Business Technology Growth Program; amending s.
149 288.9604, F.S.; deleting a requirement for a report by
150 the Florida Development Finance Corporation; amending
151 s. 288.9610, F.S.; revising provisions relating to
152 annual reporting by the corporation; amending s.
153 292.05, F.S.; revising requirements relating to a
154 report by the Department of Veterans' Affairs;
155 repealing ss. 296.16 and 296.39, F.S., relating to
156 reports by the executive director of the Department of
157 Veterans' Affairs; repealing s. 315.03(12)(c), F.S.;
158 deleting provisions relating to legislative review of
159 a loan program of the Florida Seaport Transportation
160 and Economic Development Council; amending s. 319.324,
161 F.S.; deleting provisions relating to funding a report
162 on odometer fraud prevention and detection; repealing
163 s. 322.181, F.S., relating to a study by the
164 Department of Highway Safety and Motor Vehicles on
165 driving by the elderly; repealing s. 322.251(7)(c),
166 F.S.; deleting provisions relating to a plan to
167 indemnify persons wanted for passing worthless bank
168 checks; repealing s. 366.82(10), F.S.; deleting a
169 provision relating to reports by utilities to the
170 Public Service Commission; amending s. 373.0391, F.S.;
171 deleting provisions relating to provision of certain
172 information by water management districts; amending s.
173 373.046, F.S.; deleting an obsolete provision
174 requiring a report by the Secretary of Environmental

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175 Protection; repealing s. 376.121(14), F.S.; deleting a
176 provision relating to a report by the Department of
177 Environmental Protection on damage to natural
178 resources; repealing s. 376.17, F.S., relating to
179 reports of the department to the Legislature;
180 repealing s. 376.30713(5), F.S.; deleting provisions
181 relating to a report on preapproved advanced cleanup;
182 amending s. 377.703, F.S.; deleting a requirement for
183 a report from the Public Service Commission on
184 electricity, natural gas, and energy conservation;
185 amending s. 379.2211, F.S.; revising provisions
186 relating to a report by the Fish and Wildlife
187 Conservation Commission on waterfowl permit revenues;
188 379.2212, F.S.; revising provisions relating to a
189 report by the commission on wild turkey permit
190 revenues; repealing s. 379.2523(8), F.S.; deleting a
191 duty of the Fish and Wildlife Conservation Commission
192 relating to an aquaculture plan; amending s. 380.06,
193 F.S.; deleting provisions on transmission of revisions
194 relating to statewide guidelines and standards for
195 developments of regional impact; repealing s.
196 380.0677(3), F.S.; deleting provisions relating to
197 powers of the Green Swamp Land Authority; repealing s.
198 381.0011(3), F.S.; deleting provisions relating to an
199 inclusion in the Department of Health's strategic
200 plan; repealing s. 381.0036, F.S., relating to
201 planning for implementation of educational
202 requirements concerning HIV and AIDS; repealing s.
203 381.731, F.S., relating to strategic planning of the

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Department of Health; amending s. 381.795, F.S.; deleting provisions relating to studies by the Department of Health on long-term, community-based supports; amending s. 381.931, F.S.; deleting provisions relating to the duty of the Department of Health to develop a report on Medicaid expenditures; amending s. 383.19, F.S.; revising provisions relating to reports by hospitals contracting to provide perinatal intensive care services; repealing s. 383.21, F.S., relating to reviews of perinatal intensive care service programs; amending s. 383.2161, F.S.; revising requirements relating to a report by the Department of Health on maternal and child health; repealing s. 394.4573(4), F.S.; deleting the requirement for a report by the Department of Children and Family Services on staffing state mental health facilities; amending s. 394.4985, F.S.; deleting provisions relating to plans by department districts; amending s. 394.75, F.S.; revising provisions relating to reports by the department on substance abuse and mental health plans; repealing s. 394.82, F.S., relating to the funding of expanded community mental health services; repealing s. 394.9082(9), F.S.; deleting a provision relating to reports on contracting with behavioral health managing entities; repealing s. 394.9083, F.S., relating to the Behavioral Health Services Integration Workgroup; repealing s. 395.807(2)(c), F.S.; deleting requirements for a report on the retention of family

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233 practice residents; repealing s. 397.321(1) and (20),
234 F.S.; deleting a requirement that the Department of
235 Children and Family Services develop a plan for
236 substance abuse services and eliminating authorization
237 for a pilot project; repealing s. 397.332(3), F.S.;
238 deleting the requirement for a report by the director
239 of the Office of Drug Control; amending s. 397.333,
240 F.S.; deleting the requirement for a report by the
241 Statewide Drug Policy Advisory Council; repealing s.
242 397.94(1), F.S.; deleting provisions relating to
243 children's substance abuse services plans by service
244 districts of the Department of Children and Family
245 Services; repealing s. 400.148(2), F.S.; deleting a
246 provision relating to a pilot program of the Agency
247 for Health Care Administration for a quality-of-care
248 contract management program; amending s. 400.967,
249 F.S.; deleting provisions relating to a report by the
250 Agency for Health Care Administration on intermediate
251 care facilities for developmentally disabled persons;
252 repealing s. 402.3016(3), F.S.; deleting a requirement
253 for a report by the agency on Early Head Start
254 collaboration grants; repealing s. 402.40(9), F.S.;
255 deleting a provision relating to submission to the
256 Legislature of certain information related to child
257 welfare training; amending s. 403.4131, F.S.; deleting
258 provisions relating to a report on the adopt-a-highway
259 program; repealing s. 406.02(4)(a), F.S.; deleting a
260 requirement for a report by the Medical Examiners
261 Commission; amending s. 408.033, F.S.; revising

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262 provisions relating to reports by local health
263 councils; repealing s. 408.914(4), F.S.; deleting
264 provisions requiring the Agency for Health Care
265 Administration to submit to the Governor a plan on the
266 comprehensive health and human services eligibility
267 access system; repealing s. 408.915(3)(i), F.S.;
268 deleting provisions requiring periodic reports on the
269 pilot program for such access; repealing s. 408.917,
270 F.S., relating to an evaluation of the pilot project;
271 amending s. 409.1451, F.S.; revising requirements
272 relating to reports on independent living transition
273 services; repealing s. 409.146, F.S., relating to the
274 children and families client and management
275 information system; repealing s. 409.152, F.S.,
276 relating to service integration and family
277 preservation; repealing s. 409.1679(1) and (2), F.S.;
278 deleting provisions relating to reports concerning
279 residential group care services; amending s. 409.1685,
280 F.S.; revising provisions relating to reports by the
281 Department of Children and Family Services on children
282 in foster care; repealing s. 409.221(4)(k), F.S.;
283 deleting provisions relating to reports on consumer-
284 directed care; amending s. 409.25575, F.S.; deleting
285 provisions relating to a report by the Department of
286 Revenue regarding a quality assurance program for
287 privatization of services; amending s. 409.2558, F.S.;
288 deleting provisions relating to the Department of
289 Revenue's solicitation of recommendations related to a
290 rule on undistributable collections; repealing s.

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291 409.441(3), F.S.; deleting provisions relating to the
292 state plan for the handling of runaway youths;
293 amending s. 409.906, F.S.; deleting a requirement for
294 reports of child-welfare-targeted case management
295 projects; amending s. 409.912, F.S.; revising
296 provisions relating to duties of the agency with
297 respect to cost-effective purchasing of health care;
298 repealing s. 410.0245, F.S., relating to a study of
299 service needs of the disabled adult population;
300 repealing s. 410.604(10), F.S.; deleting a requirement
301 for the Department of Children and Family Services to
302 evaluate the community care for disabled adults
303 program; amending s. 411.0102, F.S.; deleting
304 provisions relating to use of child care purchasing
305 pool funds; repealing s. 411.221, F.S., relating to
306 prevention and early assistance; repealing s. 411.242,
307 F.S., relating to the Florida Education Now and Babies
308 Later program; repealing s. 414.1251(3), F.S.;
309 deleting a provision relating to an electronic data
310 transfer system for the learnfare program; amending s.
311 414.14, F.S.; deleting a provision relating to a
312 report by the Secretary of Children and Family
313 Services on public assistance policy simplification;
314 repealing s. 414.36(1), F.S.; deleting a provision
315 relating to a plan for privatization of recovery of
316 public assistance overpayment claims; repealing s.
317 414.391(3), F.S.; deleting provisions relating to a
318 plan for automated fingerprint imaging; amending s.
319 415.1045, F.S.; deleting a requirement for a study by

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320 the Office of Program Policy Analysis and Government
321 Accountability on documentation of exploitation,
322 abuse, or neglect; amending s. 415.111, F.S.; deleting
323 the requirement for a report by the Department of
324 Children and Family Services on exploitation, abuse,
325 or neglect; amending s. 420.622, F.S.; revising
326 requirements relating to a report by the State Council
327 on Homelessness; repealing s. 420.623(4), F.S.;
328 deleting a requirement for a report by the Department
329 of Community Affairs on homelessness; amending s.
330 427.704, F.S.; revising requirements relating to a
331 report by the Public Service Commission on a
332 telecommunications access system; amending s. 427.706,
333 F.S.; revising requirements relating to a report by
334 the advisory committee on telecommunications access;
335 amending s. 429.07, F.S.; deleting provisions relating
336 to a report by the Department of Elderly Affairs on
337 extended congregate care facilities; repealing s.
338 429.08(2), F.S.; deleting a provision relating to
339 local workgroups of field offices of the Agency for
340 Health Care Administration; amending s. 429.41, F.S.;
341 deleting provisions relating to a report concerning
342 standards for assisted living facilities; amending s.
343 430.04, F.S.; revising duties of the Department of
344 Elderly Affairs with respect to certain reports and
345 recommendations; amending s. 430.502, F.S.; revising
346 requirements with respect to reports by the
347 Alzheimer's Disease Advisory Committee; amending s.
348 445.003, F.S.; revising reporting requirements

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349 relating to Workforce Florida, Inc.; amending s.
350 445.006, F.S.; deleting provisions relating to a
351 strategic plan for workforce development; repealing s.
352 445.022(4), F.S.; deleting a requirement for reports
353 by regional workforce boards on retention incentives;
354 amending s. 446.50, F.S.; deleting provisions relating
355 to a state plan for displaced homemakers; repealing s.
356 455.204, F.S., relating to long-range policy planning
357 in the Department of Business and Professional
358 Regulation; repealing s. 455.2226(8), F.S.; deleting a
359 requirement for a report by the Board of Funeral
360 Directors and Embalmers; repealing s. 455.2228(6),
361 F.S.; deleting a requirement for reports by the
362 Barbers' Board and the Board of Cosmetology; amending
363 s. 456.005, F.S.; revising requirements relating to
364 long-range planning by professional boards; amending
365 s. 456.025, F.S.; revising requirements relating to a
366 report to professional boards by the Department of
367 Health; repealing s. 456.034(6), F.S.; deleting
368 provisions relating to reports by professional boards
369 about HIV and AIDS; amending s. 517.302, F.S.;
370 deleting a requirement for a report by the Office of
371 Financial Regulation on deposits into the Anti-Fraud
372 Trust Fund; repealing s. 531.415(3), F.S.; deleting
373 the requirement for a report by the Department of
374 Agriculture and Consumer Services on fees; repealing
375 s. 570.0705(3), F.S.; deleting the requirement for a
376 report by the Commissioner of Agriculture concerning
377 advisory committees; repealing s. 570.0725(5), F.S.;

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378 deleting provisions relating to a report by the
379 Department of Agriculture and Consumer Services
380 concerning support for food recovery programs;
381 repealing s. 570.543(3), F.S.; deleting provisions
382 relating to legislative recommendations of the Florida
383 Consumers' Council; amending s. 603.204, F.S.;
384 revising requirements relating to the South Florida
385 Tropical Fruit Plan; amending s. 627.64872, F.S.;
386 deleting provisions relating to an interim report by
387 the board of directors of the Florida Health Insurance
388 Plan; prohibiting the board from acting to implement
389 the plan until certain funds are appropriated;
390 amending s. 744.708, F.S.; revising provisions
391 relating to audits of public guardian offices and to
392 reports concerning those offices; amending s. 768.295,
393 F.S.; revising duties of the Attorney General relating
394 to reports concerning "SLAPP" lawsuits; amending s.
395 775.084, F.S.; deleting provisions relating to
396 sentencing of violent career criminals and to reports
397 of judicial actions with respect thereto; amending s.
398 790.22, F.S.; deleting provisions relating to reports
399 by the Department of Juvenile Justice concerning
400 certain juvenile offenses that involve weapons;
401 amending s. 943.125, F.S.; deleting provisions
402 relating to reports by the Florida Sheriffs
403 Association and the Florida Police Chiefs Association
404 concerning law enforcement agency accreditation;
405 amending s. 943.68, F.S.; revising requirements
406 relating to reports by the Department of Law

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407 Enforcement concerning transportation and protective
408 services; amending s. 944.023, F.S.; deleting
409 provisions relating to the comprehensive correctional
410 master plan; amending s. 944.801, F.S.; deleting a
411 requirement to deliver to specified officials copies
412 of certain reports concerning education of state
413 prisoners; repealing s. 945.35(10), F.S.; deleting a
414 requirement for a report by the Department of
415 Corrections concerning HIV and AIDS education;
416 repealing s. 958.045(9), F.S.; deleting provisions
417 relating to a report by the department concerning
418 youthful offenders; amending s. 960.045, F.S.;
419 revising requirements relating to reports by the
420 Department of Legal Affairs with respect to victims of
421 crimes; repealing s. 985.02(8)(c), F.S.; deleting the
422 requirement of a study by the Office of Program Policy
423 Analysis and Government Accountability on programs for
424 young females within the Department of Juvenile
425 Justice; amending s. 985.047, F.S.; deleting
426 provisions relating to a plan by a multiagency task
427 force on information systems related to delinquency;
428 amending s. 985.47, F.S.; deleting provisions relating
429 to a report on serious or habitual juvenile offenders;
430 amending s. 985.483, F.S.; deleting provisions
431 relating to a report on intensive residential
432 treatment for offenders younger than 13 years of age;
433 repealing s. 985.61(5), F.S.; deleting provisions
434 relating to a report by the Department of Juvenile
435 Justice on early delinquency intervention; amending s.

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436 985.622, F.S.; deleting provisions relating to
437 submission of the multiagency plan for vocational
438 education; repealing s. 985.632(7), F.S.; deleting
439 provisions relating to a report by the Department of
440 Corrections on quality assurance in contractual
441 procurements; repealing s. 1002.34(19), F.S.; deleting
442 provisions relating to an evaluation and report by the
443 Commissioner of Education concerning charter technical
444 career centers; repealing s. 1003.61(4), F.S.;
445 deleting provisions relating to evaluation of a pilot
446 attendance project in Manatee County; amending s.
447 1004.22, F.S.; deleting provisions relating to
448 university reports concerning sponsored research;
449 repealing s. 1004.50(6), F.S.; deleting a requirement
450 for a report by the Governor concerning unmet needs in
451 urban communities; repealing s. 1004.94(2) and (4),
452 F.S.; deleting provisions relating to guidelines for
453 and a report on plans for a state adult literacy
454 program; amending s. 1004.95, F.S.; revising
455 requirements relating to implementing provisions for
456 adult literacy centers; repealing s. 1006.0605, F.S.,
457 relating to students' summer nutrition; repealing s.
458 1006.67, F.S., relating to a report of campus crime
459 statistics; amending s. 1009.70, F.S.; deleting
460 provisions relating to a report on a minority law
461 school scholarship program; amending s. 1011.32, F.S.;
462 requiring the Governor to be given a copy of a report
463 related to the Community College Facility Enhancement
464 Challenge Grant Program; amending s. 1011.62, F.S.;

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465 deleting provisions relating to recommendations for
466 implementing the extended-school-year program;
467 repealing s. 1012.05(2)(1), F.S.; deleting provisions
468 relating to a plan concerning teacher recruitment and
469 retention; amending s. 1012.42, F.S.; deleting
470 provisions relating to a plan of assistance for
471 teachers teaching out-of-field; amending s. 1013.11,
472 F.S.; deleting provisions relating to transmittal of a
473 report on physical plant safety; amending ss. 161.142,
474 163.065, 163.2511, 163.2514, 163.3202, 259.041,
475 259.101, 369.305, 379.2431, 381.732, 381.733, 411.01,
476 411.232, and 445.006, F.S., conforming cross-
477 references to changes made by the act; providing an
478 effective date.

479

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

481

482 Section 1. Section 14.25, Florida Statutes, is repealed.

483 Section 2. Subsection (3) of section 14.26, Florida
484 Statutes, is amended to read:

485 14.26 Citizen's Assistance Office.—

486 (3) The Citizen's Assistance Office shall report make
487 ~~quarterly reports to the Governor on, which shall include:~~

488 (a) The number of complaints and investigations and
489 ~~complaints made during the preceding quarter~~ and the disposition
490 of such investigations.

491 (b) ~~Recommendations in the form of suggested legislation or~~
492 ~~suggested procedures for the alleviation of problems disclosed~~
493 ~~by investigations.~~

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494 (b) ~~(c) A report including statistics which reflect The~~
495 types of complaints made and an assessment as to the cause of
496 the complaints.

497 (c) Recommendations for the alleviation of the cause of
498 complaints disclosed by investigations.

499 (d) ~~Such~~ Other information as the Executive Office of the
500 Governor shall require.

501 Section 3. Section 14.27, Florida Statutes, is repealed.

502 Section 4. Section 16.58, Florida Statutes, is repealed.

503 Section 5. Subsection (1) of section 17.32, Florida
504 Statutes, is amended to read:

505 17.32 Annual report of trust funds; duties of Chief
506 Financial Officer.—

507 (1) On February 1 of each year, the Chief Financial Officer
508 shall present to the Governor and the Legislature President of
509 ~~the Senate and the Speaker of the House of Representatives~~ a
510 report listing all trust funds as defined in s. 215.32. The
511 report must ~~shall~~ contain the following data elements for each
512 fund for the preceding fiscal year:

513 (a) The fund code.

514 (b) The title.

515 (c) The fund type according to generally accepted
516 accounting principles.

517 (d) The statutory authority.

518 (e) The beginning cash balance.

519 (f) Direct revenues.

520 (g) Nonoperating revenues.

521 (h) Operating disbursements.

522 (i) Nonoperating disbursements.

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523 (j) The ending cash balance.

524 (k) The department and budget entity in which the fund is
525 located.

526 Section 6. Subsection (1) of section 17.325, Florida
527 Statutes, is amended to read:

528 17.325 Governmental efficiency hotline; duties of Chief
529 Financial Officer.—

530 (1) The Chief Financial Officer shall establish and operate
531 a statewide toll-free telephone hotline to receive information
532 or suggestions from the residents ~~citizens~~ of this state on how
533 to improve the operation of government, increase governmental
534 efficiency, and eliminate waste in government. ~~The Chief~~
535 ~~Financial Officer shall report each month to the appropriations~~
536 ~~committee of the House of Representatives and of the Senate the~~
537 ~~information or suggestions received through the hotline and the~~
538 ~~evaluations and determinations made by the affected agency, as~~
539 ~~provided in subsection (3), with respect to such information or~~
540 ~~suggestions.~~

541 Section 7. Section 20.057, Florida Statutes, is amended to
542 read:

543 20.057 Interagency agreements to delete duplication of
544 inspections.—

545 (1) The Governor shall direct any department, the head of
546 which is an officer or board appointed by and serving at the
547 pleasure of the Governor, to enter into an interagency agreement
548 ~~to that will~~ eliminate duplication of inspections among ~~the~~
549 departments that inspect the same type of facility or structure.
550 Parties to the agreement may include departments that ~~which~~ are
551 headed by a Cabinet officer, the Governor and Cabinet, or a

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552 collegial body. The agreement shall:

553 (a) Authorize agents of one department to conduct
554 inspections required to be performed by another department.

555 (b) Specify that agents of the department conducting the
556 inspection have all powers relative to the inspection as the
557 agents of the department on whose behalf the inspection is being
558 conducted.

559 (c) Require that agents of the department conducting the
560 inspection have sufficient knowledge of statutory and
561 administrative inspection requirements to conduct a proper
562 inspection.

563 (d) Specify that the departments that enter which have
564 ~~entered~~ into the agreement may not ~~neither~~ charge or ~~nor~~ accept
565 any funds with respect to duties performed under the agreement
566 which are in excess of the direct costs of conducting the such
567 inspections.

568 (2) Before taking effect, an agreement entered into under
569 this section must be approved by the Governor. Inspections
570 conducted under an agreement are ~~shall be deemed~~ sufficient for
571 enforcement purposes pursuant to the agreement or as otherwise
572 provided by law.

573 (2) ~~No later than 60 days prior to the beginning of the~~
574 ~~regular session, the Governor shall make an annual report to the~~
575 ~~President of the Senate and the Speaker of the House of~~
576 ~~Representatives regarding interagency agreements. The report~~
577 ~~shall identify each interagency agreement entered into under~~
578 ~~this section, and, for each agreement, shall describe the~~
579 ~~duplication eliminated, provide data that measures the~~
580 ~~effectiveness of inspections conducted under the interagency~~

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581 agreement, and estimate the cost savings that have resulted from
582 the agreement. The report shall also describe obstacles
583 encountered by any department in attempting to develop an
584 interagency agreement and in performing duties resulting from an
585 interagency agreement and shall recommend appropriate remedial
586 legislative action.

587 Section 8. Subsection (1) and paragraph (c) of subsection
588 (5) of section 20.19, Florida Statutes, are amended to read:

589 20.19 Department of Children and Family Services.—There is
590 created a Department of Children and Family Services.

591 (1) MISSION AND PURPOSE.—

592 (a) The mission of the Department of Children and Family
593 Services is to protect vulnerable children and adults,
594 strengthen families, and support individuals and families in
595 achieving personal and economic self-sufficiency work in
596 partnership with local communities to ensure the safety, well-
597 being, and self-sufficiency of the people served.

598 (b) The department shall develop a strategic plan for
599 fulfilling its mission and establish a set of measurable goals,
600 objectives, performance standards, and quality assurance
601 requirements to ensure that the department is accountable to the
602 people of Florida.

603 (c) To the extent allowed by law and within specific
604 appropriations, the department shall deliver services by
605 contract through private providers.

606 (5) SERVICE DISTRICTS.—

607 (e) Each fiscal year the secretary shall, in consultation
608 with the relevant employee representatives, develop projections
609 of the number of child abuse and neglect cases and shall include

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610 ~~in the department's legislative budget request a specific~~
611 ~~appropriation for funds and positions for the next fiscal year~~
612 ~~in order to provide an adequate number of full-time equivalent:~~

613 ~~1. Child protection investigation workers so that caseloads~~
614 ~~do not exceed the Child Welfare League Standards by more than~~
615 ~~two cases; and~~

616 ~~2. Child protection case workers so that caseloads do not~~
617 ~~exceed the Child Welfare League Standards by more than two~~
618 ~~cases.~~

619 Section 9. Paragraphs (e), (f), and (g) of subsection (4)
620 of section 20.316, Florida Statutes, are repealed.

621 Section 10. Paragraph (1) of subsection (1) of section
622 20.43, Florida Statutes, is amended to read:

623 20.43 Department of Health.—There is created a Department
624 of Health.

625 (1) The purpose of the Department of Health is to promote
626 and protect the health of all residents and visitors in the
627 state through organized state and community efforts, including
628 cooperative agreements with counties. The department shall:

629 (1) Include in its long-range program ~~the department's~~
630 ~~strategic~~ plan developed under s. 186.021 an assessment of
631 current health programs, systems, and costs; projections of
632 future problems and opportunities; and recommended changes that
633 are needed in the health care system to improve the public
634 health.

635 Section 11. Paragraph (d) of subsection (3) of section
636 39.3065, Florida Statutes, is repealed.

637 Section 12. Paragraph (h) of subsection (2) of section
638 39.4086, Florida Statutes, is amended to read:

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639 39.4086 Pilot program for attorneys ad litem for dependent
640 children.—

641 (2) RESPONSIBILITIES.—

642 (h) The Statewide Guardian Ad Litem Office of the State
643 ~~Courts Administrator~~ shall conduct research and gather
644 statistical information to evaluate the establishment,
645 operation, and impact of the pilot program in meeting the legal
646 needs of dependent children. In assessing the effects of the
647 pilot program, including achievement of outcomes identified
648 under paragraph (b), the evaluation must include a comparison of
649 children within the Ninth Judicial Circuit who are appointed an
650 attorney ad litem with those who are not. ~~The office shall~~
651 ~~submit a report to the Legislature and the Governor by October~~
652 ~~1, 2001, and by October 1, 2002, regarding its findings. The~~
653 ~~office shall submit a final report by October 1, 2003, which~~
654 ~~must include an evaluation of the pilot program; findings on the~~
655 ~~feasibility of a statewide program; and recommendations, if any,~~
656 ~~for locating, establishing, and operating a statewide program.~~

657 Section 13. Subsection (5) of section 39.523, Florida
658 Statutes, is repealed.

659 Section 14. Subsections (1) and (3) of section 98.255,
660 Florida Statutes, are amended to read:

661 98.255 Voter education programs.—

662 (1) ~~By March 1, 2002, The Department of State shall adopt~~
663 ~~rules prescribing minimum standards for nonpartisan voter~~
664 ~~education. In developing the rules, the department shall review~~
665 ~~current voter education programs within each county of the~~
666 ~~state. The standards shall, at a minimum, address, but are not~~
667 ~~limited to, the following subjects:~~

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- (a) Voter registration;
- (b) Balloting procedures, absentee and polling place;
- (c) Voter rights and responsibilities;
- (d) Distribution of sample ballots; and
- (e) Public service announcements.

(3) (a) By December 15 of each general election year, each supervisor of elections shall report to the Department of State a detailed description of the voter education programs implemented and any other information that may be useful in evaluating the effectiveness of voter education efforts.

(b) The Department of State, upon receipt of such information, shall prepare a public report on the effectiveness of voter education programs and shall submit the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 31 of each year following a general election.

(e) The department of State shall reexamine the rules adopted pursuant to subsection (1) and use ~~consider~~ the findings in these reports ~~the report~~ as a basis for modifying ~~the~~ adopting ~~modified~~ rules to that incorporate successful voter education programs and techniques, as necessary.

Section 15. Paragraph (a) of subsection (7) of section 110.1227, Florida Statutes, is amended to read:

110.1227 Florida Employee Long-Term-Care Plan Act.—

(7) The board of directors of the Florida Long-Term-Care Plan shall:

(a) Upon implementation, prepare an annual report of the plan, with the assistance of an actuarial consultant, to be submitted to the Speaker of the House of Representatives, the

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697 ~~President of the Senate, the Governor, and the Legislature the~~
698 ~~Minority Leaders of the Senate and the House of Representatives.~~

699 Section 16. Subsection (9) of section 120.542, Florida
700 Statutes, is amended to read:

701 120.542 Variances and waivers.—

702 (9) Each agency shall maintain a record of the type and
703 disposition of each petition, including temporary or emergency
704 variances and waivers, filed pursuant to this section. ~~On~~
705 ~~October 1 of each year, each agency shall file a report with the~~
706 ~~Governor, the President of the Senate, and the Speaker of the~~
707 ~~House of Representatives listing the number of petitions filed~~
708 ~~requesting variances to each agency rule, the number of~~
709 ~~petitions filed requesting waivers to each agency rule, and the~~
710 ~~disposition of all petitions. Temporary or emergency variances~~
711 ~~and waivers, and the reasons for granting or denying temporary~~
712 ~~or emergency variances and waivers, shall be identified~~
713 ~~separately from other waivers and variances.~~

714 Section 17. Subsection (3) of section 120.60, Florida
715 Statutes, is amended to read:

716 120.60 Licensing.—

717 (3) Each applicant shall be given written notice either
718 personally or by mail that the agency intends to grant or deny,
719 or has granted or denied, the application for license. The
720 notice must state with particularity the grounds or basis for
721 the issuance or denial of the license, except when issuance is a
722 ministerial act. Unless waived, a copy of the notice must shall
723 be delivered or mailed to each party's attorney of record and to
724 each person who has requested notice of agency action. Each
725 notice must shall inform the recipient of the basis for the

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726 agency decision, shall inform the recipient of any
727 administrative hearing pursuant to ss. 120.569 and 120.57 or
728 judicial review pursuant to s. 120.68 which may be available,
729 shall indicate the procedure that which must be followed, and
730 shall state the applicable time limits. The issuing agency shall
731 certify the date the notice was mailed or delivered, ~~and the~~
732 ~~notice and the certification shall be filed with the agency~~
733 ~~clerk.~~

734 Section 18. Subsection (2) of section 120.695, Florida
735 Statutes, is amended to read:

736 120.695 Notice of noncompliance.—

737 (2) (a) Each agency shall issue a notice of noncompliance as
738 a first response to a minor violation of a rule. A "notice of
739 noncompliance" is a notification by the agency charged with
740 enforcing the rule issued to the person or business subject to
741 the rule. A notice of noncompliance may not be accompanied with
742 a fine or other disciplinary penalty. It must identify the
743 specific rule that is being violated, provide information on how
744 to comply with the rule, and specify a reasonable time for the
745 violator to comply with the rule. ~~A rule is agency action that~~
746 ~~regulates a business, occupation, or profession, or regulates a~~
747 ~~person operating a business, occupation, or profession, and~~
748 ~~that, if not complied with, may result in a disciplinary~~
749 ~~penalty.~~

750 (b) Each agency shall ~~review all of its rules and designate~~
751 ~~those rules~~ for which a violation would be a minor violation and
752 for which a notice of noncompliance must be the first
753 enforcement action taken against a person or business subject to
754 regulation. A violation of a rule is a minor violation if it

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755 does not result in economic or physical harm to a person or
756 adversely affect the public health, safety, or welfare or create
757 a significant threat of such harm. If an agency under the
758 direction of a cabinet officer mails to each licensee a notice
759 of the designated rules at the time of licensure and at least
760 annually thereafter, the provisions of paragraph (a) may be
761 exercised at the discretion of the agency. The ~~Such~~ notice shall
762 include a subject-matter index of the rules and information on
763 how the rules may be obtained.

764 ~~(e) The agency's review and designation must be completed~~
765 ~~by December 1, 1995; each agency under the direction of the~~
766 ~~Governor shall make a report to the Governor, and each agency~~
767 ~~under the joint direction of the Governor and Cabinet shall~~
768 ~~report to the Governor and Cabinet by January 1, 1996, on which~~
769 ~~of its rules have been designated as rules the violation of~~
770 ~~which would be a minor violation.~~

771 ~~(c) (d)~~ The Governor or the Governor and Cabinet, as
772 appropriate ~~pursuant to paragraph (c),~~ may evaluate the rule
773 ~~review and designation effects of each agency and~~ ~~may~~ apply a
774 different designation than that applied by the agency.

775 ~~(3) (e)~~ This section does not apply to the regulation of law
776 enforcement personnel or teachers.

777 ~~(4) (f)~~ Rule designation pursuant to this section is not
778 subject to challenge under this chapter.

779 Section 19. Subsection (3) of section 121.45, Florida
780 Statutes, is amended to read:

781 121.45 Interstate compacts relating to pension
782 portability.—

783 (3) ESTABLISHMENT OF COMPACTS.—

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(a) The Department of Management Services shall is
~~authorized and directed to~~ survey other state retirement systems
to determine if such retirement systems are interested in
developing an interstate compact with Florida.

(b) If another any such state is interested in pursuing the matter, the department shall confer with the other state, and the consulting actuaries of both states, and shall present its findings to the committees having jurisdiction over retirement matters in the Legislature, and to representatives of affected certified bargaining units, in order to determine the feasibility of developing a portability compact, what groups should be covered, and the goals and priorities which should guide such development.

(c) Upon a determination that ~~such~~ a compact is feasible and ~~upon request of the Legislature~~, the department, together with its consulting actuaries, shall, ~~in accordance with said goals and priorities~~, develop a proposal under which retirement credit may be transferred to or from Florida in an actuarially sound manner and shall present the proposal to the Governor and the Legislature for consideration.

(d) Once a proposal has been developed, the department shall contract with its consulting actuaries to conduct an actuarial study of the proposal to determine the cost to the Florida Retirement System Trust Fund and the State of Florida.

(e) After the actuarial study has been completed, the department shall present its findings and the actuarial study to the Legislature for consideration. If either house of the Legislature elects to enter into such a compact, it shall be introduced in the form of a proposed committee bill to the full

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813 ~~Legislature during the same or next regular session.~~

814 Section 20. Section 153.952, Florida Statutes, is repealed.

815 Section 21. Subsections (3) through (22) of section
816 161.053, Florida Statutes, are amended to read:

817 161.053 Coastal construction and excavation; regulation on
818 county basis.—

819 ~~(3) It is the intent of the Legislature that any coastal~~
820 ~~construction control line that has not been updated since June~~
821 ~~30, 1980, shall be considered a critical priority for~~
822 ~~reestablishment by the department. In keeping with this intent,~~
823 ~~the department shall notify the Legislature if all such lines~~
824 ~~cannot be reestablished by December 31, 1997, so that the~~
825 ~~Legislature may subsequently consider interim lines of~~
826 ~~jurisdiction for the remaining counties.~~

827 ~~(3)-(4) A~~ Any coastal county or coastal municipality may
828 establish coastal construction zoning and building codes in lieu
829 of the provisions of this section ~~if, provided~~ such zones and
830 codes are approved by the department as being adequate to
831 preserve and protect the beaches and coastal barrier dunes
832 adjacent to such beaches, which are under the jurisdiction of
833 the department, from imprudent construction that will jeopardize
834 the stability of the beach-dune system, accelerate erosion,
835 provide inadequate protection to upland structures, endanger
836 adjacent properties, or interfere with public beach access.
837 Exceptions to locally established coastal construction zoning
838 and building codes ~~may~~ shall not be granted unless previously
839 approved by the department. ~~It is~~ The intent of this subsection
840 ~~is~~ to provide for the local administration of established
841 coastal construction control lines through approved zoning and

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842 building codes if where desired by local interests and where
843 such local interests have, in the judgment of the department,
844 sufficient funds and personnel to adequately administer the
845 program. Should the department determine at any time that the
846 program is inadequately administered, the department may shall
847 ~~have authority to~~ revoke the authority granted to the county or
848 municipality.

849 (4) ~~(5)~~ Except in those areas where local zoning and
850 building codes have been established pursuant to subsection (3)
851 ~~(4)~~, a permit to alter, excavate, or construct on property
852 seaward of established coastal construction control lines may be
853 granted by the department as follows:

854 (a) The department may authorize an excavation or erection
855 of a structure at any coastal location as described in
856 subsection (1) upon receipt of an application from a property or
857 and/or riparian owner and upon the consideration of facts and
858 circumstances, including:

859 1. Adequate engineering data concerning shoreline stability
860 and storm tides related to shoreline topography;

861 2. Design features of the proposed structures or
862 activities; and

863 3. Potential effects impacts of the location of the such
864 structures or activities, including potential cumulative effects
865 of any proposed structures or activities upon the such beach-
866 dune system, which, in the opinion of the department, clearly
867 justify such a permit.

868 (b) If in the immediate contiguous or adjacent area a
869 number of existing structures have established a reasonably
870 continuous and uniform construction line closer to the line of

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871 mean high water than the foregoing, and if the existing
872 structures have not been unduly affected by erosion, a proposed
873 structure may, ~~at the discretion of the department~~, be permitted
874 along such line on written authorization from the department if
875 the such structure is also approved by the department. However,
876 the department may shall not contravene setback requirements or
877 zoning or building codes established by a county or municipality
878 which are equal to, or more strict than, the those requirements
879 provided in this subsection herein. This paragraph does not
880 prohibit the department from requiring structures to meet design
881 and siting criteria established in paragraph (a) or in
882 subsection (1) or subsection (2).

883 (c) The department may condition the nature, timing, and
884 sequence of construction of permitted activities to provide
885 protection to nesting sea turtles and hatchlings and their
886 habitat, pursuant to s. 379.2431, and to native salt-resistant
887 vegetation and endangered plant communities.

888 (d) The department may require such engineer certifications
889 as necessary to ensure assure the adequacy of the design and
890 construction of permitted projects.

891 (e) The department shall limit the construction of
892 structures that which interfere with public access along the
893 beach. However, the department may require, as a condition of to
894 granting permits, the provision of alternative access if when
895 interference with public access along the beach is unavoidable.
896 The width of the such alternate access may not be required to
897 exceed the width of the access that will be obstructed as a
898 result of the permit being granted.

899 (f) The department may, as a condition of to the granting

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900 ~~ef a permit under this section, require mitigation, financial,~~
901 ~~or other assurances acceptable to the department as may be~~
902 ~~necessary to ensure assure~~ performance of conditions of a permit
903 or enter into contractual agreements to best assure compliance
904 with any permit conditions. The department may also require
905 notice of the permit conditions required and the contractual
906 agreements entered into ~~pursuant to the provisions of this~~
907 ~~subsection~~ to be filed in the public records of the county in
908 which the permitted activity is located.

909 (5) (6) (a) As used in this subsection, the term:

910 1. "Frontal dune" means the first natural or manmade mound
911 or bluff of sand which is located landward of the beach and
912 which has sufficient vegetation, height, continuity, and
913 configuration to offer protective value.

914 2. "Seasonal high-water line" means the line formed by the
915 intersection of the rising shore and the elevation of 150
916 percent of the local mean tidal range above local mean high
917 water.

918 ~~(b) After October 1, 1985, and Notwithstanding any other~~
919 provision of this part, the department, or a local government to
920 which the department has delegated permitting authority pursuant
921 to subsections (3) (4) and (15) (16), ~~may shall~~ not issue a any
922 permit for any structure, other than a coastal or shore
923 protection structure, minor structure, or pier, meeting the
924 requirements of this part, or other than intake and discharge
925 structures for a facility sited pursuant to part II of chapter
926 403, which is proposed for a location that which, based on the
927 department's projections of erosion in the area, will be seaward
928 of the seasonal high-water line within 30 years after the date

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929 of application for the such permit. The procedures for
930 determining such erosion shall be established by rule. In
931 determining the area that which will be seaward of the seasonal
932 high-water line in 30 years, the department may shall not
933 include any areas landward of a coastal construction control
934 line.

935 (c) If ~~Where~~ the application of paragraph (b) would
936 preclude the construction of a structure, the department may
937 issue a permit for a single-family dwelling for the parcel if so
938 ~~long as~~:

939 1. The parcel ~~for which the single-family dwelling is~~
940 ~~proposed~~ was platted or subdivided by metes and bounds before
941 the effective date of this section;

942 2. The owner of the parcel ~~for which the single-family~~
943 ~~dwelling is proposed~~ does not own another parcel immediately
944 adjacent to and landward of the parcel for which the dwelling is
945 proposed;

946 3. The proposed single-family dwelling is located landward
947 of the frontal dune structure; and

948 4. The proposed single-family dwelling will be as far
949 landward on its parcel as is practicable without being located
950 seaward of or on the frontal dune.

951 (d) In determining the land areas that which will be below
952 the seasonal high-water line within 30 years after the permit
953 application date, the department shall consider the effect
954 ~~impact~~ on ~~the~~ erosion rates of an existing beach nourishment or
955 restoration project or of a beach nourishment or restoration
956 project for which all funding arrangements have been made and
957 all permits have been issued at the time the application is

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submitted. The department shall consider each year there is sand seaward of the erosion control line whether that no erosion took place that year. However, the seaward extent of the beach nourishment or restoration project beyond the erosion control line may shall not be considered in determining the applicable erosion rates. Nothing in This subsection does not shall prohibit the department from requiring structures to meet the criteria established in subsection (1), subsection (2), or subsection (4) (5) or to be further landward than required by this subsection based on the criteria established in subsection (1), subsection (2), or subsection (4) (5).

(e) The department shall annually report to the Legislature the status of this program, including any changes to the previously adopted procedures for determining erosion projections.

(6) (7) Any coastal structure erected, or excavation created, in violation of the provisions of this section is hereby declared to be a public nuisance, and such structure shall be forthwith removed or such excavation shall be forthwith refilled after written notice by the department directing such removal or filling. If in the event the structure is not removed or the excavation refilled within a reasonable time as directed, the department may remove such structure or fill such excavation at its own expense, and the costs thereof shall become a lien on upon the property of the upland owner upon which the such unauthorized structure or excavation is located.

(7) (8) Any person, firm, corporation, or agent thereof who violates this section commits is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s.

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987 775.083, ~~is~~ except that a person driving a ~~any~~ vehicle on, over,
988 or across a ~~any~~ sand dune and damaging or causing to be damaged
989 such sand dune or the vegetation growing thereon in violation of
990 this section commits ~~is guilty of~~ a misdemeanor of the second
991 degree, punishable as provided in s. 775.082 or s. 775.083. A
992 person, firm, corporation, or agent thereof commits ~~shall be~~
993 ~~deemed guilty of~~ a separate offense for each day during any
994 portion of which a ~~any~~ violation of this section is committed or
995 continued.

996 ~~(8) (9) The provisions of~~ This section does ~~do~~ not apply to
997 structures intended for shore protection purposes which are
998 regulated by s. 161.041 or to structures existing or under
999 construction before ~~prior to~~ the establishment of the coastal
1000 construction control line if the ~~as provided herein, provided~~
1001 ~~such~~ structures are ~~may~~ not be materially altered except as
1002 provided in subsection (4) ~~(5)~~. Except for structures that have
1003 been materially altered, structures ~~determined to be~~ under
1004 construction at the time of the establishment or reestablishment
1005 of the coastal construction control line are ~~shall be~~ exempt
1006 from the provisions of this section. However, unless such an
1007 exemption has been judicially confirmed to exist before ~~prior to~~
1008 April 10, 1992, the exemption shall last only for a period of 3
1009 years from either the date of the determination of the exemption
1010 or April 10, 1992, whichever occurs later. The department may
1011 extend the exemption period for structures that require longer
1012 periods for completion if of their construction, provided that
1013 construction during the initial exemption period is has been
1014 continuous. For purposes of this subsection, the term
1015 "continuous" means following a reasonable sequence of

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1016 construction without significant or unreasonable periods of work
1017 stoppage.

1018 (9) ~~(10)~~ The department may ~~by regulation~~ exempt
1019 specifically described portions of the coastline from the
1020 provisions of this section if, when in its judgment, such
1021 portions of coastline because of their nature are not subject to
1022 erosion of a substantially damaging effect to the public.

1023 (10) ~~(11)~~ Pending the establishment of coastal construction
1024 control lines as provided herein, the provisions of s. 161.052
1025 shall remain in force. However, upon the establishment of
1026 coastal construction control lines, or the establishment of
1027 coastal construction zoning and building codes as provided in
1028 subsection (3) ~~(4)~~, ~~the provisions of~~ s. 161.052 shall be
1029 superseded by the provisions of this section.

1030 (11) ~~(12)~~(a) The coastal construction control requirements
1031 defined in subsection (1) and the requirements of the erosion
1032 projections ~~in pursuant to~~ subsection (5) ~~(6)~~ do not apply to
1033 any modification, maintenance, or repair of ~~to~~ any existing
1034 structure within the limits of the existing foundation which
1035 does not require, involve, or include any additions to, or
1036 repair or modification of, the existing foundation of that
1037 structure. Specifically excluded from this exemption are
1038 seawalls or other rigid coastal or shore protection structures
1039 and any additions or enclosures added, constructed, or installed
1040 below the first dwelling floor or lowest deck of the existing
1041 structure.

1042 (b) Activities seaward of the coastal construction control
1043 line which are determined by the department not to cause a
1044 measurable interference with the natural functioning of the

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1045 coastal system are exempt from the requirements of in subsection
1046 (4) ~~(5)~~.

1047 (c) The department may establish exemptions from the
1048 requirements of this section for minor activities determined by
1049 the department not to have an adverse effect ~~impacts~~ on the
1050 coastal system. Examples of such activities include, but are not
1051 limited to:

1052 1. Boat moorings;
1053 2. Maintenance of existing beach-dune ~~beach/dune~~
1054 vegetation;

1055 3. The burial of seaweed, dead fish, whales, or other
1056 marine animals on the unvegetated beach;

1057 4. The removal of piers or other derelict structures from
1058 the unvegetated beach or seaward of mean high water;

1059 5. Temporary emergency vehicular access, if the affected
1060 ~~provided~~ ~~any impacted~~ area is immediately restored;

1061 6. The removal of any existing structures or debris from
1062 the upland, if provided there is no excavation or disturbance to
1063 the existing topography or to beach-dune ~~beach/dune~~ vegetation;

1064 7. Construction of a ~~any~~ new roof overhang extending no
1065 more than 4 feet beyond the confines of the existing foundation
1066 during modification, renovation, or reconstruction of a
1067 habitable structure within the confines of the existing
1068 foundation of that structure which does not include any
1069 additions to or modification of the existing foundation of that
1070 structure;

1071 8. Minor and temporary excavation for the purpose of
1072 repairs to existing subgrade residential service utilities
1073 (e.g., water and sewer lines, septic tanks and drainfields,

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1074 electrical and telephone cables, and gas lines), if provided
1075 that there is minimal disturbance and the that grade is restored
1076 with fill compatible in both coloration and grain size to the
1077 onsite material and any damaged or destroyed vegetation is
1078 restored using similar vegetation; and

1079 9. Any other minor construction that has an effect with
1080 impacts similar to the above activities.

1081 (12) ~~(13)~~(a) Notwithstanding the coastal construction
1082 control requirements defined in subsection (1) or the erosion
1083 projection determined pursuant to subsection (5) ~~(6)~~, the
1084 department may, ~~at its discretion~~, issue a permit for the repair
1085 or rebuilding within the confines of the original foundation of
1086 a major structure pursuant to ~~the provisions of~~ subsection (4)
1087 ~~(5)~~. Alternatively, the department may also, ~~at its discretion~~,
1088 issue a permit for a more landward relocation or rebuilding of a
1089 damaged or existing structure if such relocation or rebuilding
1090 would not cause further harm to the beach-dune system, and if,
1091 in the case of rebuilding, the ~~such~~ rebuilding complies with ~~the~~
1092 provisions of subsection (4) ~~(5)~~, and otherwise complies with
1093 the provisions of this subsection.

1094 (b) ~~Under no circumstances shall~~ The department may not
1095 permit ~~such~~ repairs or rebuilding that expands ~~expand~~ the
1096 capacity of the original structure seaward of the 30-year
1097 erosion projection established pursuant to subsection (5) ~~(6)~~.

1098 (c) In reviewing applications for relocation or rebuilding,
1099 the department shall specifically consider changes in shoreline
1100 conditions, the availability of other relocation or rebuilding
1101 options, and the design adequacy of the project sought to be
1102 rebuilt.

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(d) Permits issued under this subsection are shall not be considered precedential as to the issuance of subsequent permits.

(13)-(14) Concurrent with the establishment of a coastal construction control line and the ongoing administration of this chapter, the secretary of the department shall make recommendations to the Board of Trustees of the Internal Improvement Trust Fund concerning the purchase of the fee or any lesser interest in any lands seaward of the control line pursuant to the state's Save Our Coast, Conservation and Recreation Lands, or Outdoor Recreation Land acquisition programs; and, with respect to those control lines established pursuant to this section before ~~prior to~~ June 14, 1978, the secretary may make such recommendations.

(14) (15) A coastal county or municipality fronting on the Gulf of Mexico, the Atlantic Ocean, or the Straits of Florida shall advise the department within 5 days after receipt of any permit application for construction or other activities proposed to be located seaward of the line established by the department pursuant to ~~the provisions of~~ this section. Within 5 days after receipt of such application, the county or municipality shall notify the applicant of the requirements for state permits.

(15) (16) In keeping with the intent of subsection (3) (4),
~~and at the discretion of the department~~, authority for
permitting certain types of activities that which have been
defined by the department may be delegated by the department to
a coastal county or coastal municipality. Such partial
delegation shall be narrowly construed to those particular
activities specifically named in the delegation and agreed to by

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1132 the affected county or municipality, and The delegation may be
1133 revoked by the department at any time if it is determined that
1134 the delegation is improperly or inadequately administered.

1135 (16) ~~(17)~~ The department may, at the request of a property
1136 owner, contract with ~~the such~~ property owner for an agreement,
1137 or modify an existing contractual agreement regulating
1138 development activities landward of a coastal construction
1139 control line, ~~if provided that nothing within~~ the contractual
1140 agreement is consistent shall be ~~inconsistent~~ with the design
1141 and siting provisions of this section. ~~In no case shall~~ The
1142 contractual agreement may not bind either party for a period
1143 longer than 5 years following from its date of execution. Before
1144 ~~Prior to~~ beginning a any construction activity covered by the
1145 agreement, the property owner must shall obtain the necessary
1146 authorization required by the agreement. The agreement may shall
1147 not authorize construction for:

1148 (a) Major habitable structures ~~that which would~~ require
1149 construction beyond the expiration of the agreement, unless such
1150 construction is above the completed foundation; or

1151 (b) Nonhabitable major structures or minor structures,
1152 unless such construction is was authorized at the same time as
1153 the habitable major structure.

1154 (17) ~~(18)~~ The department may is authorized to grant areawide
1155 permits to local governments, other governmental agencies, and
1156 utility companies for special classes of activities in areas
1157 under their general jurisdiction or responsibility if, so long
1158 as these activities, due to the type, size, or temporary nature
1159 of the activity, will not cause measurable interference with the
1160 natural functioning of the beach-dune ~~beach-dune~~ system or with

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1161 marine turtles or their nesting sites. Such activities ~~shall~~
1162 include, but are not ~~be~~ limited to: road repairs, not including
1163 new construction; utility repairs and replacements, or other
1164 minor activities necessary to provide utility services; beach
1165 cleaning; and emergency response. The department may adopt rules
1166 to establish criteria and guidelines for ~~use~~~~by~~ permit
1167 applicants. The department must ~~shall~~ require notice provisions
1168 appropriate to the type and nature of the activities for which
1169 the areawide permits are sought.

1170 (18) ~~(19)~~ The department may ~~is authorized to~~ grant general
1171 permits for projects, including dune walkovers, decks, fences,
1172 landscaping, sidewalks, driveways, pool resurfacing, minor pool
1173 repairs, and other nonhabitable structures, ~~if the so long as~~
1174 ~~these~~ projects, due to their ~~the~~ type, size, or temporary nature
1175 ~~of the project~~, will not cause a measurable interference with
1176 the natural functioning of the beach-dune ~~beach-dune~~ system or
1177 with marine turtles or their nesting sites. ~~In no event shall~~
1178 Multifamily habitable structures do not qualify for general
1179 permits. However, single-family habitable structures that ~~which~~
1180 do not advance the line of existing construction and satisfy all
1181 siting and design requirements of this section may be eligible
1182 for a general permit ~~pursuant to this subsection~~. The department
1183 may adopt rules to establish criteria and guidelines for ~~use~~~~by~~
1184 permit applicants.

1185 (a) Persons wishing to use the general permits must ~~set~~
1186 ~~forth in this subsection~~ ~~shall~~, at least 30 days before
1187 beginning any work, notify the department in writing on forms
1188 adopted by the department. The notice must ~~shall~~ include a
1189 description of the proposed project and supporting documents

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1190 depicting the proposed project, its location, and other
1191 pertinent information as required by rule, to demonstrate that
1192 the proposed project qualifies for the requested general permit.
1193 Persons who undertake projects without proof of notice to the
1194 department, but whose projects would otherwise qualify for
1195 general permits, shall be considered to have as being undertaken
1196 a project without a permit and are shall be subject to
1197 enforcement pursuant to s. 161.121.

1198 (b) Persons wishing to use a general permit must provide
1199 notice as required by the applicable local building code where
1200 the project will be located. If a building code requires no
1201 notice, any person wishing to use a general permit must, at a
1202 minimum, post on the property at least 5 days before commencing
1203 ~~prior to the commencement~~ of construction a sign no smaller than
1204 88 square inches, with letters no smaller than one-quarter inch,
1205 describing the project.

1206 (19)~~(19)~~(20)(a) The department may suspend or revoke the use of
1207 a general or areawide permit for good cause, including:
1208 submission of false or inaccurate information in the
1209 notification for use of a general or areawide permit; violation
1210 of law, department orders, or rules relating to permit
1211 conditions; deviation from the specified activity or project
1212 indicated or the conditions for undertaking the activity or
1213 project; refusal of lawful inspection; or any other act by ~~on~~
1214 the permittee ~~permittee's part in using the general or areawide~~
1215 ~~permit~~ which results or may result in harm or injury to human
1216 health or welfare, or which causes harm or injury to animal,
1217 plant, or aquatic life or to property.

1218 (b) The department shall have access to the permitted

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1219 activity or project at reasonable times to inspect and determine
1220 compliance with the permit and department rules.

1221 (20) ~~(21)~~ The department may ~~is authorized to~~ adopt rules
1222 related to the ~~following provisions of this section:~~
1223 establishment of coastal construction control lines; activities
1224 seaward of the coastal construction control line; exemptions;
1225 property owner agreements; delegation of the program; permitting
1226 programs; and violations and penalties.

1227 (21) ~~(22)~~ In accordance with ss. 553.73 and 553.79, and upon
1228 the effective date of the Florida Building Code, the provisions
1229 of this section which pertain to and govern the design,
1230 construction, erection, alteration, modification, repair, and
1231 demolition of public and private buildings, structures, and
1232 facilities shall be incorporated into the Florida Building Code.
1233 The Florida Building Commission may ~~shall have the authority to~~
1234 adopt rules pursuant to ss. 120.536 and 120.54 ~~in order to~~
1235 administer ~~implement~~ those provisions. This subsection does not
1236 limit or abrogate the right and authority of the department to
1237 require permits or to adopt and enforce environmental standards,
1238 including, but not limited to, standards for ensuring the
1239 protection of the beach-dune system, proposed or existing
1240 structures, adjacent properties, marine turtles, native salt-
1241 resistant vegetation, endangered plant communities, and the
1242 preservation of public beach access.

1243 Section 22. Subsection (2) of section 161.161, Florida
1244 Statutes, is amended to read:

1245 161.161 Procedure for approval of projects.—

1246 (2) Annually Upon approval of the beach management plan,
1247 the secretary shall present to the Legislature ~~President of the~~

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1248 ~~Senate, the Speaker of the House of Representatives, and the~~
1249 ~~chairs of the legislative appropriations committees~~
1250 ~~recommendations for funding of beach erosion control projects~~
1251 ~~prioritized according to the. Such recommendations shall be~~
1252 ~~presented to such members of the Legislature in the priority~~
1253 ~~order specified in the plan and established pursuant to criteria~~
1254 ~~established contained in s. 161.101(14).~~

1255 Section 23. Section 163.2526, Florida Statutes, is
1256 repealed.

1257 Section 24. Subsection (2) of section 163.3167, Florida
1258 Statutes, is amended to read:

1259 163.3167 Scope of act.—

1260 (2) Each local government shall prepare a comprehensive
1261 plan of the type and in the manner set out in this part ~~act~~ or
1262 ~~shall~~ prepare amendments to its existing comprehensive plan to
1263 conform it to the requirements of this part and in the manner
1264 set out in this part. Each local government, in accordance with
1265 ~~the procedures in~~ s. 163.3184, shall submit its complete
1266 proposed comprehensive plan or its complete comprehensive plan
1267 as proposed to be amended to the state land planning agency ~~by~~
1268 ~~the date specified in the rule adopted by the state land~~
1269 ~~planning agency pursuant to this subsection. The state land~~
1270 ~~planning agency shall, prior to October 1, 1987, adopt a~~
1271 ~~schedule of local governments required to submit complete~~
1272 ~~proposed comprehensive plans or comprehensive plans as proposed~~
1273 ~~to be amended. Such schedule shall specify the exact date of~~
1274 ~~submission for each local government, shall establish equal,~~
1275 ~~staggered submission dates, and shall be consistent with the~~
1276 ~~following time periods:~~

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1277 (a) Beginning on July 1, 1988, and on or before July 1,
1278 1990, each county that is required to include a coastal
1279 management element in its comprehensive plan and each
1280 municipality in such a county; and
1281 (b) Beginning on July 1, 1989, and on or before July 1,
1282 1991, all other counties or municipalities.

1283
1284 Nothing herein shall preclude the state land planning agency
1285 from permitting by rule a county together with each municipality
1286 in the county from submitting a proposed comprehensive plan
1287 earlier than the dates established in paragraphs (a) and (b).
1288 Any county or municipality that fails to meet the schedule set
1289 for submission of its proposed comprehensive plan by more than
1290 90 days shall be subject to the sanctions described in s.
1291 163.3184(11)(a) imposed by the Administration Commission.
1292 Notwithstanding the time periods established in this subsection,
1293 the state land planning agency may establish later deadlines for
1294 the submission of proposed comprehensive plans or comprehensive
1295 plans as proposed to be amended for a county or municipality
1296 which has all or a part of a designated area of critical state
1297 concern within its boundaries; however, such deadlines shall not
1298 be extended to a date later than July 1, 1991, or the time of
1299 de-designation, whichever is earlier.

1300 Section 25. Paragraph (h) of subsection (6) and paragraph
1301 (k) of subsection (10) of section 163.3177, Florida Statutes,
1302 are amended to read:

1303 163.3177 Required and optional elements of comprehensive
1304 plan; studies and surveys.—

1305 (6) In addition to the requirements of subsections (1)-(5)

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1306 and (12), the comprehensive plan shall include the following
1307 elements:

1308 (h)1. An intergovernmental coordination element showing
1309 relationships and stating principles and guidelines to be used
1310 in ~~coordinating the accomplishment of coordination of the~~
1311 adopted comprehensive plan with the plans of school boards,
1312 regional water supply authorities, and other units of local
1313 government providing services but not having regulatory
1314 authority over the use of land, with the comprehensive plans of
1315 adjacent municipalities, the county, adjacent counties, or the
1316 region, with the state comprehensive plan and with the
1317 applicable regional water supply plan approved pursuant to s.
1318 373.0361, as the case may require and as such adopted plans or
1319 plans in preparation may exist. This element of the local
1320 comprehensive plan must ~~shall~~ demonstrate consideration of the
1321 particular effects of the local plan, when adopted, upon the
1322 development of adjacent municipalities, the county, adjacent
1323 counties, or the region, or upon the state comprehensive plan,
1324 as the case may require.

1325 a. The intergovernmental coordination element must ~~shall~~
1326 provide ~~for~~ procedures for identifying and implementing to
1327 ~~identify and implement~~ joint planning areas, especially for the
1328 purpose of annexation, municipal incorporation, and joint
1329 infrastructure service areas.

1330 b. The intergovernmental coordination element must ~~shall~~
1331 provide for recognition of campus master plans prepared pursuant
1332 to s. 1013.30.

1333 c. The intergovernmental coordination element may provide
1334 for a voluntary dispute resolution process, as established

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1335 pursuant to s. 186.509, for bringing ~~to closure in a timely~~
1336 ~~manner~~ intergovernmental disputes to closure in a timely manner.
1337 A local government may also develop and use an alternative local
1338 dispute resolution process for this purpose.

1339 2. The intergovernmental coordination element shall also
1340 ~~further~~ state principles and guidelines to be used in
1341 ~~coordinating the accomplishment of coordination of~~ the adopted
1342 comprehensive plan with the plans of school boards and other
1343 units of local government providing facilities and services but
1344 not having regulatory authority over the use of land. In
1345 addition, the intergovernmental coordination element must ~~shall~~
1346 describe joint processes for collaborative planning and
1347 decisionmaking on population projections and public school
1348 siting, the location and extension of public facilities subject
1349 to concurrency, and siting facilities with countywide
1350 significance, including locally unwanted land uses whose nature
1351 and identity are established in an agreement. Within 1 year
1352 after ~~of~~ adopting their intergovernmental coordination elements,
1353 each county, all the municipalities within that county, the
1354 district school board, and any unit of local government service
1355 providers in that county shall establish by interlocal or other
1356 formal agreement executed by all affected entities, the joint
1357 processes described in this subparagraph consistent with their
1358 adopted intergovernmental coordination elements.

1359 3. To foster coordination between special districts and
1360 local general-purpose governments as local general-purpose
1361 governments implement local comprehensive plans, each
1362 independent special district must submit a public facilities
1363 report to the appropriate local government as required by s.

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1364 189.415.

1365 4.a. Local governments must execute an interlocal agreement
1366 with the district school board, the county, and nonexempt
1367 municipalities pursuant to s. 163.31777. The local government
1368 shall amend the intergovernmental coordination element to ensure
1369 ~~provide~~ that coordination between the local government and
1370 school board is pursuant to the agreement and shall state the
1371 obligations of the local government under the agreement.

1372 b. Plan amendments that comply with this subparagraph are
1373 exempt from the provisions of s. 163.3187(1).

1374 5. ~~The state land planning agency shall establish a~~
1375 ~~schedule for phased completion and transmittal of plan~~
1376 ~~amendments to implement subparagraphs 1., 2., and 3. from all~~
1377 ~~jurisdictions so as to accomplish their adoption by December 31,~~
1378 ~~1999. A local government may complete and transmit its plan~~
1379 ~~amendments to carry out these provisions prior to the scheduled~~
1380 ~~date established by the state land planning agency. The plan~~
1381 ~~amendments are exempt from the provisions of s. 163.3187(1).~~

1382 5.6. By January 1, 2004, any county having a population
1383 greater than 100,000, and the municipalities and special
1384 districts within that county, shall submit a report to the
1385 Department of Community Affairs which identifies:

1386 a. Identifies All existing or proposed interlocal service
1387 delivery agreements ~~regarding the following:~~
1388 education; sanitary sewer; public safety; solid waste; drainage;
1389 potable water; parks and recreation; and transportation
1390 facilities.

1391 b. Identifies Any deficits or duplication in the provision
1392 of services within its jurisdiction, whether capital or

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1393 operational. Upon request, the Department of Community Affairs
1394 shall provide technical assistance to the local governments in
1395 identifying deficits or duplication.

1396 6.7. Within 6 months after submission of the report, the
1397 Department of Community Affairs shall, through the appropriate
1398 regional planning council, coordinate a meeting of all local
1399 governments within the regional planning area to discuss the
1400 reports and potential strategies to remedy any identified
1401 deficiencies or duplications.

1402 7.8. Each local government shall update its
1403 intergovernmental coordination element based upon the findings
1404 in the report submitted pursuant to subparagraph 5. 6. The
1405 report may be used as supporting data and analysis for the
1406 intergovernmental coordination element.

1407 (10) The Legislature recognizes the importance and
1408 significance of chapter 9J-5, Florida Administrative Code, the
1409 Minimum Criteria for Review of Local Government Comprehensive
1410 Plans and Determination of Compliance of the Department of
1411 Community Affairs that will be used to determine compliance of
1412 local comprehensive plans. The Legislature reserved unto itself
1413 the right to review chapter 9J-5, Florida Administrative Code,
1414 and to reject, modify, or take no action relative to this rule.
1415 Therefore, pursuant to subsection (9), the Legislature hereby
1416 has reviewed chapter 9J-5, Florida Administrative Code, and
1417 expresses the following legislative intent:

1418 (k) In order for ~~so that~~ local governments ~~are able~~ to
1419 prepare and adopt comprehensive plans with knowledge of the
1420 rules that are ~~will~~ be applied to determine consistency of the
1421 plans with ~~provisions of~~ this part, ~~it is the intent of the~~

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1422 ~~Legislature~~ that there should be no doubt as to the legal
1423 standing of chapter 9J-5, Florida Administrative Code, at the
1424 close of the 1986 legislative session. Therefore, the
1425 Legislature declares that changes made to chapter 9J-5 before,
1426 ~~Florida Administrative Code, prior to~~ October 1, 1986, are shall
1427 not ~~be~~ subject to rule challenges under s. 120.56(2), or to
1428 drawout proceedings under s. 120.54(3)(c)2. The entire chapter
1429 9J-5, Florida Administrative Code, as amended, is shall be
1430 subject to rule challenges under s. 120.56(3), as nothing herein
1431 indicates shall be construed to indicate approval or disapproval
1432 of any portion of chapter 9J-5, ~~Florida Administrative Code~~, not
1433 specifically addressed herein. ~~No challenge pursuant to s.~~
1434 ~~120.56(3) may be filed from July 1, 1987, through April 1, 1993.~~
1435 ~~Any amendments to chapter 9J-5, Florida Administrative Code,~~
1436 ~~exclusive of the amendments adopted prior to October 1, 1986,~~
1437 ~~pursuant to this act, shall be subject to the full chapter 120~~
1438 ~~process. All amendments shall have effective dates as provided~~
1439 ~~in chapter 120 and submission to the President of the Senate and~~
1440 ~~Speaker of the House of Representatives shall not be required.~~

1441 Section 26. Subsection (6) of section 163.3178, Florida
1442 Statutes, is amended to read:

1443 163.3178 Coastal management.—

1444 (6) Local governments are encouraged to adopt countywide
1445 marina siting plans to designate sites for existing and future
1446 marinas. The Coastal Resources Interagency Management Committee,
1447 at the direction of the Legislature, shall identify incentives
1448 to encourage local governments to adopt such siting plans and
1449 uniform criteria and standards to be used by local governments
1450 to implement state goals, objectives, and policies relating to

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1451 marina siting. These criteria must ensure that priority is given
1452 to water-dependent land uses. ~~The Coastal Resources Interagency~~
1453 ~~Management Committee shall submit its recommendations regarding~~
1454 ~~local government incentives to the Legislature by December 1,~~
1455 ~~1993.~~ Countywide marina siting plans must be consistent with
1456 state and regional environmental planning policies and
1457 standards. Each local government in the coastal area which
1458 participates in the adoption of a countywide marina siting plan
1459 shall incorporate the plan into the coastal management element
1460 of its local comprehensive plan.

1461 Section 27. Subsection (12) of section 163.519, Florida
1462 Statutes, is repealed.

1463 Section 28. Subsection (9) of section 186.007, Florida
1464 Statutes, is repealed.

1465 Section 29. Subsection (5) of section 189.4035, Florida
1466 Statutes, is amended to read:

1467 189.4035 Preparation of official list of special
1468 districts.—

1469 (5) The official list of special districts shall be
1470 available on the department's website distributed by the
1471 ~~department on October 1 of each year to the President of the~~
1472 ~~Senate, the Speaker of the House of Representatives, the Auditor~~
1473 ~~General, the Department of Revenue, the Department of Financial~~
1474 ~~Services, the Department of Management Services, the State Board~~
1475 ~~of Administration, counties, municipalities, county property~~
1476 ~~appraisers, tax collectors, and supervisors of elections and to~~
1477 ~~all interested parties who request the list.~~

1478 Section 30. Subsection (2) of section 189.412, Florida
1479 Statutes, is amended to read:

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1480 189.412 Special District Information Program; duties and
1481 responsibilities.—The Special District Information Program of
1482 the Department of Community Affairs is created and has the
1483 following special duties:

1484 (2) The maintenance of a master list of independent and
1485 dependent special districts which shall be available on the
1486 department's website annually updated and distributed to the
1487 appropriate officials in state and local governments.

1488 Section 31. Subsection (2) of section 194.034, Florida
1489 Statutes, is amended to read:

1490 194.034 Hearing procedures; rules.—

1491 (2) If ~~In each case, Except~~ when a complaint is withdrawn
1492 by the petitioner or is acknowledged as correct by the property
1493 appraiser, the value adjustment board shall render a written
1494 decision in each case. All ~~such~~ decisions shall be issued within
1495 20 calendar days after ~~of~~ the last day the board is in session
1496 under s. 194.032. The decision of the board must ~~shall~~ contain
1497 findings of fact and conclusions of law and must ~~shall~~ include
1498 reasons for upholding or overturning the determination of the
1499 property appraiser. If ~~When~~ a special magistrate has been
1500 appointed, the recommendations of the special magistrate shall
1501 be considered by the board. ~~The clerk,~~ Upon issuance of the
1502 board's decision decisions, the clerk shall, on a form provided
1503 by the Department of Revenue, notify by first-class mail each
1504 taxpayer and, the property appraiser, ~~and the department~~ of the
1505 decision of the board.

1506 Section 32. Paragraph (b) of subsection (1) of section
1507 206.606, Florida Statutes, is amended to read:

1508 206.606 Distribution of certain proceeds.—

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1509 (1) Moneys collected pursuant to ss. 206.41(1)(g) and
1510 206.87(1)(e) shall be deposited in the Fuel Tax Collection Trust
1511 Fund. Such moneys, after deducting the service charges imposed
1512 by s. 215.20, the refunds granted pursuant to s. 206.41, and the
1513 administrative costs incurred by the department in collecting,
1514 administering, enforcing, and distributing the tax, which
1515 administrative costs may not exceed 2 percent of collections,
1516 shall be distributed monthly to the State Transportation Trust
1517 Fund, except that:

1518 (b) Annually, \$2.5 million shall be transferred to the
1519 State Game Trust Fund in the Fish and Wildlife Conservation
1520 Commission ~~in each fiscal year~~ and used for recreational boating
1521 activities, and freshwater fisheries management and research.
1522 The transfers must be made in equal monthly amounts beginning on
1523 July 1 of each fiscal year. The commission shall annually
1524 determine where unmet needs exist for boating-related
1525 activities, and may fund such activities in counties where, due
1526 to the number of vessel registrations, sufficient financial
1527 resources are unavailable.

1528 1. A minimum of \$1.25 million shall be used to fund local
1529 projects to provide recreational channel marking and other
1530 uniform waterway markers, public boat ramps, lifts, and hoists,
1531 marine railways, and other public launching facilities, derelict
1532 vessel removal, and other local boating-related activities. In
1533 funding the projects, the commission shall give priority
1534 consideration to ~~as follows:~~

1535 a. Unmet needs in counties having with populations of
1536 100,000 or fewer less.

1537 b. Unmet needs in coastal counties having with a high level

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1538 of boating-related activities from individuals residing in other
1539 counties.

1540 2. The remaining \$1.25 million may be used for recreational
1541 boating activities and freshwater fisheries management and
1542 research.

1543 3. The commission may ~~is authorized to~~ adopt rules ~~pursuant~~
1544 ~~to ss. 120.536(1) and 120.54 to administer implement~~ a Florida
1545 Boating Improvement Program.

1546

1547 ~~On February 1 of each year, The commission shall prepare and~~
1548 ~~make available on its Internet website file~~ an annual report
1549 ~~with the President of the Senate and the Speaker of the House of~~
1550 ~~Representatives~~ outlining the status of its Florida Boating
1551 Improvement Program, including the projects funded, and a list
1552 of counties whose needs are unmet due to insufficient financial
1553 resources from vessel registration fees.

1554 Section 33. Paragraph (b) of subsection (4) of section
1555 212.054, Florida Statutes, is amended to read:

1556 212.054 Discretionary sales surtax; limitations,
1557 administration, and collection.—

1558 (4)

1559 (b) The proceeds of a discretionary sales surtax collected
1560 by the selling dealer located in a county imposing ~~which imposes~~
1561 the surtax shall be returned, less the cost of administration,
1562 to the county where the selling dealer is located. The proceeds
1563 shall be transferred to the Discretionary Sales Surtax Clearing
1564 Trust Fund. A separate account shall be established in the ~~such~~
1565 trust fund for each county imposing a discretionary surtax. The
1566 amount deducted for the costs of administration may ~~shall~~ not

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1567 exceed 3 percent of the total revenue generated for all counties
1568 levying a surtax authorized in s. 212.055. The amount deducted
1569 for the costs of administration may shall be used only for ~~these~~
1570 costs that which are solely and directly attributable to the
1571 surtax. The total cost of administration shall be prorated among
1572 those counties levying the surtax on the basis of the amount
1573 collected for a particular county to the total amount collected
1574 for all counties. ~~No later than March 1 of each year, the~~
1575 ~~department shall submit a written report which details the~~
1576 ~~expenses and amounts deducted for the costs of administration to~~
1577 ~~the President of the Senate, the Speaker of the House of~~
1578 ~~Representatives, and the governing authority of each county~~
1579 ~~levying a surtax.~~ The department shall distribute the moneys in
1580 the trust fund ~~each month~~ to the appropriate counties each
1581 month, unless otherwise provided in s. 212.055.

1582 Section 34. Paragraph (j) of subsection (5) of section
1583 212.08, Florida Statutes, is amended to read:

1584 212.08 Sales, rental, use, consumption, distribution, and
1585 storage tax; specified exemptions.—The sale at retail, the
1586 rental, the use, the consumption, the distribution, and the
1587 storage to be used or consumed in this state of the following
1588 are hereby specifically exempt from the tax imposed by this
1589 chapter.

1590 (5) EXEMPTIONS; ACCOUNT OF USE.—

1591 (j) *Machinery and equipment used in semiconductor, defense,*
1592 *or space technology production.*—

1593 1.a. Industrial machinery and equipment used in
1594 semiconductor technology facilities certified under subparagraph
1595 5. to manufacture, process, compound, or produce semiconductor

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1596 technology products for sale or for use by these facilities are
1597 exempt from the tax imposed by this chapter. For purposes of
1598 this paragraph, industrial machinery and equipment includes
1599 molds, dies, machine tooling, other appurtenances or accessories
1600 to machinery and equipment, testing equipment, test beds,
1601 computers, and software, whether purchased or self-fabricated,
1602 and, if self-fabricated, includes materials and labor for
1603 design, fabrication, and assembly.

1604 b. Industrial machinery and equipment used in defense or
1605 space technology facilities certified under subparagraph 5. to
1606 design, manufacture, assemble, process, compound, or produce
1607 defense technology products or space technology products for
1608 sale or for use by these facilities are exempt from the tax
1609 imposed by this chapter.

1610 2. Building materials purchased for use in manufacturing or
1611 expanding clean rooms in semiconductor-manufacturing facilities
1612 are exempt from the tax imposed by this chapter.

1613 3. In addition to meeting the criteria mandated by
1614 subparagraph 1. or subparagraph 2., a business must be certified
1615 by the Office of Tourism, Trade, and Economic Development as
1616 authorized in this paragraph in order to qualify for exemption
1617 under this paragraph.

1618 4. For items purchased tax-exempt pursuant to this
1619 paragraph, possession of a written certification from the
1620 purchaser, certifying the purchaser's entitlement to the
1621 exemption pursuant to this paragraph, relieves the seller of the
1622 responsibility of collecting the tax on the sale of such items,
1623 and the department shall look solely to the purchaser for
1624 recovery of the tax if it determines that the purchaser was not

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1625 entitled to the exemption.

1626 5.a. To be eligible to receive the exemption provided by
1627 subparagraph 1. or subparagraph 2., a qualifying business entity
1628 shall ~~apply~~ initially apply to Enterprise Florida, Inc. The
1629 original certification is ~~shall~~ be valid for a period of 2
1630 years. In lieu of submitting a new application, the original
1631 certification may be renewed biennially by submitting to the
1632 Office of Tourism, Trade, and Economic Development a statement,
1633 certified under oath, that there has been no material change in
1634 the conditions or circumstances entitling the business entity to
1635 the original certification. The initial application and the
1636 certification renewal statement shall be developed by the Office
1637 of Tourism, Trade, and Economic Development in consultation with
1638 Enterprise Florida, Inc.

1639 b. Enterprise Florida, Inc., shall review each submitted
1640 initial application ~~and information~~ and determine whether or not
1641 the application is complete within 5 working days. Once ~~an~~
1642 ~~application is~~ complete, Enterprise Florida, Inc., shall, within
1643 10 working days, evaluate the application and recommend approval
1644 or disapproval ~~of the application~~ to the Office of Tourism,
1645 Trade, and Economic Development.

1646 c. Upon receipt of the initial application and
1647 recommendation from Enterprise Florida, Inc., or upon receipt of
1648 a certification renewal statement, the Office of Tourism, Trade,
1649 and Economic Development shall certify within 5 working days
1650 those applicants who are found to meet the requirements of this
1651 section and notify the applicant, Enterprise Florida, Inc., and
1652 the department of the original certification or certification
1653 renewal. If the Office of Tourism, Trade, and Economic

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1654 Development finds that the applicant does not meet the
1655 requirements ~~of this section~~, it shall notify the applicant and
1656 Enterprise Florida, Inc., within 10 working days that the
1657 application for certification has been denied and the reasons
1658 for denial. The Office of Tourism, Trade, and Economic
1659 Development has final approval authority for certification under
1660 this section.

1661 d. The initial application and certification renewal
1662 statement must indicate, for program evaluation purposes only,
1663 the average number of full-time equivalent employees at the
1664 facility over the preceding calendar year, the average wage and
1665 benefits paid to those employees over the preceding calendar
1666 year, the total investment made in real and tangible personal
1667 property over the preceding calendar year, and the total value
1668 of tax-exempt purchases and taxes exempted during the previous
1669 year. The department shall assist the Office of Tourism, Trade,
1670 and Economic Development in evaluating and verifying information
1671 provided in the application for exemption.

1672 e. The Office of Tourism, Trade, and Economic Development
1673 may use the information reported on the initial application and
1674 certification renewal statement for evaluation purposes only and
1675 ~~shall prepare an annual report on the exemption program and its~~
1676 ~~cost and impact. The annual report for the preceding fiscal year~~
1677 ~~shall be submitted to the Governor, the President of the Senate,~~
1678 ~~and the Speaker of the House of Representatives by September 30~~
1679 ~~of each fiscal year.~~

1680 6. A business certified to receive this exemption may elect
1681 to designate one or more state universities or community
1682 colleges as recipients of up to 100 percent of the amount of the

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1683 exemption ~~for which they may qualify~~. To receive these funds,
1684 the institution must agree to match the funds ~~so earned~~ with
1685 equivalent cash, programs, services, or other in-kind support on
1686 a one-to-one basis ~~for in the pursuit of~~ research and
1687 development projects as requested by the certified business. The
1688 rights to any patents, royalties, or real or intellectual
1689 property must be vested in the business unless otherwise agreed
1690 to by the business and the university or community college.

1691 7. As used in this paragraph, the term:

1692 a. "Semiconductor technology products" means raw
1693 semiconductor wafers or semiconductor thin films that are
1694 transformed into semiconductor memory or logic wafers, including
1695 wafers containing mixed memory and logic circuits; related
1696 assembly and test operations; active-matrix flat panel displays;
1697 semiconductor chips; semiconductor lasers; optoelectronic
1698 elements; and related semiconductor technology products as
1699 determined by the Office of Tourism, Trade, and Economic
1700 Development.

1701 b. "Clean rooms" means manufacturing facilities enclosed in
1702 a manner that meets the clean manufacturing requirements
1703 necessary for high-technology semiconductor-manufacturing
1704 environments.

1705 c. "Defense technology products" means products that have a
1706 military application, including, but not limited to, weapons,
1707 weapons systems, guidance systems, surveillance systems,
1708 communications or information systems, munitions, aircraft,
1709 vessels, or boats, or components thereof, which are intended for
1710 military use and manufactured in performance of a contract with
1711 the United States Department of Defense or the military branch

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1712 of a recognized foreign government or a subcontract thereunder
1713 which relates to matters of national defense.

1714 d. "Space technology products" means products that are
1715 specifically designed or manufactured for application in space
1716 activities, including, but not limited to, space launch
1717 vehicles, space flight vehicles, missiles, satellites or
1718 research payloads, avionics, and associated control systems and
1719 processing systems and components of any of the foregoing. The
1720 term does not include products that are designed or manufactured
1721 for general commercial aviation or other uses even though those
1722 products may also serve an incidental use in space applications.

1723 Section 35. Section 213.0452, Florida Statutes, is
1724 repealed.

1725 Section 36. Section 213.054, Florida Statutes, is repealed.

1726 Section 37. Subsection (3) of section 215.70, Florida
1727 Statutes, is amended to read:

1728 215.70 State Board of Administration to act in case of
1729 defaults.—

1730 (3) ~~It shall be the duty of~~ The State Board of
1731 Administration shall ~~to~~ monitor the debt service accounts for
1732 bonds issued pursuant to this act. The board shall advise the
1733 Governor and Legislature of any projected need to appropriate
1734 funds to honor the pledge of full faith and credit of the state.
1735 The report must ~~shall~~ include the estimated amount of
1736 appropriations needed, the estimated maximum amount of
1737 appropriations needed, and a contingency appropriation request
1738 for each bond issue.

1739 Section 38. Paragraph (z) of subsection (1) of section
1740 216.011, Florida Statutes, is amended to read:

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1741 216.011 Definitions.—

1742 (1) For the purpose of fiscal affairs of the state,
1743 appropriations acts, legislative budgets, and approved budgets,
1744 each of the following terms has the meaning indicated:

1745 (z) "Long-range program plan" means a plan developed
1746 ~~pursuant to s. 216.013 on an annual basis by each state agency~~
1747 ~~that is policy based, priority driven, accountable, and~~
1748 ~~developed through careful examination and justification of all~~
1749 ~~programs and their associated costs. Each plan is developed by~~
1750 ~~examining the needs of agency customers and clients and~~
1751 ~~proposing programs and associated costs to address those needs~~
1752 ~~based on state priorities as established by law, the agency~~
1753 ~~mission, and legislative authorization. The plan provides the~~
1754 ~~framework and context for preparing the legislative budget~~
1755 ~~request and includes performance indicators for evaluating the~~
1756 ~~impact of programs and agency performance.~~

1757 Section 39. Section 216.103, Florida Statutes, is repealed.

1758 Section 40. Section 216.172, Florida Statutes, is repealed.

1759 Section 41. Paragraph (c) of subsection (10) of section
1760 216.181, Florida Statutes, is repealed.

1761 Section 42. Subsection (5) of section 252.55, Florida
1762 Statutes, is amended to read:

1763 252.55 Civil Air Patrol, Florida Wing.—

1764 (5) The wing commander of the Florida Wing of the Civil Air
1765 Patrol shall biennially furnish the Bureau of Emergency
1766 Management a 2-year ~~an annual~~ projection of the goals and
1767 objectives of the Civil Air Patrol which shall for the following
1768 ~~year. These will be reported to the Governor in the division's~~
1769 biennial annual report submitted pursuant to s. 252.35 of the

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1770 ~~division on February 1 of each year.~~

1771 Section 43. Subsection (1) of section 253.7825, Florida
1772 Statutes, is amended to read:

1773 253.7825 Recreational uses.—

1774 (1) The Cross Florida Greenways State Recreation and
1775 Conservation Area must be managed as a multiple-use area
1776 pursuant to s. 253.034(2)(a), and as ~~further~~ provided in this
1777 section herein. The University of Florida Management Plan
1778 provides a conceptual recreational plan that may ultimately be
1779 developed at various locations throughout the greenways
1780 corridor. The plan proposes to locate a number of the larger,
1781 more comprehensive and complex recreational facilities in
1782 sensitive, natural resource areas. Future site-specific studies
1783 and investigations must be conducted by the department to
1784 determine compatibility with, and potential for adverse impact
1785 to, existing natural resources, need for the facility, the
1786 availability of other alternative locations with reduced adverse
1787 impacts to existing natural resources, and the proper specific
1788 sites and locations for the more comprehensive and complex
1789 facilities. Furthermore, it is appropriate, with the approval of
1790 the department, to allow more fishing docks, boat launches, and
1791 other user-oriented facilities to be developed and maintained by
1792 local governments.

1793 Section 44. Section 253.7826, Florida Statutes, is
1794 repealed.

1795 Section 45. Section 253.7829, Florida Statutes, is
1796 repealed.

1797 Section 46. Subsection (4) of section 259.037, Florida
1798 Statutes, is amended to read:

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1799 259.037 Land Management Uniform Accounting Council.—
1800 (4) The council shall provide a report of the agencies'
1801 expenditures pursuant to the adopted categories ~~to the President~~
1802 ~~of the Senate and the Speaker of the House of Representatives~~
1803 ~~annually, beginning July 1, 2001. The council shall also provide~~
1804 ~~this report~~ to the Acquisition and Restoration Council and the
1805 division for inclusion in its annual report required pursuant to
1806 s. 259.036.

1807 Section 47. Subsection (4) of section 267.074, Florida
1808 Statutes, is repealed.

1809 Section 48. Section 272.121, Florida Statutes, is repealed.

1810 Section 49. Subsection (3) of section 284.50, Florida
1811 Statutes, is repealed.

1812 Section 50. Subsection (11) of section 287.045, Florida
1813 Statutes, is repealed.

1814 Section 51. Subsection (15) of section 287.059, Florida
1815 Statutes, is amended to read:

1816 287.059 Private attorney services.—

1817 (15) The Attorney General's office may, ~~by rule~~, adopt
1818 standard fee schedules for court reporting services for each
1819 judicial circuit by rule, in consultation with the Florida Court
1820 Reporters Association. ~~Agencies~~, When contracting for court
1821 reporting services, an agency shall ~~must~~ use the standard fee
1822 schedule ~~for court reporting services~~ established pursuant to
1823 this section unless a, provided no state contract is not
1824 applicable or unless the head of the agency or his or her
1825 designee waives use of the schedule and sets forth the reasons
1826 for deviating from the schedule in writing to the Attorney
1827 General. The Such waiver must demonstrate necessity based upon

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1828 criteria for deviation from the schedule which the Attorney
1829 General shall establish by rule. ~~Any proposed fee schedule under~~
1830 ~~this section shall be submitted to the Governor, the Speaker of~~
1831 ~~the House of Representatives, the President of the Senate, and~~
1832 ~~the Chief Justice of the Florida Supreme Court at least 60 days~~
1833 ~~prior to publication of the notice to adopt the rule.~~

1834 Section 52. Subsection (10) of section 287.16, Florida
1835 Statutes, is repealed.

1836 Section 53. Subsection (7) of section 288.108, Florida
1837 Statutes, is repealed.

1838 Section 54. Section 288.1185, Florida Statutes, is
1839 repealed.

1840 Section 55. Subsection (6) of section 288.1226, Florida
1841 Statutes, is amended to read:

1842 288.1226 Florida Tourism Industry Marketing Corporation;
1843 use of property; board of directors; duties; audit.—

1844 (6) ANNUAL AUDIT.—The corporation shall provide for an
1845 annual financial audit in accordance with s. 215.981. The annual
1846 audit report shall be submitted to the Auditor General; the
1847 Office of Policy Analysis and Government Accountability; and the
1848 Office of Tourism, Trade, and Economic Development for review.
1849 The Office of Program Policy Analysis and Government
1850 Accountability; the Office of Tourism, Trade, and Economic
1851 Development; and the Auditor General ~~may have the authority to~~
1852 require and receive from the corporation or from its independent
1853 auditor any detail or supplemental data relative to the
1854 operation of the corporation. ~~The Office of Tourism, Trade, and~~
1855 ~~Economic Development shall annually certify whether the~~
1856 ~~corporation is operating in a manner and achieving the~~

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1857 ~~objectives that are consistent with the policies and goals of~~
1858 ~~the commission and its long-range marketing plan.~~ The identity
1859 of a donor or prospective donor to the corporation who desires
1860 to remain anonymous and all information identifying such donor
1861 or prospective donor are confidential and exempt from the
1862 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
1863 Constitution. Such anonymity shall be maintained in the
1864 auditor's report.

1865 Section 56. Paragraph (e) of subsection (8) of section
1866 288.1229, Florida Statutes, is amended to read:

1867 288.1229 Promotion and development of sports-related
1868 industries and amateur athletics; direct-support organization;
1869 powers and duties.—

1870 (8) To promote amateur sports and physical fitness, the
1871 direct-support organization shall:

1872 (e) Promote Florida as a host for national and
1873 international amateur athletic competitions. ~~As part of this~~
1874 ~~effort, the direct support organization shall:~~

1875 1. ~~Assist and support Florida cities or communities bidding~~
1876 ~~or seeking to host the Summer Olympics or Pan American Games.~~

1877 2. ~~Annually report to the Governor, the President of the~~
1878 ~~Senate, and the Speaker of the House of Representatives on the~~
1879 ~~status of the efforts of cities or communities bidding to host~~
1880 ~~the Summer Olympics or Pan American Games, including, but not~~
1881 ~~limited to, current financial and infrastructure status,~~
1882 ~~projected financial and infrastructure needs, and~~
1883 ~~recommendations for satisfying the unmet needs and fulfilling~~
1884 ~~the requirements for a successful bid in any year that the~~
1885 ~~Summer Olympics or Pan American Games are held in this state.~~

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1886 Section 57. Subsection (4) of section 288.7015, Florida
1887 Statutes, is repealed.

1888 Section 58. Section 288.7771, Florida Statutes, is amended
1889 to read:

1890 288.7771 Annual report of Florida Export Finance
1891 Corporation.—~~By March 31 of each year,~~ The corporation shall
1892 annually prepare and submit to Enterprise Florida, Inc., for
1893 inclusion in its annual report required by s. 288.095 the
1894 ~~Governor, the President of the Senate, the Speaker of the House~~
1895 ~~of Representatives, the Senate Minority Leader, and the House~~
1896 ~~Minority Leader~~ a complete and detailed report setting forth:

1897 (1) The report required in s. 288.776(3).

1898 (2) Its assets and liabilities at the end of its most
1899 recent fiscal year.

1900 Section 59. Subsections (8), (10), and (11) of section
1901 288.8175, Florida Statutes, are repealed.

1902 Section 60. Subsection (5) of section 288.853, Florida
1903 Statutes, is repealed.

1904 Section 61. Subsection (5) of section 288.95155, Florida
1905 Statutes, is amended to read:

1906 288.95155 Florida Small Business Technology Growth
1907 Program.—

1908 (5) ~~By January 1 of each year,~~ Enterprise Florida, Inc.,
1909 shall prepare and include in its annual report required by s.
1910 288.095 a report on the financial status of the program ~~and the~~
1911 ~~account and shall submit a copy of the report to the board of~~
1912 ~~directors of Enterprise Florida, Inc., the appropriate~~
1913 ~~legislative committees responsible for economic development~~
1914 ~~oversight, and the appropriate legislative appropriations~~

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1915 subcommittees. The report must shall specify the assets and
1916 liabilities of the account within the current fiscal year and
1917 must shall include a portfolio update that lists all of the
1918 businesses assisted, the private dollars leveraged by each
1919 business assisted, and the growth in sales and in employment of
1920 each business assisted.

1921 Section 62. Paragraph (c) of subsection (4) of section
1922 288.9604, Florida Statutes, is amended to read:

1923 288.9604 Creation of the authority.—

1924 (4)

1925 (c) The directors of the corporation shall annually elect
1926 one of their members as chair and one as vice chair. The
1927 corporation may employ a president, technical experts, and such
1928 other agents and employees, permanent and temporary, as it
1929 requires and determine their qualifications, duties, and
1930 compensation. For such legal services as it requires, the
1931 corporation may employ or retain its own counsel and legal
1932 staff. ~~The corporation shall file with the governing body of~~
1933 ~~each public agency with which it has entered into an interlocal~~
1934 ~~agreement and with the Governor, the Speaker of the House of~~
1935 ~~Representatives, the President of the Senate, the Minority~~
1936 ~~Leaders of the Senate and House of Representatives, and the~~
1937 ~~Auditor General, on or before 90 days after the close of the~~
1938 ~~fiscal year of the corporation, a report of its activities for~~
1939 ~~the preceding fiscal year, which report shall include a complete~~
1940 ~~financial statement setting forth its assets, liabilities,~~
1941 ~~income, and operating expenses as of the end of such fiscal~~
1942 ~~year.~~

1943 Section 63. Section 288.9610, Florida Statutes, is amended

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1944 to read:

1945 288.9610 Annual reports of Florida Development Finance
1946 Corporation.—On or before 90 days after the close of ~~By December~~
1947 ~~1 of each year, the Florida Development Finance Corporation's~~
1948 ~~fiscal year, the corporation shall submit to the Governor, the~~
1949 ~~Legislature President of the Senate, the Speaker of the House of~~
1950 ~~Representatives, the Senate Minority Leader, the House Minority~~
1951 ~~Leader, the Auditor General, and the governing body of each~~
1952 ~~public entity with which it has entered into an interlocal~~
1953 ~~agreement city or county activating the Florida Development~~
1954 ~~Finance Corporation a complete and detailed report setting~~
1955 ~~forth:~~

1956 (1) The results of any audit conducted pursuant to s. 11.45
1957 ~~evaluation required in s. 11.45(3)(j).~~

1958 (2) The activities, operations, and accomplishments of the
1959 Florida Development Finance Corporation, including the number of
1960 businesses assisted by the corporation.

1961 (3) Its assets, and liabilities, income, and operating
1962 expenses at the end of its most recent fiscal year, including a
1963 description of all of its outstanding revenue bonds.

1964 Section 64. Subsection (6) of section 292.05, Florida
1965 Statutes, is amended to read:

1966 292.05 Duties of Department of Veterans' Affairs.—

1967 (6) The department shall, by ~~on~~ December 31 of each year,
1968 submit ~~make~~ an annual written report to the Governor, the
1969 Cabinet, and the Legislature which describes:

1970 (a) ~~of the state, the Speaker of the House of~~
1971 ~~Representatives, and the President of the Senate, which report~~
1972 ~~shall show~~ The expenses incurred in veteran service work in the

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1973 state; the number, nature, and kind of cases handled by the
1974 department and by county and city veteran service officers of
1975 the state; the amounts of benefits obtained for veterans; the
1976 names and addresses of all certified veteran service officers,
1977 including county and city veteran service officers. The report
1978 must ~~shall~~ also describe the actions taken by the department in
1979 implementing subsections (4), (5), and (7) and include ~~shall~~
1980 ~~contain such~~ other information and recommendations as ~~may appear~~
1981 to the department requires ~~to be~~ right and proper.

1982 (b) The current status of the department's domiciliary and
1983 nursing homes established pursuant to chapter 296, including all
1984 receipts and expenditures, the condition of the homes, the
1985 number of residents received and discharged during the preceding
1986 year, occupancy rates, staffing, and any other information
1987 necessary to provide an understanding of the management,
1988 conduct, and operation of the homes.

1989 Section 65. Section 296.16, Florida Statutes, is repealed.

1990 Section 66. Section 296.39, Florida Statutes, is repealed.

1991 Section 67. Paragraph (c) of subsection (12) of section
1992 315.03, Florida Statutes, is repealed.

1993 Section 68. Subsection (2) of section 319.324, Florida
1994 Statutes, is amended to read:

1995 319.324 Odometer fraud prevention and detection; funding.—

1996 (2) Moneys deposited into the Highway Safety Operating
1997 Trust Fund under this section shall be used to implement and
1998 maintain efforts by the department to prevent and detect
1999 odometer fraud, including the prompt investigation of alleged
2000 instances of odometer mileage discrepancies reported by licensed
2001 motor vehicle dealers, auctions, or purchasers of motor

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2002 vehicles. Such moneys shall also be used to fund an annual
2003 report to the Legislature by the Department of Highway Safety
2004 and Motor Vehicles, summarizing the department's investigations
2005 and findings. In addition, moneys deposited into the fund may be
2006 used by the department for general operations.

2007 Section 69. Section 322.181, Florida Statutes, is repealed.

2008 Section 70. Paragraph (c) of subsection (7) of section
2009 322.251, Florida Statutes, is repealed.

2010 Section 71. Subsection (10) of section 366.82, Florida
2011 Statutes, is repealed.

2012 Section 72. Section 373.0391, Florida Statutes, is amended
2013 to read:

2014 373.0391 Technical assistance to local governments.—

2015 (1) The water management districts shall assist local
2016 governments in the development and future revision of local
2017 government comprehensive plan elements or public facilities
2018 report as required by s. 189.415, related to water resource
2019 issues.

2020 (2) ~~By July 1, 1991, each water management district shall~~
2021 ~~prepare and provide information and data to assist local~~
2022 ~~governments in the preparation and implementation of their local~~
2023 ~~government comprehensive plans or public facilities report as~~
2024 ~~required by s. 189.415, whichever is applicable. Such~~
2025 ~~information and data shall include, but not be limited to:~~

2026 (a) ~~All information and data required in a public~~
2027 ~~facilities report pursuant to s. 189.415.~~

2028 (b) ~~A description of regulations, programs, and schedules~~
2029 ~~implemented by the district.~~

2030 (c) ~~Identification of regulations, programs, and schedules~~

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2031 ~~undertaken or proposed by the district to further the State~~
2032 ~~Comprehensive Plan.~~

2033 ~~(d) A description of surface water basins, including~~
2034 ~~regulatory jurisdictions, flood prone areas, existing and~~
2035 ~~projected water quality in water management district operated~~
2036 ~~facilities, as well as surface water runoff characteristics and~~
2037 ~~topography regarding flood plains, wetlands, and recharge areas.~~

2038 ~~(e) A description of groundwater characteristics, including~~
2039 ~~existing and planned wellfield sites, existing and anticipated~~
2040 ~~zones of influence, highly productive groundwater areas, aquifer~~
2041 ~~recharge areas, deep well injection zones, contaminated areas,~~
2042 ~~an assessment of regional water resource needs and sources for~~
2043 ~~the next 20 years, and water quality.~~

2044 ~~(f) The identification of existing and potential water~~
2045 ~~management district land acquisitions.~~

2046 ~~(g) Information reflecting the minimum flows for surface~~
2047 ~~watercourses to avoid harm to water resources or the ecosystem~~
2048 ~~and information reflecting the minimum water levels for aquifers~~
2049 ~~to avoid harm to water resources or the ecosystem.~~

2050 Section 73. Subsection (4) of section 373.046, Florida
2051 Statutes, is amended to read:

2052 373.046 Interagency agreements.—

2053 (4) The Legislature recognizes and affirms the division of
2054 responsibilities between the department and the water management
2055 districts as set forth in ss. III. and X. of each of the
2056 operating agreements codified as rules 17-101.040(12)(a)3., 4.,
2057 and 5., Florida Administrative Code. Section IV.A.2.a. of each
2058 operating agreement regarding individual permit oversight is
2059 rescinded. The department is shall be responsible for permitting

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2060 those activities under part IV of this chapter which, because of
2061 their complexity and magnitude, need to be economically and
2062 efficiently evaluated at the state level, including, but not
2063 limited to, mining, hazardous waste management facilities, and
2064 solid waste management facilities that do not qualify for a
2065 general permit under chapter 403. With regard to
2066 postcertification information submittals for activities
2067 authorized under chapters 341 and 403 siting act certifications,
2068 the department, after consultation with the appropriate water
2069 management district and other agencies having applicable
2070 regulatory jurisdiction, shall determine be responsible for
2071 ~~determining~~ the permittee's compliance with conditions of
2072 certification which are ~~were~~ based upon the nonprocedural
2073 requirements of part IV of this chapter. ~~The Legislature~~
2074 ~~authorizes~~ The water management districts and the department may
2075 to modify the division of responsibilities referenced in this
2076 section and enter into further interagency agreements by
2077 rulemaking, including incorporation by reference, pursuant to
2078 chapter 120, to provide for greater efficiency and to avoid
2079 duplication in the administration of part IV of this chapter by
2080 designating ~~certain~~ activities that ~~which~~ will be regulated by
2081 either the water management districts or the department. In
2082 developing such interagency agreements, the water management
2083 districts and the department shall consider ~~should take into~~
2084 ~~consideration~~ the technical and fiscal ability of each water
2085 management district to implement all or some of the provisions
2086 of part IV of this chapter. This subsection does not rescind or
2087 restrict ~~Nothing herein rescinds or restricts~~ the authority of
2088 the districts to regulate silviculture and agriculture pursuant

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2089 to part IV of this chapter or s. 403.927. ~~By December 10, 1993,~~
2090 ~~the secretary of the department shall submit a report to the~~
2091 ~~President of the Senate and the Speaker of the House of~~
2092 ~~Representatives regarding the efficiency of the procedures and~~
2093 ~~the division of responsibilities contemplated by this subsection~~
2094 ~~and regarding progress toward the execution of further~~
2095 ~~interagency agreements and the integration of permitting with~~
2096 ~~sovereignty lands approval. The report also will consider the~~
2097 ~~feasibility of improving the protection of the environment~~
2098 ~~through comprehensive criteria for protection of natural~~
2099 ~~systems.~~

2100 Section 74. Subsection (14) of section 376.121, Florida
2101 Statutes, is repealed.

2102 Section 75. Section 376.17, Florida Statutes, is repealed.

2103 Section 76. Subsection (5) of section 376.30713, Florida
2104 Statutes, is repealed.

2105 Section 77. Paragraph (f) of subsection (2) of section
2106 377.703, Florida Statutes, is amended to read:

2107 377.703 Additional functions of the Florida Energy and
2108 Climate Commission.—

2109 (2) FLORIDA ENERGY AND CLIMATE COMMISSION; DUTIES.—The
2110 commission shall perform the following functions consistent with
2111 the development of a state energy policy:

2112 (f) The commission shall submit an annual report to the
2113 Governor and the Legislature reflecting its activities and
2114 making recommendations ~~of policies~~ for improvement of the
2115 state's response to energy supply and demand and its effect on
2116 the health, safety, and welfare of the people of Florida. The
2117 report must shall include a report from the Florida Public

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2118 ~~Service Commission on electricity and natural gas and~~
2119 ~~information on energy conservation programs conducted and~~
2120 ~~underway in the past year and shall include recommendations for~~
2121 ~~energy conservation programs for the state, including, but not~~
2122 ~~limited to, the following factors:~~

2123 1. Formulation of specific recommendations for improving
2124 ~~improvement in the efficiency of energy use utilization in~~
2125 ~~governmental, residential, commercial, industrial, and~~
2126 ~~transportation sectors.~~

2127 2. Collection and dissemination of information relating to
2128 energy conservation.

2129 3. Development and conduct of educational and training
2130 programs relating to energy conservation.

2131 4. An analysis of the ways in which state agencies are
2132 seeking to implement s. 377.601(2), the state energy policy, and
2133 recommendations for better fulfilling this policy.

2134 Section 78. Subsection (2) of section 379.2211, Florida
2135 Statutes, is amended to read:

2136 379.2211 Florida waterfowl permit revenues.—

2137 (2) The intent of this section is to expand waterfowl
2138 research and management and increase waterfowl populations in
2139 the state without detracting from other programs. The commission
2140 shall prepare and make available on its Internet website an
2141 annual report documenting the use of funds generated under ~~the~~
2142 ~~provisions of this section, to be submitted to the Governor, the~~
2143 ~~Speaker of the House of Representatives, and the President of~~
2144 ~~the Senate on or before September 1 of each year.~~

2145 Section 79. Subsection (2) of section 379.2212, Florida
2146 Statutes, is amended to read:

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2147 379.2212 Florida wild turkey permit revenues.—

2148 (2) The intent of this section is to expand wild turkey
2149 research and management and to increase wild turkey populations
2150 in the state without detracting from other programs. The
2151 commission shall prepare and make available on its Internet
2152 website an annual report documenting the use of funds generated
2153 ~~under the provisions of this section, to be submitted to the~~
2154 ~~Governor, the Speaker of the House of Representatives, and the~~
2155 ~~President of the Senate on or before September 1 of each year.~~

2156 Section 80. Subsection (8) of section 379.2523, Florida
2157 Statutes, is repealed.

2158 Section 81. Paragraph (a) of subsection (2) of section
2159 380.06, Florida Statutes, is amended to read:

2160 380.06 Developments of regional impact.—

2161 (2) STATEWIDE GUIDELINES AND STANDARDS.—

2162 (a) The state land planning agency shall recommend to the
2163 Administration Commission specific statewide guidelines and
2164 standards for adoption pursuant to this subsection. The
2165 Administration Commission shall by rule adopt statewide
2166 guidelines and standards to be used in determining whether
2167 particular developments shall undergo development-of-regional-
2168 impact review. The statewide guidelines and standards previously
2169 adopted by the Administration Commission and approved by the
2170 Legislature shall remain in effect unless revised pursuant to
2171 this section or superseded by other provisions of law. ~~Revisions~~
2172 ~~to the present statewide guidelines and standards, after~~
2173 ~~adoption by the Administration Commission, shall be transmitted~~
2174 ~~on or before March 1 to the President of the Senate and the~~
2175 ~~Speaker of the House of Representatives for presentation at the~~

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2176 ~~next regular session of the Legislature. Unless approved by law~~
2177 ~~by the Legislature, the revisions to the present guidelines and~~
2178 ~~standards shall not become effective.~~

2179 Section 82. Subsection (3) of section 380.0677, Florida
2180 Statutes, is repealed.

2181 Section 83. Subsection (3) of section 381.0011, Florida
2182 Statutes, is repealed.

2183 Section 84. Section 381.0036, Florida Statutes, is
2184 repealed.

2185 Section 85. Section 381.731, Florida Statutes, is repealed.

2186 Section 86. Section 381.795, Florida Statutes, is amended
2187 to read:

2188 381.795 Long-term community-based supports.—The department
2189 shall, contingent upon specific appropriations for these
2190 purposes, establish:

2191 ~~(1) Study the long-term needs for community-based supports~~
2192 ~~and services for individuals who have sustained traumatic brain~~
2193 ~~or spinal cord injuries. The purpose of this study is to prevent~~
2194 ~~inappropriate residential and institutional placement of these~~
2195 ~~individuals, and promote placement in the most cost effective~~
2196 ~~and least restrictive environment. Any placement recommendations~~
2197 ~~for these individuals shall ensure full utilization of and~~
2198 ~~collaboration with other state agencies, programs, and community~~
2199 ~~partners. This study shall be submitted to the Governor, the~~
2200 ~~President of the Senate, and the Speaker of the House of~~
2201 ~~Representatives not later than December 31, 2000.~~

2202 ~~(2) Based upon the results of this study, establish a plan~~
2203 ~~for the implementation of a program of long-term community-based~~
2204 ~~supports and services for individuals who have sustained~~

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2205 traumatic brain or spinal cord injuries and who may be subject
2206 to inappropriate residential and institutional placement as a
2207 direct result of such injuries.

2208 (1)-(a) The program shall be payor of last resort for
2209 program services, and expenditures for ~~such~~ services shall be
2210 considered funded services for purposes of s. 381.785; however,
2211 notwithstanding s. 381.79(5), proceeds resulting from this
2212 subsection shall be used solely for this program.

2213 (2)-(b) The department shall adopt ~~create~~, by rule,
2214 procedures to ensure, that if in the event the program is unable
2215 to directly or indirectly provide ~~such~~ services to all eligible
2216 individuals due to lack of funds, those individuals most at risk
2217 of suffering ~~to suffer~~ the greatest harm from an imminent
2218 inappropriate residential or institutional placement are served
2219 first.

2220 (3)-(e) Every applicant or recipient of the long-term
2221 community-based supports and services program must ~~shall~~ have
2222 been a resident of the state for 1 year immediately preceding
2223 application and be a resident of the state at the time of
2224 application.

2225 (4)-(d) The department shall adopt rules ~~pursuant to ss.~~
2226 ~~120.536(1) and 120.54~~ to administer ~~implement the provision of~~
2227 this section ~~subsection~~.

2228 Section 87. Section 381.931, Florida Statutes, is amended
2229 to read:

2230 381.931 Annual report on Medicaid expenditures.—The
2231 Department of Health and the Agency for Health Care
2232 Administration shall monitor the total Medicaid expenditures for
2233 services made under this act. If Medicaid expenditures are

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2234 projected to exceed the amount appropriated by the Legislature,
2235 the Department of Health shall limit the number of screenings to
2236 ensure Medicaid expenditures do not exceed the amount
2237 appropriated. ~~The Department of Health, in cooperation with the~~
2238 ~~Agency for Health Care Administration, shall prepare an annual~~
2239 ~~report that must include the number of women screened; the~~
2240 ~~percentage of positive and negative outcomes; the number of~~
2241 ~~referrals to Medicaid and other providers for treatment~~
2242 ~~services; the estimated number of women who are not screened or~~
2243 ~~not served by Medicaid due to funding limitations, if any; the~~
2244 ~~cost of Medicaid treatment services; and the estimated cost of~~
2245 ~~treatment services for women who were not screened or referred~~
2246 ~~for treatment due to funding limitations. The report shall be~~
2247 ~~submitted to the President of the Senate, the Speaker of the~~
2248 ~~House of Representatives, and the Executive Office of the~~
2249 ~~Governor by March 1 of each year.~~

2250 Section 88. Subsection (6) of section 383.19, Florida
2251 Statutes, is amended to read:

2252 383.19 Standards; funding; ineligibility.—

2253 (6) Each hospital that which contracts with the department
2254 to provide services under the terms of ss. 383.15-383.21 shall
2255 prepare and submit to the department an annual report that
2256 includes, but is not limited to, the number of clients served
2257 and the costs of services in the center. The department shall
2258 annually conduct a programmatic and financial evaluation of each
2259 center.

2260 Section 89. Section 383.21, Florida Statutes, is repealed.

2261 Section 90. Section 383.2161, Florida Statutes, is amended
2262 to read:

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2263 383.2161 Maternal and child health report.—The Department
2264 of Health ~~annually~~ shall annually compile and analyze the risk
2265 information collected by the Office of Vital Statistics and the
2266 district prenatal and infant care coalitions and shall maintain
2267 county and statewide data on prepare and submit to the
2268 Legislature by January 2 a report that includes, but is not
2269 limited to:

2270 (1) The number of families identified as families at
2271 potential risk;

2272 (2) The number of families receiving ~~that receive~~ family
2273 outreach services;

2274 (3) The increase in demand for services; and

2275 (4) The unmet need for services for identified target
2276 groups.

2277 Section 91. Subsection (4) of section 394.4573, Florida
2278 Statutes, is repealed.

2279 Section 92. Subsection (1) of section 394.4985, Florida
2280 Statutes, is amended to read:

2281 394.4985 Districtwide information and referral network;
2282 implementation.—

2283 (1) Each service district of the Department of Children and
2284 Family Services shall develop a detailed implementation plan for
2285 a districtwide comprehensive child and adolescent mental health
2286 information and referral network to be operational by July 1,
2287 1999. The plan must include an operating budget that
2288 demonstrates cost efficiencies and identifies funding sources
2289 for the district information and referral network. ~~The plan must~~
2290 ~~be submitted by the department to the Legislature by October 1,~~
2291 ~~1998.~~ The district shall use existing district information and

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2292 referral providers if, in the development of the plan, it is
2293 concluded that these providers would deliver information and
2294 referral services in a more efficient and effective manner when
2295 compared to other alternatives. The district information and
2296 referral network must include:

2297 (a) A resource file that contains information about the
2298 child and adolescent mental health services as described in s.
2299 394.495, including, but not limited to:

- 2300 1. Type of program;
- 2301 2. Hours of service;
- 2302 3. Ages of persons served;
- 2303 4. Program description;
- 2304 5. Eligibility requirements; and
- 2305 6. Fees.

2306 (b) Information about private providers and professionals
2307 in the community who which serve children and adolescents with
2308 an emotional disturbance.

2309 (c) A system to document requests for services which that
2310 are received through the network referral process, including,
2311 but not limited to:

- 2312 1. Number of calls by type of service requested;
- 2313 2. Ages of the children and adolescents for whom services
2314 are requested; and
- 2315 3. Type of referral made by the network.

2316 (d) The ability to share client information with the
2317 appropriate community agencies.

2318 (e) ~~The submission of an annual report to the department,~~
2319 ~~the Agency for Health Care Administration, and appropriate local~~
2320 ~~government entities, which contains information about the~~

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2321 ~~sources and frequency of requests for information, types and~~
2322 ~~frequency of services requested, and types and frequency of~~
2323 ~~referrals made.~~

2324 Section 93. Section 394.75, Florida Statutes, is amended to
2325 read:

2326 394.75 State and district substance abuse and mental health
2327 plans.—

2328 (1) ~~(a) Every 3 years, beginning in 2001,~~ The department, in
2329 consultation with the Medicaid program in the Agency for Health
2330 Care Administration and the Florida Substance Abuse and Mental
2331 Health Corporation, shall prepare a state master plan for the
2332 delivery and financing of a system of publicly funded,
2333 community-based substance abuse and mental health services
2334 throughout the state. The state plan must include:

2335 ~~(b) The initial plan must include an assessment of the~~
2336 ~~clinical practice guidelines and standards for community based~~
2337 ~~mental health and substance abuse services delivered by persons~~
2338 ~~or agencies under contract with the Department of Children and~~
2339 ~~Family Services. The assessment must include an inventory of~~
2340 ~~current clinical guidelines and standards used by persons and~~
2341 ~~agencies under contract with the department, and by nationally~~
2342 ~~recognized accreditation organizations, to address the quality~~
2343 ~~of care and must specify additional clinical practice standards~~
2344 ~~and guidelines for new or existing services and programs.~~

2345 ~~(a) (e) Proposed~~ The plan must propose changes in department
2346 policy or statutory revisions to strengthen the quality of
2347 mental health and substance abuse treatment and support
2348 services.

2349 ~~(b) (d) The plan must identify~~ Strategies for meeting the

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2350 treatment and support needs of children, adolescents, adults,
2351 and older adults who have, or are at risk of having, mental,
2352 emotional, or substance abuse problems as defined in this
2353 chapter or chapter 397.

2354 ~~(c) (e) The plan must include~~ Input from persons who
2355 represent local communities; local government entities that
2356 contribute funds to the local substance abuse and mental health
2357 treatment systems; consumers of publicly funded substance abuse
2358 and mental health services, and their families; and stakeholders
2359 interested in mental health and substance abuse services. The
2360 plan must describe the means by which this local input occurred.
2361 ~~The plan shall be updated annually.~~

2362 ~~(f) The plan must include statewide policies and planning~~
2363 ~~parameters that will be used by the health and human services~~
2364 ~~boards in preparing the district substance abuse and mental~~
2365 ~~health plans.~~

2366 ~~(g) The district plans shall be one component of the state~~
2367 ~~master plan.~~

2368 ~~(2) The state master plan shall also include:~~

2369 ~~(a) A proposal for the development of a data system that~~
2370 ~~will evaluate the effectiveness of programs and services~~
2371 ~~provided to clients of the substance abuse and mental health~~
2372 ~~service system.~~

2373 ~~(b) A proposal to resolve the funding discrepancies between~~
2374 ~~districts.~~

2375 ~~(d) (e) A methodology for the allocation of resources~~
2376 ~~available from federal, state, and local sources and a~~
2377 ~~description of the current level of funding available from each~~
2378 ~~source.~~

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2379 (e) ~~(d)~~ A description of the statewide priorities for
2380 clients and services, and each district's priorities for clients
2381 and services.

2382 (e) ~~Recommendations for methods of enhancing local
2383 participation in the planning, organization, and financing of
2384 substance abuse and mental health services.~~

2385 (f) ~~A description of the current methods of contracting for
2386 services, an assessment of the efficiency of these methods in
2387 providing accountability for contracted funds, and
2388 recommendations for improvements to the system of contracting.~~

2389 (f) ~~(g)~~ Recommendations for improving access to services by
2390 clients and their families.

2391 (h) ~~Guidelines and formats for the development of district
2392 plans.~~

2393 (g) ~~(i)~~ Recommendations for future directions for the
2394 substance abuse and mental health service delivery system.

2395 (2) ~~A schedule, format, and procedure for development, and
2396 review, and update of the state master plan shall be adopted by
2397 the department by June of each year. The plan and annual updates
2398 shall must be submitted to the Governor and the Legislature
2399 beginning February 10, 2010, and every 3rd year thereafter
2400 President of the Senate and the Speaker of the House of
2401 Representatives by January 1 of each year, beginning January 1,
2402 2001.~~

2403 (3) ~~Each~~ ~~The~~ ~~district health and human services board~~ shall
2404 prepare an integrated district substance abuse and mental health
2405 plan. The plan shall be prepared and updated on a schedule
2406 established by the Assistant Secretary for Substance Abuse
2407 Alcohol, Drug Abuse, and Mental Health Program Office. The plan

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2408 shall reflect the needs and program priorities established by
2409 the department and the needs of the district established under
2410 ss. 394.674 and 394.675. The district plan must ~~list in order of~~
2411 ~~priority the mental health and the substance abuse treatment~~
2412 ~~needs of the district and must rank each program separately.~~ The
2413 ~~plan shall include:~~

2414 ~~(a) A record of the total amount of money available in the~~
2415 ~~district for mental health and substance abuse services.~~

2416 ~~(b) A description of each service that will be purchased~~
2417 ~~with state funds.~~

2418 ~~(c) A record of the amount of money allocated for each~~
2419 ~~service identified in the plan as being purchased with state~~
2420 ~~funds.~~

2421 ~~(d) A record of the total funds allocated to each provider.~~

2422 ~~(e) A record of the total funds allocated to each provider~~
2423 ~~by type of service to be purchased with state funds.~~

2424 ~~(a)-(f) Include~~ input from community-based persons,
2425 organizations, and agencies interested in substance abuse and
2426 mental health treatment services; local government entities that
2427 contribute funds to the public substance abuse and mental health
2428 treatment systems; and consumers of publicly funded substance
2429 abuse and mental health services, and their family members. The
2430 plan must describe the means by which this local input occurred.

2431
2432 ~~The plan shall be submitted by the district board to the~~
2433 ~~district administrator and to the governing bodies for review,~~
2434 ~~comment, and approval.~~

2435 ~~(4) The district plan shall:~~

2436 ~~(a) Describe the publicly funded, community-based substance~~

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2437 abuse and mental health system of care, and identify statutorily
2438 defined populations, their service needs, and the resources
2439 available and required to meet their needs.

2440 (b) Provide the means for meeting the needs of the
2441 district's eligible clients, specified in ss. 394.674 and
2442 394.675, for substance abuse and mental health services.

2443 (b) (c) Provide a process for coordinating the delivery of
2444 services within a community-based system of care to eligible
2445 clients. The Such process must involve service providers,
2446 clients, and other stakeholders. The process must also provide a
2447 means by which providers will coordinate and cooperate to
2448 strengthen linkages, achieve maximum integration of services,
2449 foster efficiencies in service delivery and administration, and
2450 designate responsibility for outcomes for eligible clients.

2451 (c) (d) Provide a projection of district program and fiscal
2452 needs for the next fiscal year, provide for the orderly and
2453 economical development of needed services, and indicate
2454 priorities and resources for each population served, performance
2455 outcomes, and anticipated expenditures and revenues.

2456 (e) Include a ~~summary budget request for the total district~~
2457 ~~substance abuse and mental health program, which must include~~
2458 ~~the funding priorities established by the district planning~~
2459 ~~process.~~

2460 (f) Provide a basis for the ~~district legislative budget~~
2461 ~~request.~~

2462 (g) Include a ~~policy and procedure for allocation of funds.~~

2463 (h) Include a ~~procedure for securing local matching funds.~~

2464 Such a procedure shall be developed in consultation with
2465 governing bodies and service providers.

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2466 (d) ~~(i)~~ Provide for the integration of substance abuse and
2467 mental health services with the other departmental programs and
2468 with the criminal justice, juvenile justice, child protection,
2469 school, and health care systems within the district.

2470 ~~(j) Provide a plan for the coordination of services in such~~
2471 ~~manner as to ensure effectiveness and avoid duplication,~~
2472 ~~fragmentation of services, and unnecessary expenditures.~~

2473 (e) ~~(k)~~ Provide for continuity of client care between state
2474 treatment facilities and community programs to ensure assure
2475 that discharge planning results in the rapid application for all
2476 benefits for which a client is eligible, including Medicaid
2477 coverage for persons leaving state treatment facilities and
2478 returning to community-based programs.

2479 ~~(l) Provide for the most appropriate and economical use of~~
2480 ~~all existing public and private agencies and personnel.~~

2481 ~~(m) Provide for the fullest possible and most appropriate~~
2482 ~~participation by existing programs; state hospitals and other~~
2483 ~~hospitals; city, county, and state health and family service~~
2484 ~~agencies; drug abuse and alcoholism programs; probation~~
2485 ~~departments; physicians; psychologists; social workers; marriage~~
2486 ~~and family therapists; mental health counselors; clinical social~~
2487 ~~workers; public health nurses; school systems; and all other~~
2488 ~~public and private agencies and personnel that are required to,~~
2489 ~~or may agree to, participate in the plan.~~

2490 ~~(n) Include an inventory of all public and private~~
2491 ~~substance abuse and mental health resources within the district,~~
2492 ~~including consumer advocacy groups and self-help groups known to~~
2493 ~~the department.~~

2494 (4) ~~(5)~~ The district plan must shall address how substance

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2495 abuse and mental health services will be provided and how a
2496 system of care for target populations will be provided given the
2497 resources available in the service district. The plan must
2498 include provisions for providing the most appropriate and
2499 current evidence-based services in a variety of settings for
2500 persons who have substance abuse disorders and mental illnesses
2501 maximizing client access to the most recently developed
2502 psychiatric medications approved by the United States Food and
2503 Drug Administration, for developing independent housing units
2504 through participation in the Section 811 program operated by the
2505 United States Department of Housing and Urban Development, for
2506 developing supported employment services through the Division of
2507 Vocational Rehabilitation of the Department of Education, for
2508 providing treatment services to persons with co-occurring mental
2509 illness and substance abuse problems which are integrated across
2510 treatment systems, and for providing services to adults who have
2511 a serious mental illness, as defined in s. 394.67, and who
2512 reside in assisted living facilities.

2513 (6) The district plan shall provide the means by which the
2514 needs of the population groups specified pursuant to s. 394.674
2515 will be addressed in the district.

2516 (7) In developing the district plan, optimum use shall be
2517 made of any federal, state, and local funds that may be
2518 available for substance abuse and mental health service
2519 planning. However, the department must provide these services
2520 within legislative appropriations.

2521 (8) The district health and human services board shall
2522 establish a subcommittee to prepare the portion of the district
2523 plan relating to children and adolescents. The subcommittee

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2524 shall include representative membership of any committee
2525 organized or established by the district to review placement of
2526 children and adolescents in residential treatment programs. The
2527 board shall establish a subcommittee to prepare the portion of
2528 the district plan which relates to adult mental health and
2529 substance abuse. The subcommittee must include representatives
2530 from the community who have an interest in mental health and
2531 substance abuse treatment for adults.

2532 (5) (9) All departments of state government and all local
2533 public agencies shall cooperate with officials to assist them in
2534 service planning. Each district administrator shall, upon
2535 request and the availability of staff, provide consultative
2536 services to the local agency directors and governing bodies.

2537 (10) The district administrator shall ensure that the
2538 district plan:

2539 (a) Conforms to the priorities in the state plan, the
2540 requirements of this part, and the standards adopted under this
2541 part;

2542 (b) Ensures that the most effective and economical use will
2543 be made of available public and private substance abuse and
2544 mental health resources in the service district; and

2545 (c) Has adequate provisions made for review and evaluation
2546 of the services provided in the service district.

2547 (11) The district administrator shall require such
2548 modifications in the district plan as he or she deems necessary
2549 to bring the plan into conformance with the provisions of this
2550 part. If the district board and the district administrator
2551 cannot agree on the plan, including the projected budget, the
2552 issues under dispute shall be submitted directly to the

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2553 ~~secretary of the department for immediate resolution.~~

2554 ~~(12) Each governing body that provides local funds has the~~
2555 ~~authority to require necessary modification to only that portion~~
2556 ~~of the district plan which affects substance abuse and mental~~
2557 ~~health programs and services within the jurisdiction of that~~
2558 ~~governing body.~~

2559 ~~(13) The district administrator shall report annually to~~
2560 ~~the district board the status of funding for priorities~~
2561 ~~established in the district plan. Each report must include:~~

2562 ~~(a) A description of the district plan priorities that were~~
2563 ~~included in the district legislative budget request.~~

2564 ~~(b) A description of the district plan priorities that were~~
2565 ~~included in the departmental budget request.~~

2566 ~~(c) A description of the programs and services included in~~
2567 ~~the district plan priorities that were appropriated funds by the~~
2568 ~~Legislature in the legislative session that preceded the report.~~

2569 Section 94. Section 394.82, Florida Statutes, is repealed.

2570 Section 95. Subsection (9) of section 394.9082, Florida
2571 Statutes, is repealed.

2572 Section 96. Section 394.9083, Florida Statutes, is
2573 repealed.

2574 Section 97. Paragraph (c) of subsection (2) of section
2575 395.807, Florida Statutes, is repealed.

2576 Section 98. Subsections (1) and (20) of section 397.321,
2577 Florida Statutes, are repealed.

2578 Section 99. Subsection (3) of section 397.332, Florida
2579 Statutes, is repealed.

2580 Section 100. Subsection (4) of section 397.333, Florida
2581 Statutes, is amended to read:

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2582 397.333 Statewide Drug Policy Advisory Council.—

2583 (4) ~~(a)~~ The chairperson of the advisory council shall
2584 appoint workgroups that include members of state agencies that
2585 are not represented on the advisory council and shall solicit
2586 input and recommendations from those state agencies. ~~In~~
2587 ~~addition,~~ The chairperson may also appoint workgroups as
2588 ~~necessary~~ from among the members of the advisory council in
2589 order to efficiently address specific issues. A representative
2590 of a state agency appointed to any workgroup shall be the head
2591 of the agency~~, or his or her designee.~~ The chairperson may
2592 designate lead and contributing agencies within a workgroup.

2593 ~~(b) The advisory council shall submit a report to the~~
2594 ~~Governor, the President of the Senate, and the Speaker of the~~
2595 ~~House of Representatives by December 1 of each year which~~
2596 ~~contains a summary of the work of the council during that year~~
2597 ~~and the recommendations required under subsection (3). Interim~~
2598 ~~reports may be submitted at the discretion of the chairperson of~~
2599 ~~the advisory council.~~

2600 Section 101. Subsection (1) of section 397.94, Florida
2601 Statutes, is repealed.

2602 Section 102. Subsection (2) of section 400.148, Florida
2603 Statutes, is repealed.

2604 Section 103. Paragraph (a) of subsection (2) of section
2605 400.967, Florida Statutes, is amended to read:

2606 400.967 Rules and classification of deficiencies.—

2607 (2) Pursuant to the intention of the Legislature, the
2608 agency, in consultation with the Agency for Persons with
2609 Disabilities and the Department of Elderly Affairs, shall adopt
2610 and enforce rules to administer this part and part II of chapter

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2611 408, which shall include reasonable and fair criteria governing:

2612 (a) The location and construction of the facility;
2613 including fire and life safety, plumbing, heating, cooling,
2614 lighting, ventilation, and other housing conditions that ~~will~~
2615 ensure the health, safety, and comfort of residents. The agency
2616 shall establish standards for facilities and equipment to
2617 increase the extent to which new facilities and a new wing or
2618 floor added to an existing facility after July 1, 2000, are
2619 structurally capable of serving as shelters only for residents,
2620 staff, and families of residents and staff, and equipped to be
2621 self-supporting during and immediately following disasters. ~~The~~
2622 ~~Agency for Health Care Administration shall work with facilities~~
2623 ~~licensed under this part and report to the Governor and the~~
2624 ~~Legislature by April 1, 2000, its recommendations for cost-~~
2625 ~~effective renovation standards to be applied to existing~~
2626 ~~facilities. In making such rules, the agency shall be guided by~~
2627 ~~criteria recommended by nationally recognized, reputable~~
2628 ~~professional groups and associations having knowledge concerning~~
2629 ~~such subject matters. The agency shall update or revise the such~~
2630 criteria as the need arises. All facilities must comply with
2631 those lifesafety code requirements and building code standards
2632 applicable at the time of approval of their construction plans.
2633 The agency may require alterations to a building if it
2634 determines that an existing condition constitutes a distinct
2635 hazard to life, health, or safety. The agency shall adopt fair
2636 and reasonable rules setting forth conditions under which
2637 existing facilities undergoing additions, alterations,
2638 conversions, renovations, or repairs are required to comply with
2639 the most recent updated or revised standards.

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2640 Section 104. Subsection (3) of section 402.3016, Florida
2641 Statutes, is repealed.

2642 Section 105. Subsection (9) of section 402.40, Florida
2643 Statutes, is repealed.

2644 Section 106. Subsection (1) of section 403.4131, Florida
2645 Statutes, is amended to read:

2646 403.4131 Litter control.—

2647 (1) The Department of Transportation shall establish an
2648 "adopt-a-highway" program to allow local organizations to be
2649 identified with specific highway cleanup and highway
2650 beautification projects authorized under s. 339.2405. ~~The~~
2651 ~~department shall report to the Governor and the Legislature on~~
2652 ~~the progress achieved and the savings incurred by the "adopt-a-~~
2653 ~~highway" program.~~ The department shall also monitor and report
2654 ~~on~~ compliance with the provisions of the adopt-a-highway program
2655 to ensure that organizations participating ~~that participate~~ in
2656 the program comply with the goals identified by the department.

2657 Section 107. Paragraph (a) of subsection (4) of section
2658 406.02, Florida Statutes, is repealed.

2659 Section 108. Paragraph (g) of subsection (1) of section
2660 408.033, Florida Statutes, is amended to read:

2661 408.033 Local and state health planning.—

2662 (1) LOCAL HEALTH COUNCILS.—

2663 (g) Each local health council ~~may is authorized to~~ accept
2664 and receive, in furtherance of its health planning functions,
2665 funds, grants, and services from governmental agencies and from
2666 private or civic sources and to perform studies related to local
2667 health planning in exchange for such funds, grants, or services.
2668 Each ~~local health~~ council shall, no later than January 30 of

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2669 each year, render an accounting of the receipt and disbursement
2670 of such funds received by it to the Department of Health. ~~The~~
2671 ~~department shall consolidate all such reports and submit such~~
2672 ~~consolidated report to the Legislature no later than March 1 of~~
2673 ~~each year.~~

2674 Section 109. Subsection (4) of section 408.914, Florida
2675 Statutes, is repealed.

2676 Section 110. Paragraph (i) of subsection (3) of section
2677 408.915, Florida Statutes, is repealed.

2678 Section 111. Section 408.917, Florida Statutes, is
2679 repealed.

2680 Section 112. Paragraph (b) of subsection (7) of section
2681 409.1451, Florida Statutes, is amended to read:

2682 409.1451 Independent living transition services.—

2683 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The
2684 Secretary of Children and Family Services shall establish the
2685 Independent Living Services Advisory Council for the purpose of
2686 reviewing and making recommendations concerning the
2687 implementation and operation of the independent living
2688 transition services. This advisory council shall continue to
2689 function as specified in this subsection until the Legislature
2690 determines that the advisory council can no longer provide a
2691 valuable contribution to the department's efforts to achieve the
2692 goals of the independent living transition services.

2693 (b) The advisory council shall report to the secretary
2694 ~~appropriate substantive committees of the Senate and the House~~
2695 ~~of Representatives~~ on the status of the implementation of the
2696 system of independent living transition services; efforts to
2697 publicize the availability of aftercare support services, the

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2698 Road-to-Independence Program, and transitional support services;
2699 the success of the services; problems identified;
2700 recommendations for department or legislative action; and the
2701 department's implementation of the recommendations contained in
2702 the Independent Living Services Integration Workgroup Report
2703 submitted to the appropriate Senate and the House substantive
2704 committees of the Legislature by December 31, 2002. The
2705 department shall submit a report by December 31 of each year to
2706 the Governor and the Legislature This advisory council report
2707 shall be submitted by December 31 of each year that the council
2708 is in existence and shall be accompanied by a report from the
2709 department which includes a summary of the factors reported on
2710 by the council and identifies the recommendations of the
2711 advisory council and either describes the department's actions
2712 to implement the these recommendations or provides the
2713 department's rationale for not implementing the recommendations.

2714 Section 113. Section 409.146, Florida Statutes, is
2715 repealed.

2716 Section 114. Section 409.152, Florida Statutes, is
2717 repealed.

2718 Section 115. Subsections (1) and (2) of section 409.1679,
2719 Florida Statutes, are repealed.

2720 Section 116. Section 409.1685, Florida Statutes, is amended
2721 to read:

2722 409.1685 Children in foster care; annual report to
2723 Legislature.—The Department of Children and Family Services
2724 shall submit a written report to the Governor and substantive
2725 committees of the Legislature concerning the status of children
2726 in foster care and concerning the judicial review mandated by

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2727 part X of chapter 39. The ~~This~~ report shall be submitted by May
2728 ~~March~~ 1 of each year and must ~~shall~~ include the following
2729 information for the prior calendar year:

2730 (1) The number of 6-month and annual judicial reviews
2731 completed during that period.

2732 (2) The number of children in foster care returned to a
2733 parent, guardian, or relative as a result of a 6-month or annual
2734 judicial review hearing during that period.

2735 (3) The number of termination of parental rights
2736 proceedings instituted during that period, including ~~which shall~~
2737 ~~include~~:

2738 (a) The number of termination of parental rights
2739 proceedings initiated pursuant to former s. 39.703; and

2740 (b) The total number of terminations of parental rights
2741 ordered.

2742 (4) The number of foster care children placed for adoption
2743 ~~during that period.~~

2744 Section 117. Paragraph (k) of subsection (4) of section
2745 409.221, Florida Statutes, is repealed.

2746 Section 118. Paragraph (a) of subsection (3) of section
2747 409.25575, Florida Statutes, is amended to read:

2748 409.25575 Support enforcement; privatization.—

2749 (3) (a) The department shall establish a quality assurance
2750 program for the privatization of services. The ~~quality assurance~~
2751 program must include standards for each specific component of
2752 these services. The department shall establish minimum
2753 thresholds for each component. Each program operated pursuant to
2754 contract must be evaluated annually by the department or by an
2755 objective competent entity designated by the department under

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2756 the provisions of the quality assurance program. The evaluation
2757 must be financed from cost savings associated with the
2758 privatization of services. ~~The department shall submit an annual~~
2759 ~~report regarding quality performance, outcome measure~~
2760 ~~attainment, and cost efficiency to the President of the Senate,~~
2761 ~~the Speaker of the House of Representatives, the Minority leader~~
2762 ~~of each house of the Legislature, and the Governor no later than~~
2763 ~~January 31 of each year, beginning in 1999.~~ The quality
2764 assurance program must be financed through administrative
2765 savings generated by this act.

2766 Section 119. Subsection (9) of section 409.2558, Florida
2767 Statutes, is amended to read:

2768 409.2558 Support distribution and disbursement.—

2769 (9) RULEMAKING AUTHORITY.—The department may adopt rules to
2770 administer this section. ~~The department shall provide a draft of~~
2771 ~~the proposed concepts for the rule for the undistributable~~
2772 ~~collections to interested parties for review and recommendations~~
2773 ~~prior to full development of the rule and initiating the formal~~
2774 ~~rule-development process. The department shall consider but is~~
2775 ~~not required to implement the recommendations. The department~~
2776 ~~shall provide a report to the President of the Senate and the~~
2777 ~~Speaker of the House of Representatives containing the~~
2778 ~~recommendations received from interested parties and the~~
2779 ~~department's response regarding incorporating the~~
2780 ~~recommendations into the rule.~~

2781 Section 120. Subsection (3) of section 409.441, Florida
2782 Statutes, is repealed.

2783 Section 121. Subsection (24) of section 409.906, Florida
2784 Statutes, is amended to read:

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409.906 Optional Medicaid services.—Subject to specific appropriations, the agency may make payments for services which are optional to the state under Title XIX of the Social Security Act and are furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any optional service that is provided shall be provided only when medically necessary and in accordance with state and federal law. Optional services rendered by providers in mobile units to Medicaid recipients may be restricted or prohibited by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. If necessary to safeguard the state's systems of providing services to elderly and disabled persons and subject to the notice and review provisions of s. 216.177, the Governor may direct the Agency for Health Care Administration to amend the Medicaid state plan to delete the optional Medicaid service known as "Intermediate Care Facilities for the Developmentally Disabled." Optional services may include:

(24) CHILD-WELFARE-TARGETED CASE MANAGEMENT.—The Agency for Health Care Administration, in consultation with the Department of Children and Family Services, may establish a targeted case-management project in those counties identified by the Department of Children and Family Services and for all counties with a community-based child welfare project, as authorized under s. 409.1671, which have been specifically approved by the

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2814 department. ~~Results of targeted case management projects shall~~
2815 ~~be reported to the Social Services Estimating Conference~~
2816 ~~established under s. 216.136.~~ The covered group of individuals
2817 who are eligible to receive targeted case management include
2818 children who are eligible for Medicaid; who are between the ages
2819 of birth through 21; and who are under protective supervision or
2820 postplacement supervision, under foster-care supervision, or in
2821 shelter care or foster care. The number of individuals who are
2822 eligible to receive targeted case management is ~~shall be~~ limited
2823 to the number for whom the Department of Children and Family
2824 Services has ~~available~~ matching funds to cover the costs. The
2825 general revenue funds required to match the funds for services
2826 provided by the community-based child welfare projects are
2827 limited to funds available for services described under s.
2828 409.1671. The Department of Children and Family Services may
2829 transfer the general revenue matching funds as billed by the
2830 Agency for Health Care Administration.

2831 Section 122. Paragraph (b) of subsection (4), subsections
2832 (29) and (44), and paragraph (c) of subsection (49) of section
2833 409.912, Florida Statutes, are amended to read:

2834 409.912 Cost-effective purchasing of health care.—The
2835 agency shall purchase goods and services for Medicaid recipients
2836 in the most cost-effective manner consistent with the delivery
2837 of quality medical care. To ensure that medical services are
2838 effectively utilized, the agency may, in any case, require a
2839 confirmation or second physician's opinion of the correct
2840 diagnosis for purposes of authorizing future services under the
2841 Medicaid program. This section does not restrict access to
2842 emergency services or poststabilization care services as defined

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2843 in 42 C.F.R. part 438.114. Such confirmation or second opinion
2844 shall be rendered in a manner approved by the agency. The agency
2845 shall maximize the use of prepaid per capita and prepaid
2846 aggregate fixed-sum basis services when appropriate and other
2847 alternative service delivery and reimbursement methodologies,
2848 including competitive bidding pursuant to s. 287.057, designed
2849 to facilitate the cost-effective purchase of a case-managed
2850 continuum of care. The agency shall also require providers to
2851 minimize the exposure of recipients to the need for acute
2852 inpatient, custodial, and other institutional care and the
2853 inappropriate or unnecessary use of high-cost services. The
2854 agency shall contract with a vendor to monitor and evaluate the
2855 clinical practice patterns of providers in order to identify
2856 trends that are outside the normal practice patterns of a
2857 provider's professional peers or the national guidelines of a
2858 provider's professional association. The vendor must be able to
2859 provide information and counseling to a provider whose practice
2860 patterns are outside the norms, in consultation with the agency,
2861 to improve patient care and reduce inappropriate utilization.
2862 The agency may mandate prior authorization, drug therapy
2863 management, or disease management participation for certain
2864 populations of Medicaid beneficiaries, certain drug classes, or
2865 particular drugs to prevent fraud, abuse, overuse, and possible
2866 dangerous drug interactions. The Pharmaceutical and Therapeutics
2867 Committee shall make recommendations to the agency on drugs for
2868 which prior authorization is required. The agency shall inform
2869 the Pharmaceutical and Therapeutics Committee of its decisions
2870 regarding drugs subject to prior authorization. The agency is
2871 authorized to limit the entities it contracts with or enrolls as

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2872 Medicaid providers by developing a provider network through
2873 provider credentialing. The agency may competitively bid single-
2874 source-provider contracts if procurement of goods or services
2875 results in demonstrated cost savings to the state without
2876 limiting access to care. The agency may limit its network based
2877 on the assessment of beneficiary access to care, provider
2878 availability, provider quality standards, time and distance
2879 standards for access to care, the cultural competence of the
2880 provider network, demographic characteristics of Medicaid
2881 beneficiaries, practice and provider-to-beneficiary standards,
2882 appointment wait times, beneficiary use of services, provider
2883 turnover, provider profiling, provider licensure history,
2884 previous program integrity investigations and findings, peer
2885 review, provider Medicaid policy and billing compliance records,
2886 clinical and medical record audits, and other factors. Providers
2887 shall not be entitled to enrollment in the Medicaid provider
2888 network. The agency shall determine instances in which allowing
2889 Medicaid beneficiaries to purchase durable medical equipment and
2890 other goods is less expensive to the Medicaid program than long-
2891 term rental of the equipment or goods. The agency may establish
2892 rules to facilitate purchases in lieu of long-term rentals in
2893 order to protect against fraud and abuse in the Medicaid program
2894 as defined in s. 409.913. The agency may seek federal waivers
2895 necessary to administer these policies.

2896 (4) The agency may contract with:

2897 (b) An entity that is providing comprehensive behavioral
2898 health care services to specified certain Medicaid recipients
2899 through a capitated, prepaid arrangement pursuant to the federal
2900 waiver in provided for by s. 409.905(5). The Such an entity must

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2901 be licensed under chapter 624, chapter 636, or chapter 641 and
2902 must possess the clinical systems and operational competence to
2903 manage risk and provide comprehensive behavioral health care to
2904 Medicaid recipients. As used in this paragraph, the term
2905 "comprehensive behavioral health care services" means covered
2906 mental health and substance abuse treatment services that are
2907 available to Medicaid recipients. The Secretary of ~~the~~
2908 ~~Department of~~ Children and Family Services shall approve
2909 ~~provisions of~~ procurements related to children in the
2910 department's care or custody before prior to enrolling such
2911 children in a prepaid behavioral health plan. A Any contract
2912 awarded under this paragraph must be competitively procured. ~~In~~
2913 ~~developing~~ The behavioral health care prepaid plan procurement
2914 document must require, ~~the agency shall ensure that the~~
2915 ~~procurement document requires~~ the contractor to develop and
2916 implement a plan that ensures to ensure compliance with s.
2917 394.4574 related to services provided to residents of licensed
2918 assisted living facilities that hold a limited mental health
2919 license. Except as provided in subparagraph 8., and except in
2920 counties where the Medicaid managed care pilot program is
2921 authorized pursuant to s. 409.91211, the agency shall seek
2922 federal approval to contract with a single entity meeting the
2923 ~~these~~ requirements to provide comprehensive behavioral health
2924 care services to all Medicaid recipients not enrolled in a
2925 Medicaid managed care plan authorized under s. 409.91211 or a
2926 Medicaid health maintenance organization in an agency AHCA area.
2927 In an agency AHCA area where the Medicaid managed care pilot
2928 program is authorized pursuant to s. 409.91211 in one or more
2929 counties, the agency may procure a contract with a single entity

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2930 to serve the remaining counties as an agency AHCA area or the
2931 remaining counties may be included with an adjacent agency AHCA
2932 area and shall be subject to this paragraph. Each entity must
2933 offer sufficient choice of providers in its network to ensure
2934 recipient access to care and the opportunity to select a
2935 provider with whom the recipient is ~~they are~~ satisfied. The
2936 network must ~~shall~~ include all public mental health hospitals.
2937 To ensure unimpaired access to behavioral health care services
2938 by Medicaid recipients, all contracts issued pursuant to this
2939 paragraph must ~~shall~~ require 80 percent of the capitation paid
2940 to the managed care plan, including health maintenance
2941 organizations, to be expended for ~~the provision of~~ behavioral
2942 health care services. If ~~In the event~~ the managed care plan
2943 expends less than 80 percent ~~of the capitation paid pursuant to~~
2944 ~~this paragraph for the provision of behavioral health care~~
2945 ~~services, the difference~~ must ~~shall~~ be returned to the agency.
2946 The agency shall provide the managed care plan with a
2947 certification letter indicating the amount of capitation paid
2948 during each calendar year for the provision of behavioral health
2949 care services pursuant to this section. The agency may reimburse
2950 for substance abuse treatment services on a fee-for-service
2951 basis until the agency finds that adequate funds are available
2952 for capitated, prepaid arrangements.

2953 1. ~~By January 1, 2001, the agency shall modify the~~
2954 Contracts with the entities providing comprehensive inpatient
2955 and outpatient mental health care services to Medicaid
2956 recipients in Hillsborough, Highlands, Hardee, Manatee, and Polk
2957 Counties must, ~~to~~ include substance abuse treatment services.

2958 2. ~~By July 1, 2003, The agency and the Department of~~

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2959 Children and Family Services shall execute a written agreement
2960 that requires collaboration and joint development of all policy,
2961 budgets, procurement documents, contracts, and monitoring plans
2962 that have an impact on the state and Medicaid community mental
2963 health and targeted case management programs.

2964 3. Except as provided in subparagraph 8., ~~by July 1, 2006,~~
2965 the agency and the Department of Children and Family Services
2966 shall contract with managed care entities in each agency AHCA
2967 area except area 6 or arrange to provide comprehensive inpatient
2968 and outpatient mental health and substance abuse services
2969 through capitated prepaid arrangements to all Medicaid
2970 recipients who are eligible to participate in such plans under
2971 federal law ~~and regulation~~. In agency AHCA areas where ~~the~~
2972 eligible population is fewer individuals number less than
2973 150,000, the agency shall contract with a single managed care
2974 plan to provide comprehensive behavioral health services to all
2975 recipients who are not enrolled in a Medicaid health maintenance
2976 organization or a Medicaid capitated managed care plan
2977 authorized under s. 409.91211. The agency may contract with more
2978 than one comprehensive behavioral health provider ~~to provide~~
2979 ~~care to recipients who are not enrolled in a Medicaid capitated~~
2980 ~~managed care plan authorized under s. 409.91211 or a Medicaid~~
2981 ~~health maintenance organization in agency AHCA~~ areas where the
2982 eligible population exceeds 150,000. In an agency AHCA area
2983 where the Medicaid managed care pilot program is authorized
2984 pursuant to s. 409.91211 in one or more counties, the agency may
2985 procure a contract with a single entity to serve the remaining
2986 counties as an agency AHCA area or the remaining counties may be
2987 included with an adjacent agency AHCA area and shall be subject

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2988 to this paragraph. Contracts for comprehensive behavioral health
2989 providers awarded pursuant to this section shall be
2990 competitively procured. ~~Both~~ For-profit and not-for-profit
2991 corporations are shall be eligible to compete. Managed care
2992 plans contracting with the agency under subsection (3) shall
2993 provide and receive payment for the same comprehensive
2994 behavioral health benefits as provided in agency AHCA rules,
2995 including handbooks incorporated by reference. In agency AHCA
2996 area 11, the agency shall contract with at least two
2997 comprehensive behavioral health care providers to provide
2998 behavioral health care to recipients in that area who are
2999 enrolled in, or assigned to, the MediPass program. One of the
3000 behavioral health care contracts must shall be with the existing
3001 provider service network pilot project, as described in
3002 paragraph (d), for the purpose of demonstrating the cost-
3003 effectiveness of the provision of quality mental health services
3004 through a public hospital-operated managed care model. Payment
3005 must shall be at an agreed-upon capitated rate to ensure cost
3006 savings. Of the recipients in area 11 who are assigned to
3007 MediPass under ~~the provisions of~~ s. 409.9122(2)(k), a minimum of
3008 50,000 must of those MediPass-enrolled recipients shall be
3009 assigned to the existing provider service network in area 11 for
3010 their behavioral care.

3011 4. ~~By October 1, 2003, the agency and the department shall~~
3012 ~~submit a plan to the Governor, the President of the Senate, and~~
3013 ~~the Speaker of the House of Representatives which provides for~~
3014 ~~the full implementation of capitated prepaid behavioral health~~
3015 ~~care in all areas of the state.~~

3016 a. ~~Implementation shall begin in 2003 in those AHCA areas~~

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3017 ~~of the state where the agency is able to establish sufficient~~
3018 ~~capitation rates.~~

3019 4.b. If the agency determines that the proposed capitation
3020 rate in an any area is insufficient to provide appropriate
3021 services, the agency may adjust the capitation rate to ensure
3022 that care is will be available. The agency and the department
3023 may use existing general revenue to address any additional
3024 required match but may not over-obligate existing funds on an
3025 annualized basis.

3026 e. Subject to any limitations provided for in the General
3027 Appropriations Act, the agency, in compliance with appropriate
3028 federal authorization, shall develop policies and procedures
3029 that allow for certification of local and state funds.

3030 5. Children residing in a statewide inpatient psychiatric
3031 program, or in a Department of Juvenile Justice or a Department
3032 of Children and Family Services residential program approved as
3033 a Medicaid behavioral health overlay services provider may shall
3034 not be included in a behavioral health care prepaid health plan
3035 or any other Medicaid managed care plan pursuant to this
3036 paragraph.

3037 6. In converting to a prepaid system of delivery, the
3038 agency shall in its procurement document shall require an entity
3039 providing only comprehensive behavioral health care services to
3040 prevent the displacement of indigent care patients by enrollees
3041 in the Medicaid prepaid health plan providing behavioral health
3042 care services from facilities receiving state funding to provide
3043 indigent behavioral health care, to facilities licensed under
3044 chapter 395 which do not receive state funding for indigent
3045 behavioral health care, or reimburse the unsubsidized facility

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3046 for the cost of behavioral health care provided to the displaced
3047 indigent care patient.

3048 7. Traditional community mental health providers under
3049 contract with the Department of Children and Family Services
3050 pursuant to part IV of chapter 394, child welfare providers
3051 under contract with the Department of Children and Family
3052 Services in areas 1 and 6, and inpatient mental health providers
3053 licensed under pursuant to chapter 395 must be offered an
3054 opportunity to accept or decline a contract to participate in
3055 any provider network for prepaid behavioral health services.

3056 8. Beginning July 1, 2005, all Medicaid-eligible children,
3057 except children in area 1 and children in Highlands County,
3058 Hardee County, Polk County, or Manatee County of area 6, who are
3059 open for child welfare services in the HomeSafeNet system, shall
3060 be enrolled in MediPass or in Medicaid fee-for-service and shall
3061 receive their behavioral health care services through a
3062 specialty prepaid plan operated by community-based lead agencies
3063 either through a single agency or formal agreements among
3064 several agencies. The specialty prepaid plan must result in
3065 savings to the state comparable to savings achieved in other
3066 Medicaid managed care and prepaid programs. The Such plan must
3067 provide mechanisms to maximize state and local revenues. The
3068 agency and the Department of Children and Family Services
3069 specialty prepaid plan shall develop the specialty prepaid plan
3070 ~~be developed by the agency and the Department of Children and~~
3071 ~~Family Services~~. The agency may is authorized to seek any
3072 federal waivers to implement this initiative. Medicaid-eligible
3073 children whose cases are open for child welfare services in the
3074 HomeSafeNet system and who reside in agency AHCA area 10 are

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3075 exempt from the specialty prepaid plan upon the development of a
3076 service delivery mechanism for children who reside in area 10 as
3077 specified in s. 409.91211(3) (dd).

3078 (29) The agency shall perform enrollments and
3079 disenrollments for Medicaid recipients who are eligible for
3080 MediPass or managed care plans. Notwithstanding the prohibition
3081 contained in paragraph (21) (f), managed care plans may perform
3082 preenrollments of Medicaid recipients under the supervision of
3083 the agency or its agents. For the purposes of this section, the
3084 term "preenrollment" means the provision of marketing and
3085 educational materials to a Medicaid recipient and assistance in
3086 completing the application forms, but does shall not include
3087 actual enrollment into a managed care plan. An application for
3088 enrollment may shall not be deemed complete until the agency or
3089 its agent verifies that the recipient made an informed,
3090 voluntary choice. The agency, in cooperation with the Department
3091 of Children and Family Services, may test new marketing
3092 initiatives to inform Medicaid recipients about their managed
3093 care options at selected sites. ~~The agency shall report to the~~
3094 ~~Legislature on the effectiveness of such initiatives.~~ The agency
3095 may contract with a third party to perform managed care plan and
3096 MediPass enrollment and disenrollment services for Medicaid
3097 recipients and may is authorized to adopt rules to administer
3098 implement such services. The agency may adjust the capitation
3099 rate only to cover the costs of a third-party enrollment and
3100 disenrollment contract, and for agency supervision and
3101 management of the managed care plan enrollment and disenrollment
3102 contract.

3103 (44) The Agency for Health Care Administration shall ensure

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3104 that any Medicaid managed care plan as defined in s.
3105 409.9122(2)(f), whether paid on a capitated basis or a shared
3106 savings basis, is cost-effective. For purposes of this
3107 subsection, the term "cost-effective" means that a network's
3108 per-member, per-month costs to the state, including, but not
3109 limited to, fee-for-service costs, administrative costs, and
3110 case-management fees, if any, must be no greater than the
3111 state's costs associated with contracts for Medicaid services
3112 established under subsection (3), which may be adjusted for
3113 health status. The agency shall conduct actuarially sound
3114 adjustments for health status in order to ensure such cost-
3115 effectiveness and shall annually publish the results on its
3116 Internet website ~~and submit the results annually to the~~
3117 ~~Governor, the President of the Senate, and the Speaker of the~~
3118 ~~House of Representatives no later than December 31 of each year.~~
3119 Contracts established pursuant to this subsection which are not
3120 cost-effective may not be renewed.

3121 (49) The agency shall contract with established minority
3122 physician networks that provide services to historically
3123 underserved minority patients. The networks must provide cost-
3124 effective Medicaid services, comply with the requirements to be
3125 a MediPass provider, and provide their primary care physicians
3126 with access to data and other management tools necessary to
3127 assist them in ensuring the appropriate use of services,
3128 including inpatient hospital services and pharmaceuticals.

3129 (c) For purposes of this subsection, the term "cost-
3130 effective" means that a network's per-member, per-month costs to
3131 the state, including, but not limited to, fee-for-service costs,
3132 administrative costs, and case-management fees, if any, must be

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3133 no greater than the state's costs associated with contracts for
3134 Medicaid services established under subsection (3), which shall
3135 be actuarially adjusted for case mix, model, and service area.
3136 The agency shall conduct actuarially sound audits adjusted for
3137 case mix and model in order to ensure such cost-effectiveness
3138 and shall annually publish the audit results on its Internet
3139 website ~~and submit the audit results annually to the Governor,~~
3140 ~~the President of the Senate, and the Speaker of the House of~~
3141 ~~Representatives no later than December 31.~~ Contracts established
3142 pursuant to this subsection which are not cost-effective may not
3143 be renewed.

3144 Section 123. Section 410.0245, Florida Statutes, is
3145 repealed.

3146 Section 124. Subsection (10) of section 410.604, Florida
3147 Statutes, is repealed.

3148 Section 125. Paragraph (d) of subsection (5) of section
3149 411.0102, Florida Statutes, is amended to read:

3150 411.0102 Child Care Executive Partnership Act; findings and
3151 intent; grant; limitation; rules.—

3152 (5)

3153 (d) Each early learning coalition shall ~~be required to~~
3154 establish a community child care task force for each child care
3155 purchasing pool. The task force must be composed of employers,
3156 parents, private child care providers, and one representative
3157 from the local children's services council, if one exists in the
3158 area of the purchasing pool. The early learning coalition is
3159 expected to recruit the task force members from existing child
3160 care councils, commissions, or task forces already operating in
3161 the area of a purchasing pool. A majority of the task force

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3162 shall consist of employers. ~~Each task force shall develop a plan~~
3163 ~~for the use of child care purchasing pool funds. The plan must~~
3164 ~~show how many children will be served by the purchasing pool,~~
3165 ~~how many will be new to receiving child care services, and how~~
3166 ~~the early learning coalition intends to attract new employers~~
3167 ~~and their employees to the program.~~

3168 Section 126. Section 411.221, Florida Statutes, is
3169 repealed.

3170 Section 127. Section 411.242, Florida Statutes, is
3171 repealed.

3172 Section 128. Subsection (3) of section 414.1251, Florida
3173 Statutes, is repealed.

3174 Section 129. Section 414.14, Florida Statutes, is amended
3175 to read:

3176 414.14 Public assistance policy simplification.—To the
3177 extent possible, the department shall align the requirements for
3178 eligibility under this chapter with the food stamp program and
3179 medical assistance eligibility policies and procedures to
3180 simplify the budgeting process and reduce errors. If the
3181 department determines that s. 414.075, relating to resources, or
3182 s. 414.085, relating to income, is inconsistent with ~~related~~
3183 ~~provisions of federal law governing which govern~~ the food stamp
3184 program or medical assistance, and that conformance to federal
3185 law would simplify administration of the WAGES Program or reduce
3186 errors without materially increasing the cost of the program to
3187 the state, the secretary of the department may propose a change
3188 in the resource or income requirements of the program by rule.
3189 ~~The secretary shall provide written notice to the President of~~
3190 ~~the Senate, the Speaker of the House of Representatives, and the~~

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3191 ~~chairpersons of the relevant committees of both houses of the~~
3192 ~~Legislature summarizing the proposed modifications to be made by~~
3193 ~~rule and changes necessary to conform state law to federal law.~~
3194 ~~The proposed rule shall take effect 14 days after written notice~~
3195 ~~is given unless the President of the Senate or the Speaker of~~
3196 ~~the House of Representatives advises the secretary that the~~
3197 ~~proposed rule exceeds the delegated authority of the~~
3198 ~~Legislature.~~

3199 Section 130. Subsection (1) of section 414.36, Florida
3200 Statutes, is repealed.

3201 Section 131. Subsection (3) of section 414.391, Florida
3202 Statutes, is repealed.

3203 Section 132. Subsection (6) of section 415.1045, Florida
3204 Statutes, is amended to read:

3205 415.1045 Photographs, videotapes, and medical examinations;
3206 abrogation of privileged communications; confidential records
3207 and documents.—

3208 (6) WORKING AGREEMENTS.—~~By March 1, 2004,~~ The department
3209 shall enter into working agreements with the jurisdictionally
3210 responsible county sheriff's ~~sheriffs'~~ office or local police
3211 department that will be the lead agency for ~~when~~ conducting any
3212 criminal investigation arising from an allegation of abuse,
3213 neglect, or exploitation of a vulnerable adult. The working
3214 agreement must specify how the requirements of this chapter will
3215 be met. ~~The Office of Program Policy Analysis and Government~~
3216 ~~Accountability shall conduct a review of the efficacy of the~~
3217 ~~agreements and report its findings to the Legislature by March~~
3218 ~~1, 2005.~~ For the purposes of such agreement, the
3219 jurisdictionally responsible law enforcement entity may ~~is~~

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3220 ~~authorized to~~ share Florida criminal history and local criminal
3221 history information that is not otherwise exempt from s.
3222 119.07(1) with the district personnel. A law enforcement entity
3223 entering into such agreement must comply with s. 943.0525.
3224 Criminal justice information provided by the such law
3225 enforcement entity may ~~shall~~ be used only for the purposes
3226 specified in the agreement and shall be provided at no charge.
3227 Notwithstanding any other provision of law, the Department of
3228 Law Enforcement shall provide to the department electronic
3229 access to Florida criminal justice information that which is
3230 lawfully available and not exempt from s. 119.07(1), only for
3231 the purpose of protective investigations and emergency
3232 placement. As a condition of access to the such information, the
3233 department shall ~~be required to~~ execute an appropriate user
3234 agreement addressing the access, use, dissemination, and
3235 destruction of such information and ~~to~~ comply with all
3236 applicable laws and rules of the Department of Law Enforcement.

3237 Section 133. Paragraph (a) of subsection (5) of section
3238 415.111, Florida Statutes, is amended to read:

3239 415.111 Criminal penalties.—

3240 (5) A person who knowingly and willfully makes a false
3241 report of abuse, neglect, or exploitation of a vulnerable adult,
3242 or a person who advises another to make a false report, commits
3243 a felony of the third degree, punishable as provided in s.
3244 775.082 or s. 775.083.

3245 (a) The department shall establish procedures for
3246 determining whether a false report of abuse, neglect, or
3247 exploitation of a vulnerable adult has been made and for
3248 submitting all identifying information relating to such a false

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3249 report to the local law enforcement agency as provided in this
3250 subsection and shall report annually to the Legislature the
3251 number of reports referred.

3252 Section 134. Subsection (9) of section 420.622, Florida
3253 Statutes, is amended to read:

3254 420.622 State Office on Homelessness; Council on
3255 Homelessness.—

3256 (9) The council shall, by December 31 of each year, provide
3257 ~~issue to the Governor, the Legislature President of the Senate,~~
3258 ~~the Speaker of the House of Representatives,~~ and the Secretary
3259 of Children and Family Services an evaluation of the executive
3260 director's performance in fulfilling the statutory duties of the
3261 office, a report summarizing the extent of homelessness in the
3262 state and the council's recommendations to the office and the
3263 ~~corresponding actions taken by the office, and any~~
3264 ~~recommendations to the Legislature for reducing proposals to~~
3265 ~~reduce~~ homelessness in this state.

3266 Section 135. Subsection (4) of section 420.623, Florida
3267 Statutes, is repealed.

3268 Section 136. Subsection (9) of section 427.704, Florida
3269 Statutes, is amended to read:

3270 427.704 Powers and duties of the commission.—

3271 (9) The commission shall prepare ~~provide to the President~~
3272 ~~of the Senate and to the Speaker of the House of Representatives~~
3273 an annual report on the operation of the telecommunications
3274 access system which shall be available on the commission's
3275 Internet website. ~~The first report shall be provided no later~~
3276 ~~than January 1, 1992, and successive reports shall be provided~~
3277 ~~by January 1 of each year thereafter.~~ Reports must ~~shall~~ be

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3278 prepared in consultation with the administrator and the advisory
3279 committee appointed pursuant to s. 427.706. The reports must
3280 shall, at a minimum, briefly outline the status of developments
3281 in ef the telecommunications access system, the number of
3282 persons served, the call volume, revenues and expenditures, the
3283 allocation of the revenues and expenditures between provision of
3284 specialized telecommunications devices to individuals and
3285 operation of statewide relay service, other major policy or
3286 operational issues, and proposals for improvements or changes to
3287 the telecommunications access system.

3288 Section 137. Subsection (2) of section 427.706, Florida
3289 Statutes, is amended to read:

3290 427.706 Advisory committee.—

3291 (2) The advisory committee shall provide the expertise,
3292 experience, and perspective of persons who are hearing impaired
3293 or speech impaired to the commission and to the administrator
3294 during all phases of the development and operation of the
3295 telecommunications access system. The advisory committee shall
3296 advise the commission and the administrator on any matter
3297 relating to the quality and cost-effectiveness of the
3298 telecommunications relay service and the specialized
3299 telecommunications devices distribution system. The advisory
3300 committee may submit material for inclusion in the annual report
3301 prepared pursuant to s. 427.704 to the President of the Senate
3302 and the Speaker of the House of Representatives.

3303 Section 138. Paragraph (b) of subsection (3) of section
3304 429.07, Florida Statutes, is amended to read:

3305 429.07 License required; fee.—

3306 (3) In addition to the requirements of s. 408.806, each

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3307 license granted by the agency must state the type of care for
3308 which the license is granted. Licenses shall be issued for one
3309 or more of the following categories of care: standard, extended
3310 congregate care, limited nursing services, or limited mental
3311 health.

3312 (b) An extended congregate care license shall be issued to
3313 facilities providing, directly or through contract, services
3314 beyond those authorized in paragraph (a), including services
3315 performed by persons licensed under acts performed pursuant to
3316 part I of chapter 464 by persons licensed thereunder, and
3317 supportive services, as defined by rule, to persons who would
3318 otherwise ~~would~~ be disqualified from continued residence in a
3319 facility licensed under this part.

3320 1. In order for extended congregate care services to be
3321 provided ~~in a facility licensed under this part~~, the agency must
3322 first determine that all requirements established in law and
3323 rule are met and must specifically designate, on the facility's
3324 license, that such services may be provided and whether the
3325 designation applies to all or part of the a facility. Such
3326 designation may be made at the time of initial licensure or
3327 re licensure, or upon request in writing by a licensee under this
3328 part and part II of chapter 408. The notification of approval or
3329 the denial of the such request shall be made in accordance with
3330 part II of chapter 408. Existing facilities qualifying to
3331 provide extended congregate care services must have maintained a
3332 standard license and may not have been subject to administrative
3333 sanctions during the previous 2 years, or since initial
3334 licensure if the facility has been licensed for less than 2
3335 years, for any of the following reasons:

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3336 a. A class I or class II violation;

3337 b. Three or more repeat or recurring class III violations

3338 of identical or similar resident care standards ~~as specified in~~

3339 rule from which a pattern of noncompliance is found by the

3340 agency;

3341 c. Three or more class III violations that were not

3342 corrected in accordance with the corrective action plan approved

3343 by the agency;

3344 d. Violation of resident care standards which results in

3345 requiring the facility resulting in a requirement to employ the

3346 services of a consultant pharmacist or consultant dietitian;

3347 e. Denial, suspension, or revocation of a license for

3348 another facility licensed under this part in which the applicant

3349 for an extended congregate care license has at least 25 percent

3350 ownership interest; or

3351 f. Imposition of a moratorium pursuant to this part or part

3352 II of chapter 408 or initiation of injunctive proceedings.

3353 2. A facility that is ~~Facilities that are~~ licensed to

3354 provide extended congregate care services shall maintain a

3355 written progress report on each person who receives ~~such~~

3356 services, which ~~report~~ describes the type, amount, duration,

3357 scope, and outcome of services that are rendered and the general

3358 status of the resident's health. A registered nurse, or

3359 appropriate designee, representing the agency shall visit the

3360 facility ~~such facilities~~ at least quarterly to monitor residents

3361 who are receiving extended congregate care services and to

3362 determine if the facility is in compliance with this part, part

3363 II of chapter 408, and relevant rules ~~that relate to extended~~

3364 congregate care. One of the ~~these~~ visits may be in conjunction

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3365 with the regular survey. The monitoring visits may be provided
3366 through contractual arrangements with appropriate community
3367 agencies. A registered nurse shall serve as part of the team
3368 that inspects the such facility. The agency may waive one of the
3369 required yearly monitoring visits for a facility that has been
3370 licensed for at least 24 months to provide extended congregate
3371 care services, if, during the inspection, the registered nurse
3372 determines that extended congregate care services are being
3373 provided appropriately, and if the facility has no class I or
3374 class II violations and no uncorrected class III violations.

3375 ~~Before such decision is made,~~ The agency must first shall
3376 consult with the long-term care ombudsman council for the area
3377 in which the facility is located to determine if any complaints
3378 have been made and substantiated about the quality of services
3379 or care. The agency may not waive one of the required yearly
3380 monitoring visits if complaints have been made and
3381 substantiated.

3382 3. A facility Facilities that is are licensed to provide
3383 extended congregate care services must shall:

3384 a. Demonstrate the capability to meet unanticipated
3385 resident service needs.

3386 b. Offer a physical environment that promotes a homelike
3387 setting, provides for resident privacy, promotes resident
3388 independence, and allows sufficient congregate space as defined
3389 by rule.

3390 c. Have sufficient staff available, taking into account the
3391 physical plant and firesafety features of the building, to
3392 assist with the evacuation of residents in an emergency, ~~as~~
3393 necessary.

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3394 d. Adopt and follow policies and procedures that maximize
3395 resident independence, dignity, choice, and decisionmaking to
3396 permit residents to age in place ~~to the extent possible~~, so that
3397 moves due to changes in functional status are minimized or
3398 avoided.

3399 e. Allow residents or, if applicable, a resident's
3400 representative, designee, surrogate, guardian, or attorney in
3401 fact to make a variety of personal choices, participate in
3402 developing service plans, and share responsibility in
3403 decisionmaking.

3404 f. Implement the concept of managed risk.

3405 g. Provide, ~~either~~ directly or through contract, the
3406 services of a person licensed under ~~pursuant to~~ part I of
3407 chapter 464.

3408 h. In addition to the training mandated in s. 429.52,
3409 provide specialized training as defined by rule for facility
3410 staff.

3411 4. A facility that is ~~Facilities~~ licensed to provide
3412 extended congregate care services is ~~are~~ exempt from the
3413 criteria for continued residency ~~as~~ set forth in rules adopted
3414 under s. 429.41. A licensed facility must ~~Facilities~~ ~~so~~ licensed
3415 ~~shall~~ adopt its ~~their~~ own requirements within guidelines for
3416 continued residency set forth by rule. However, the facility
3417 ~~such facilities~~ may not serve residents who require 24-hour
3418 nursing supervision. A licensed facility that provides
3419 ~~Facilities~~ licensed to provide extended congregate care services
3420 must also ~~shall~~ provide each resident with a written copy of
3421 facility policies governing admission and retention.

3422 5. The primary purpose of extended congregate care services

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3423 is to allow residents, as they become more impaired, the option
3424 of remaining in a familiar setting from which they would
3425 otherwise be disqualified for continued residency. A facility
3426 licensed to provide extended congregate care services may also
3427 admit an individual who exceeds the admission criteria for a
3428 facility with a standard license, if the individual is
3429 determined appropriate for admission to the extended congregate
3430 care facility.

3431 6. Before the admission of an individual to a facility
3432 licensed to provide extended congregate care services, the
3433 individual must undergo a medical examination as provided in s.
3434 429.26(4) and the facility must develop a preliminary service
3435 plan for the individual.

3436 7. When a facility can no longer provide or arrange for
3437 services in accordance with the resident's service plan and
3438 needs and the facility's policy, the facility shall make
3439 arrangements for relocating the person in accordance with s.
3440 429.28(1)(k).

3441 8. Failure to provide extended congregate care services may
3442 result in denial of extended congregate care license renewal.

3443 ~~9. No later than January 1 of each year, the department, in~~
3444 ~~consultation with the agency, shall prepare and submit to the~~
3445 ~~Governor, the President of the Senate, the Speaker of the House~~
3446 ~~of Representatives, and the chairs of appropriate legislative~~
3447 ~~committees, a report on the status of, and recommendations~~
3448 ~~related to, extended congregate care services. The status report~~
3449 ~~must include, but need not be limited to, the following~~
3450 ~~information:~~

3451 ~~a. A description of the facilities licensed to provide such~~

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3452 ~~services, including total number of beds licensed under this~~
3453 ~~part.~~

3454 ~~b. The number and characteristics of residents receiving~~
3455 ~~such services.~~

3456 ~~c. The types of services rendered that could not be~~
3457 ~~provided through a standard license.~~

3458 ~~d. An analysis of deficiencies cited during licensure~~
3459 ~~inspections.~~

3460 ~~e. The number of residents who required extended congregate~~
3461 ~~care services at admission and the source of admission.~~

3462 ~~f. Recommendations for statutory or regulatory changes.~~

3463 ~~g. The availability of extended congregate care to state~~
3464 ~~clients residing in facilities licensed under this part and in~~
3465 ~~need of additional services, and recommendations for~~
3466 ~~appropriations to subsidize extended congregate care services~~
3467 ~~for such persons.~~

3468 ~~h. Such other information as the department considers~~
3469 ~~appropriate.~~

3470 Section 139. Subsection (2) of section 429.08, Florida
3471 Statutes, is repealed.

3472 Section 140. Subsection (5) of section 429.41, Florida
3473 Statutes, is amended to read:

3474 429.41 Rules establishing standards.—

3475 (5) The agency may use an abbreviated biennial standard
3476 licensure inspection that consists of a review of key quality-
3477 of-care standards in lieu of a full inspection in a facility
3478 ~~that has facilities which have a good record of past~~
3479 ~~performance. However, a full inspection must shall be conducted~~
3480 ~~in a facility that has facilities which have had a history of~~

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3481 class I or class II violations, uncorrected class III
3482 violations, confirmed ombudsman council complaints, or confirmed
3483 licensure complaints, within the previous licensure period
3484 immediately preceding the inspection or if when a potentially
3485 serious problem is identified during the abbreviated inspection.
3486 The agency, in consultation with the department, shall develop
3487 the key quality-of-care standards with input from the State
3488 Long-Term Care Ombudsman Council and representatives of provider
3489 groups for incorporation into its rules. ~~The department, in~~
3490 ~~consultation with the agency, shall report annually to the~~
3491 ~~Legislature concerning its implementation of this subsection.~~
3492 ~~The report shall include, at a minimum, the key quality of care~~
3493 ~~standards which have been developed; the number of facilities~~
3494 ~~identified as being eligible for the abbreviated inspection; the~~
3495 ~~number of facilities which have received the abbreviated~~
3496 ~~inspection and, of those, the number that were converted to full~~
3497 ~~inspection; the number and type of subsequent complaints~~
3498 ~~received by the agency or department on facilities which have~~
3499 ~~had abbreviated inspections; any recommendations for~~
3500 ~~modification to this subsection; any plans by the agency to~~
3501 ~~modify its implementation of this subsection; and any other~~
3502 ~~information which the department believes should be reported.~~

3503 Section 141. Subsections (3) through (17) of section
3504 430.04, Florida Statutes, are amended to read:

3505 430.04 Duties and responsibilities of the Department of
3506 Elderly Affairs.—The Department of Elderly Affairs shall:

3507 (3) ~~Prepare and submit to the Governor, each Cabinet~~
3508 ~~member, the President of the Senate, the Speaker of the House of~~
3509 ~~Representatives, the minority leaders of the House and Senate,~~

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3510 and chairpersons of appropriate House and Senate committees a
3511 master plan for policies and programs in the state related to
3512 aging. The plan must identify and assess the needs of the
3513 elderly population in the areas of housing, employment,
3514 education and training, medical care, long-term care, preventive
3515 care, protective services, social services, mental health,
3516 transportation, and long-term care insurance, and other areas
3517 considered appropriate by the department. The plan must assess
3518 the needs of particular subgroups of the population and evaluate
3519 the capacity of existing programs, both public and private and
3520 in state and local agencies, to respond effectively to
3521 identified needs. If the plan recommends the transfer of any
3522 program or service from the Department of Children and Family
3523 Services to another state department, the plan must also include
3524 recommendations that provide for an independent third-party
3525 mechanism, as currently exists in the Florida advocacy councils
3526 established in ss. 402.165 and 402.166, for protecting the
3527 constitutional and human rights of recipients of departmental
3528 services. The plan must include policy goals and program
3529 strategies designed to respond efficiently to current and
3530 projected needs. The plan must also include policy goals and
3531 program strategies to promote intergenerational relationships
3532 and activities. Public hearings and other appropriate processes
3533 shall be utilized by the department to solicit input for the
3534 development and updating of the master plan from parties
3535 including, but not limited to, the following:
3536 (a) Elderly citizens and their families and caregivers.
3537 (b) Local level public and private service providers,
3538 advocacy organizations, and other organizations relating to the

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3539 ~~elderly.~~3540 ~~(e) Local governments.~~3541 ~~(d) All state agencies that provide services to the~~3542 ~~elderly.~~3543 ~~(e) University centers on aging.~~3544 ~~(f) Area agency on aging and community care for the elderly~~
3545 ~~lead agencies.~~3546 ~~(3)(4) Serve as an information clearinghouse at the state~~
3547 ~~level, and assist local-level information and referral resources~~
3548 ~~as a repository and means for the dissemination of information~~
3549 ~~regarding all federal, state, and local resources for assistance~~
3550 ~~to the elderly in the areas of, but not limited to, health,~~
3551 ~~social welfare, long-term care, protective services, consumer~~
3552 ~~protection, education and training, housing, employment,~~
3553 ~~recreation, transportation, insurance, and retirement.~~3554 ~~(4)(5) Recommend guidelines for the development of roles~~
3555 ~~for state agencies that provide services for the aging, review~~
3556 ~~plans of agencies that provide such services, and relay the~~
3557 ~~these plans to the Governor and the Legislature, each Cabinet~~
3558 ~~member, the President of the Senate, the Speaker of the House of~~
3559 ~~Representatives, the minority leaders of the House and Senate,~~
3560 ~~and chairpersons of appropriate House and Senate committees.~~3561 ~~(5)(6) Recommend to the Governor and the Legislature, each~~
3562 ~~Cabinet member, the President of the Senate, the Speaker of the~~
3563 ~~House of Representatives, the minority leaders of the House and~~
3564 ~~Senate, and chairpersons of appropriate House and Senate~~
3565 ~~committees~~ an organizational framework for the planning,
3566 coordination, implementation, and evaluation of programs related
3567 to aging, with the purpose of expanding and improving programs

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3568 and opportunities available to the state's elderly population
3569 and enhancing a continuum of long-term care. This framework must
3570 ensure assure that:

3571 (a) Performance objectives are established.

3572 (b) Program reviews are conducted statewide.

3573 (c) Each major program related to aging is reviewed every 3
3574 years.

3575 ~~(d) Agency budget requests reflect the results and
3576 recommendations of such program reviews.~~

3577 ~~(d) (e) Program decisions reinforce lead to the distinctive~~
3578 roles established for state agencies that provide aging
3579 services.

3580 ~~(6) (7) Advise the Governor and the Legislature, each~~
3581 ~~Cabinet member, the President of the Senate, the Speaker of the~~
3582 ~~House of Representatives, the minority leaders of the House and~~
3583 ~~Senate, and the chairpersons of appropriate House and Senate~~
3584 ~~committees~~ regarding the need for and location of programs
3585 related to aging.

3586 ~~(7) (8) Review and coordinate aging research plans of all~~
3587 ~~state agencies to ensure that the conformance of research~~
3588 ~~objectives address to issues and needs of the state's elderly~~
3589 ~~population addressed in the master plan for policies and~~
3590 ~~programs related to aging.~~ The research activities that must be
3591 reviewed and coordinated by the department include, but are not
3592 limited to, contracts with academic institutions, development of
3593 educational and training curriculums, Alzheimer's disease and
3594 other medical research, studies of long-term care and other
3595 personal assistance needs, and design of adaptive or modified
3596 living environments.

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3597 (8) (9) Review budget requests for programs related to aging
3598 to ensure the most cost-effective use of state funding for the
3599 state's elderly population for compliance with the master plan
3600 for policies and programs related to aging before submission to
3601 the Governor and the Legislature.

3602 (10) Update the master plan for policies and programs
3603 related to aging every 3 years.

3604 (11) Review implementation of the master plan for programs
3605 and policies related to aging and annually report to the
3606 Governor, each Cabinet member, the President of the Senate, the
3607 Speaker of the House of Representatives, the minority leaders of
3608 the House and Senate, and the chairpersons of appropriate House
3609 and Senate committees the progress towards implementation of the
3610 plan.

3611 (9) (12) Request other departments that administer programs
3612 affecting the state's elderly population to amend their plans,
3613 rules, policies, and research objectives as necessary to ensure
3614 that programs and other initiatives are coordinated and maximize
3615 the state's efforts to address the needs of the elderly conform
3616 with the master plan for policies and programs related to aging.

3617 (10) (13) Hold public meetings regularly throughout the
3618 state to receive for purposes of receiving information and
3619 maximize maximizing the visibility of important issues relating
3620 to aging and the elderly.

3621 (11) (14) Conduct policy analysis and program evaluation
3622 studies assigned by the Legislature.

3623 (12) (15) Assist the Governor, each Cabinet member, and
3624 members of the Legislature the President of the Senate, the
3625 Speaker of the House of Representatives, the minority leaders of

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3626 ~~the House and Senate, and the chairpersons of appropriate House~~
3627 ~~and Senate committees in conducting the conduct of their~~
3628 ~~responsibilities in such capacities as they consider~~
3629 ~~appropriate.~~

3630 (13) ~~(16)~~ Call upon appropriate agencies of state government
3631 for such assistance as is needed in the discharge of its duties.
3632 All agencies shall cooperate in assisting the department in
3633 carrying out its responsibilities as prescribed by this section.
3634 However, ~~the no provision of law regarding with respect to~~
3635 confidentiality of information may not be violated.

3636 (14) ~~(17)~~ Be designated as a state agency that is eligible
3637 to receive federal funds for adults who are eligible for
3638 assistance through the portion of the federal Child and Adult
3639 Care Food Program for adults, which is referred to as the Adult
3640 Care Food Program, and that is responsible for establishing and
3641 administering the program. The purpose of the Adult Care Food
3642 Program is to provide nutritious and wholesome meals and snacks
3643 for adults in nonresidential day care centers or residential
3644 treatment facilities. To ensure the quality and integrity of the
3645 program, the department shall develop standards and procedures
3646 that govern sponsoring organizations and adult day care centers.
3647 The department shall follow federal requirements and may adopt
3648 any rules necessary to administer pursuant to ss. 120.536(1) and
3649 ~~120.54 for the implementation of the Adult Care Food program~~
3650 ~~and. With respect to the Adult Care Food Program, the department~~
3651 ~~shall adopt rules pursuant to ss. 120.536(1) and 120.54 that~~
3652 implement relevant federal regulations, including 7 C.F.R. part
3653 226. The rules may address, at a minimum, the program
3654 requirements and procedures identified in this subsection.

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3655 Section 142. Subsections (3) and (8) of section 430.502,
3656 Florida Statutes, are amended to read:

430.502 Alzheimer's disease; memory disorder clinics and day care and respite care programs.—

(3) The Alzheimer's Disease Advisory Committee shall ~~must~~ evaluate and make recommendations to the department and the Legislature concerning the need for additional memory disorder clinics in the state. ~~The first report will be due by December 31, 1995.~~

(8) The department shall ~~will~~ implement the waiver program specified in subsection (7). The agency and the department shall ensure that providers who ~~are selected that~~ have a history of successfully serving persons with Alzheimer's disease are selected. The department and the agency shall develop specialized standards for providers and services tailored to persons in the early, middle, and late stages of Alzheimer's disease and designate a level of care determination process and standard that is most appropriate to this population. The department and the agency shall include in the waiver services designed to assist the caregiver in continuing to provide in-home care. The department shall implement this waiver program subject to a specific appropriation or as provided in the General Appropriations Act. ~~The department and the agency shall submit their program design to the President of the Senate and the Speaker of the House of Representatives for consultation during the development process.~~

Section 143. Paragraph (c) of subsection (4) of section 445.003, Florida Statutes, is amended to read:

445.003 Implementation of the federal Workforce Investment

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3684 Act of 1998.—

3685 (4) FEDERAL REQUIREMENTS, EXCEPTIONS AND REQUIRED
3686 MODIFICATIONS.—3687 (c) Workforce Florida, Inc., may modify make modifications
3688 to the state's plan, policies, and procedures to comply with
3689 federally mandated requirements that in its judgment are
3690 necessary ~~must be complied with~~ to maintain funding provided
3691 pursuant to Pub. L. No. 105-220. ~~The board shall notify in~~
3692 ~~writing the Governor, the President of the Senate, and the~~
3693 ~~Speaker of the House of Representatives within 30 days after any~~
3694 ~~such changes or modifications.~~3695 Section 144. Subsection (1) and paragraph (a) of subsection
3696 (6) of section 445.006, Florida Statutes, are amended to read:3697 445.006 Strategic and operational plans for workforce
3698 development.—3699 (1) Workforce Florida, Inc., in conjunction with state and
3700 local partners in the workforce system, shall develop a
3701 strategic plan ~~that produces for workforce, with the goal of~~
3702 ~~producing skilled employees for employers in the state. The~~
3703 ~~strategic plan shall be submitted to the Governor, the President~~
3704 ~~of the Senate, and the Speaker of the House of Representatives~~
3705 ~~by February 1, 2001.~~ The strategic plan shall be updated or
3706 modified by January 1 of each year ~~thereafter.~~ The plan must
3707 include, but need not be limited to, strategies for:3708 (a) Fulfilling the workforce system goals and strategies
3709 prescribed in s. 445.004;3710 (b) Aggregating, integrating, and leveraging workforce
3711 system resources;

3712 (c) Coordinating the activities of federal, state, and

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3713 local workforce system partners;

3714 (d) Addressing the workforce needs of small businesses; and

3715 (e) Fostering the participation of rural communities and

3716 distressed urban cores in the workforce system.

3717 (6) (a) The operational plan must include strategies that

3718 are designed to prevent or reduce the need for a person to

3719 receive public assistance. The ~~These~~ strategies must include:

3720 1. A teen pregnancy prevention component that includes, but

3721 is not limited to, a plan for implementing the ~~Florida Education~~

3722 ~~Now and Babies Later (ENABLE) program under s. 411.242 and the~~

3723 Teen Pregnancy Prevention Community Initiative within each

3724 county of the services area in which the teen birth rate is

3725 higher than the state average;

3726 2. A component that encourages creation of community-based

3727 welfare prevention and reduction initiatives that increase

3728 support provided by noncustodial parents to their welfare-

3729 dependent children and are consistent with program and financial

3730 guidelines developed by Workforce Florida, Inc., and the

3731 Commission on Responsible Fatherhood. These initiatives may

3732 include, ~~but are not limited to,~~ improved paternity

3733 establishment, work activities for noncustodial parents,

3734 programs aimed at decreasing out-of-wedlock pregnancies,

3735 encouraging involvement of fathers with their children which

3736 includes ~~including~~ court-ordered supervised visitation, and

3737 increasing child support payments;

3738 3. A component that encourages formation and maintenance of

3739 two-parent families through, among other things, court-ordered

3740 supervised visitation;

3741 4. A component that fosters responsible fatherhood in

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3742 families receiving assistance; and

3743 5. A component that fosters the provision of services that
3744 reduce the incidence and effects of domestic violence on women
3745 and children in families receiving assistance.

3746 Section 145. Subsection (4) of section 445.022, Florida
3747 Statutes, is repealed.

3748 Section 146. Paragraphs (a) and (c) of subsection (4) of
3749 section 446.50, Florida Statutes, are amended to read:

3750 446.50 Displaced homemakers; multiservice programs; report
3751 to the Legislature; Displaced Homemaker Trust Fund created.—

3752 (4) STATE PLAN.—

3753 (a) The Agency for Workforce Innovation shall develop a 3-
3754 year state plan for the displaced homemaker program which shall
3755 be updated annually and submitted to the Legislature by January
3756 1. The plan must address, at a minimum, the need for programs
3757 specifically designed to serve displaced homemakers, any
3758 necessary service components for such programs in addition to
3759 those enumerated in this section, goals of the displaced
3760 homemaker program, including with an analysis of the extent to
3761 which those goals are being met, and recommendations for ways to
3762 address any unmet program goals. Any request for funds for
3763 program expansion must be based on the state plan.

3764 ~~(c) The 3-year state plan must be submitted to the~~
3765 ~~President of the Senate, the Speaker of the House of~~
3766 ~~Representatives, and the Governor on or before January 1, 2001,~~
3767 ~~and annual updates of the plan must be submitted by January 1 of~~
3768 ~~each subsequent year.~~

3769 Section 147. Section 455.204, Florida Statutes, is
3770 repealed.

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3771 Section 148. Subsection (8) of section 455.2226, Florida
3772 Statutes, is repealed.

3773 Section 149. Subsection (6) of section 455.2228, Florida
3774 Statutes, is repealed.

3775 Section 150. Section 456.005, Florida Statutes, is amended
3776 to read:

3777 456.005 Long-range policy planning; ~~plans, reports, and~~
3778 ~~recommendations.~~—To facilitate efficient and cost-effective
3779 regulation, the department and the board, if where appropriate,
3780 shall develop and implement a long-range policy planning and
3781 monitoring process that includes to include recommendations
3782 specific to each profession. The Such process shall include
3783 estimates of revenues, expenditures, cash balances, and
3784 performance statistics for each profession. The period covered
3785 may shall not be less than 5 years. The department, with input
3786 from the boards and licensees, shall develop and adopt the long-
3787 range plan ~~and must obtain the approval of the State Surgeon~~
3788 ~~General.~~ The department shall monitor compliance with the
3789 ~~approved long-range~~ plan and, with input from the boards and
3790 licensees, shall annually update the plans ~~for approval by the~~
3791 ~~State Surgeon General.~~ The department shall provide concise
3792 management reports to the boards quarterly. As part of the
3793 review process, the department shall evaluate:

3794 (1) Whether the department, including the boards and the
3795 various functions performed by the department, is operating
3796 efficiently and effectively and if there is a need for a board
3797 or council to assist in cost-effective regulation.

3798 (2) How and why the various professions are regulated.

3799 (3) Whether there is a need to continue regulation, and to

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3800 what degree.

3801 (4) Whether or not consumer protection is adequate, and how
3802 it can be improved.3803 (5) Whether there is consistency between the various
3804 practice acts.

3805 (6) Whether unlicensed activity is adequately enforced.

3806

3807 ~~The such plans shall should~~ include conclusions and
3808 recommendations on these and other issues as appropriate. ~~such~~
3809 ~~plans shall be provided to the Governor and the Legislature by~~
3810 ~~November 1 of each year.~~3811 Section 151. Subsection (9) of section 456.025, Florida
3812 Statutes, is amended to read:

3813 456.025 Fees; receipts; disposition.—

3814 (9) The department shall provide a ~~condensed~~ management
3815 report of revenues and expenditures ~~budgets, finances,~~
3816 performance measures ~~statistics~~, and recommendations to each
3817 board at least once a quarter. ~~The department shall identify and~~
3818 ~~include in such presentations any changes, or projected changes,~~
3819 ~~made to the board's budget since the last presentation.~~3820 Section 152. Subsection (6) of section 456.034, Florida
3821 Statutes, is repealed.3822 Section 153. Subsections (3) and (4) of section 517.302,
3823 Florida Statutes, are amended to read:3824 517.302 Criminal penalties; alternative fine; Anti-Fraud
3825 Trust Fund; time limitation for criminal prosecution.—3826 (3) In lieu of a fine otherwise authorized by law, a person
3827 who has been convicted of or who has pleaded guilty or no
3828 contest to having engaged in conduct in violation of ~~the~~

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3829 ~~provisions of~~ this chapter may be sentenced to pay a fine that
3830 does not exceed the greater of three times the gross value
3831 gained or three times the gross loss caused by such conduct,
3832 plus court costs and the costs of investigation and prosecution
3833 reasonably incurred.

3834 (4) ~~(a)~~ There is created within the office a trust fund to
3835 be known as the Anti-Fraud Trust Fund. Any amounts assessed as
3836 costs of investigation and prosecution under this subsection
3837 shall be deposited in the trust fund. Funds deposited in the
3838 ~~such~~ trust fund must ~~shall~~ be used, when authorized by
3839 appropriation, for investigation and prosecution of
3840 administrative, civil, and criminal actions arising under ~~the~~
3841 ~~provisions of~~ this chapter. Funds may also be used to improve
3842 the public's awareness and understanding of prudent investing.

3843 ~~(b) The office shall report to the Executive Office of the~~
3844 ~~Governor annually by November 15, the amounts deposited into the~~
3845 ~~Anti-Fraud Trust Fund during the previous fiscal year. The~~
3846 ~~Executive Office of the Governor shall distribute these reports~~
3847 ~~to the President of the Senate and the Speaker of the House of~~
3848 ~~Representatives.~~

3849 (5) ~~(4)~~ Criminal prosecution for offenses under this chapter
3850 is subject to the time limitations in ~~of~~ s. 775.15.

3851 Section 154. Subsection (3) of section 531.415, Florida
3852 Statutes, is repealed.

3853 Section 155. Subsection (3) of section 570.0705, Florida
3854 Statutes, is repealed.

3855 Section 156. Subsection (5) of section 570.0725, Florida
3856 Statutes, is repealed.

3857 Section 157. Subsection (3) of section 570.543, Florida

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3858 Statutes, is repealed.3859 Section 158. Section 603.204, Florida Statutes, is amended
3860 to read:

3861 603.204 South Florida Tropical Fruit Plan.—

3862 (1) The Commissioner of Agriculture, in consultation with
3863 the Tropical Fruit Advisory Council, shall develop and update,
3864 ~~at least 90 days prior to the 1991 legislative session, submit~~
3865 ~~to the President of the Senate, the Speaker of the House of~~
3866 ~~Representatives, and the chairs of appropriate Senate and House~~
3867 ~~of Representatives committees,~~ a South Florida Tropical Fruit
3868 Plan, which shall identify problems and constraints of the
3869 tropical fruit industry, propose possible solutions to such
3870 problems, and develop planning mechanisms for orderly growth of
3871 the industry, including:3872 (1) ~~(a)~~ Criteria for tropical fruit research, service, and
3873 management priorities.3874 (2) ~~(b)~~ Additional Proposed legislation ~~that which~~ may be
3875 required.3876 (3) ~~(c)~~ Plans relating to other tropical fruit programs and
3877 related disciplines in the State University System.3878 (4) ~~(d)~~ Potential tropical fruit products in terms of market
3879 and needs for development.3880 (5) ~~(e)~~ Evaluation of production and fresh fruit policy
3881 alternatives, including, but not limited to, setting minimum
3882 grades and standards, promotion and advertising, development of
3883 production and marketing strategies, and setting minimum
3884 standards on types and quality of nursery plants.3885 (6) ~~(f)~~ Evaluation of policy alternatives for processed
3886 tropical fruit products, including, but not limited to, setting

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3887 minimum quality standards and development of production and
3888 marketing strategies.

3889 (7) ~~(g)~~ Research and service priorities for further
3890 development of the tropical fruit industry.

3891 (8) ~~(h)~~ Identification of state agencies and public and
3892 private institutions concerned with research, education,
3893 extension, services, planning, promotion, and marketing
3894 functions related to tropical fruit development, and delineation
3895 of contributions and responsibilities. The recommendations in
3896 the ~~South Florida Tropical Fruit~~ plan relating to education or
3897 research shall be submitted to the Institute of Food and
3898 Agricultural Sciences. ~~The recommendations relating to~~
3899 ~~regulation or marketing shall be submitted to the Department of~~
3900 ~~Agriculture and Consumer Services.~~

3901 (9) ~~(i)~~ Business planning, investment potential, financial
3902 risks, and economics of production and use utilization.

3903 (2) ~~A revision and update of the South Florida Tropical~~
3904 ~~Fruit Plan shall be submitted biennially, and a progress report~~
3905 ~~and budget request shall be submitted annually, to the officials~~
3906 ~~specified in subsection (1).~~

3907 Section 159. Subsection (6) of section 627.64872, Florida
3908 Statutes, is amended to read:

3909 627.64872 Florida Health Insurance Plan.—

3910 (6) ~~INTERIM REPORT; ANNUAL REPORT.~~—

3911 ~~(a) By no later than December 1, 2004, the board shall~~
3912 ~~report to the Governor, the President of the Senate, and the~~
3913 ~~Speaker of the House of Representatives the results of an~~
3914 ~~actuarial study conducted by the board to determine, including,~~
3915 ~~but not limited to:~~

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3916 1. The impact the creation of the plan will have on the
3917 small group insurance market and the individual market on
3918 premiums paid by insureds. This shall include an estimate of the
3919 total anticipated aggregate savings for all small employers in
3920 the state.

3921 2. The number of individuals the pool could reasonably
3922 cover at various funding levels, specifically, the number of
3923 people the pool may cover at each of those funding levels.

3924 3. A recommendation as to the best source of funding for
3925 the anticipated deficits of the pool.

3926 4. The effect on the individual and small group market by
3927 including in the Florida Health Insurance Plan persons eligible
3928 for coverage under s. 627.6487, as well as the cost of including
3929 these individuals.

3930
3931 The board shall take no action to implement the Florida Health
3932 Insurance Plan, other than the completion of the actuarial study
3933 authorized in this paragraph, until funds are appropriated for
3934 startup cost and any projected deficits.

3935 (b) No later than December 1, 2005, and annually
3936 thereafter, The board shall annually submit to the Governor, the
3937 President of the Senate, and the Speaker of the House of
3938 Representatives, and the substantive legislative committees of
3939 the Legislature a report that which includes an independent
3940 actuarial study to determine, without limitation, the following
3941 including, but not be limited to:

3942 (a) 1. The effect impact the creation of the plan has on the
3943 small group and individual insurance market, specifically on the
3944 premiums paid by insureds, including. This shall include an

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3945 estimate of the total anticipated aggregate savings for all
3946 small employers in the state.

3947 (b)2. The actual number of individuals covered at the
3948 current funding and benefit level, the projected number of
3949 individuals that may seek coverage in the forthcoming fiscal
3950 year, and the projected funding needed to cover anticipated
3951 increase or decrease in plan participation.

3952 (c)3. A recommendation as to the best source of funding for
3953 the anticipated deficits of the pool.

3954 (d)4. A summary summarization of the activities of the plan
3955 in the preceding calendar year, including the net written and
3956 earned premiums, plan enrollment, the expense of administration,
3957 and the paid and incurred losses.

3958 (e)5. A review of the operation of the plan as to whether
3959 the plan has met the intent of this section.

3960
3961 The board may not implement the Florida Health Insurance Plan
3962 until funds are appropriated for startup costs and any projected
3963 deficits; however, the board may complete the actuarial study
3964 authorized in this subsection.

3965 Section 160. Subsections (5) and (7) of section 744.708,
3966 Florida Statutes, are amended to read:

3967 744.708 Reports and standards.—

3968 (5) (a) Each office of public guardian shall undergo an
3969 independent audit by a qualified certified public accountant at
3970 least once every 2 years. A copy of the audit report shall be
3971 submitted to the Statewide Public Guardianship Office.

3972 (b) In addition to regular monitoring activities, the
3973 Statewide Public Guardianship Office shall conduct an

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3974 investigation into the practices of each office of public
3975 guardian related to the managing of each ward's personal affairs
3976 and property. If when feasible, the investigation ~~required under~~
3977 ~~this paragraph~~ shall be conducted in conjunction with the
3978 financial audit of each office of public guardian under
3979 paragraph (a).

3980 ~~(e) In addition, each office of public guardian shall be~~
3981 ~~subject to audits or examinations by the Auditor General and the~~
3982 ~~Office of Program Policy Analysis and Government Accountability~~
3983 ~~pursuant to law.~~

3984 (7) The ratio for professional staff to wards shall be 1
3985 professional to 40 wards. The Statewide Public Guardianship
3986 Office may increase or decrease the ratio after consultation
3987 with the local public guardian and the chief judge of the
3988 circuit court. The basis for ~~of~~ the decision to increase or
3989 decrease the prescribed ratio must ~~shall~~ be included ~~reported~~ in
3990 the annual report to the secretary of ~~Elderly Affairs, the~~
3991 ~~Governor, the President of the Senate, the Speaker of the House~~
3992 ~~of Representatives, and the Chief Justice of the Supreme Court.~~

3993 Section 161. Subsection (6) of section 768.295, Florida
3994 Statutes, is amended to read:

3995 768.295 Strategic Lawsuits Against Public Participation
3996 (SLAPP) suits by governmental entities prohibited.—

3997 (6) In any case filed by a governmental entity which is
3998 found by a court to be in violation of this section, the
3999 governmental entity shall report such finding and provide a copy
4000 of the court's order to the Attorney General no later than 30
4001 days after the ~~such~~ order is final. The Attorney General shall
4002 maintain a record of the court orders ~~report any violation of~~

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4003 ~~this section by a governmental entity to the Cabinet, the~~
4004 ~~President of the Senate, and the Speaker of the House of~~
4005 ~~Representatives. A copy of such report shall be provided to the~~
4006 ~~affected governmental entity.~~

4007 Section 162. Paragraph (c) of subsection (3) of section
4008 775.084, Florida Statutes, is amended to read:

4009 775.084 Violent career criminals; habitual felony offenders
4010 and habitual violent felony offenders; three-time violent felony
4011 offenders; definitions; procedure; enhanced penalties or
4012 mandatory minimum prison terms.—

4013 (3)

4014 (c) In a separate proceeding, the court shall determine
4015 whether the defendant is a violent career criminal with respect
4016 to a primary offense committed on or after October 1, 1995. The
4017 procedure shall be as follows:

4018 1. Written notice shall be served on the defendant and the
4019 defendant's attorney a sufficient time before ~~prior to~~ the entry
4020 of a plea or before ~~prior to~~ the imposition of sentence ~~in order~~
4021 to allow for the preparation of a submission on behalf of the
4022 defendant.

4023 2. All evidence ~~presented~~ shall be presented in open court
4024 with full rights of confrontation, cross-examination, and
4025 representation by counsel.

4026 3. Each of the findings required as the basis for such
4027 sentence shall be found to exist by a preponderance of the
4028 evidence and shall be appealable only as provided in paragraph
4029 (d).

4030 4. For the purpose of identification, the court shall
4031 fingerprint the defendant pursuant to s. 921.241.

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4032 5. For an offense committed on or after October 1, 1995, if
4033 the state attorney pursues a violent career criminal sanction
4034 against the defendant and the court, in a separate proceeding
4035 pursuant to this paragraph, determines that the defendant meets
4036 the criteria under subsection (1) for imposing such sanction,
4037 the court must sentence the defendant as a violent career
4038 criminal, subject to imprisonment pursuant to this section
4039 unless the court finds that such sentence is not necessary for
4040 the protection of the public. If the court finds that it is not
4041 necessary for the protection of the public to sentence the
4042 defendant as a violent career criminal, the court shall provide
4043 written reasons; a written transcript of orally stated reasons
4044 is permissible, if filed by the court within 7 days after the
4045 date of sentencing. Each month, the court shall submit to the
4046 Office of Economic and Demographic Research of the Legislature
4047 the written reasons or transcripts in each case in which the
4048 court determines not to sentence a defendant as a violent career
4049 criminal as provided in this subparagraph.

4050 Section 163. Subsection (8) of section 790.22, Florida
4051 Statutes, is amended to read:

4052 790.22 Use of BB guns, air or gas-operated guns, or
4053 electric weapons or devices by minor under 16; limitation;
4054 possession of firearms by minor under 18 prohibited; penalties.—

4055 (8) Notwithstanding s. 985.24 or s. 985.25(1), if a minor
4056 ~~under 18 years of age~~ is charged with an offense that involves
4057 the use or possession of a firearm, ~~as defined in s. 790.001~~,
4058 including a violation of subsection (3), or is charged for any
4059 offense during the commission of which the minor possessed a
4060 firearm, the minor shall be detained in secure detention, unless

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4061 the state attorney authorizes the release of the minor, and
4062 shall be given a hearing within 24 hours after being taken into
4063 custody. At the hearing, the court may order that the minor
4064 continue to be held in secure detention in accordance with the
4065 applicable time periods specified in s. 985.26(1)-(5), if the
4066 court finds that the minor meets the criteria specified in s.
4067 985.255, or if the court finds by clear and convincing evidence
4068 that the minor is a clear and present danger to himself or
4069 herself or the community. The Department of Juvenile Justice
4070 shall prepare a form for all minors charged under this
4071 subsection which ~~that~~ states the period of detention and the
4072 relevant demographic information, including, but not limited to,
4073 the gender ~~sex~~, age, and race of the minor; whether or not the
4074 minor was represented by private counsel or a public defender;
4075 the current offense; and the minor's complete prior record,
4076 including any pending cases. The form shall be provided to the
4077 judge for ~~to be considered~~ when determining whether the minor
4078 should be continued in secure detention under this subsection.
4079 An order placing a minor in secure detention because the minor
4080 is a clear and present danger to himself or herself or the
4081 community must be in writing, must specify the need for
4082 detention and the benefits derived by the minor or the community
4083 by placing the minor in secure detention, and must include a
4084 copy of the form provided by the department. ~~The Department of~~
4085 ~~Juvenile Justice must send the form, including a copy of any~~
4086 ~~order, without client identifying information, to the Office of~~
4087 ~~Economic and Demographic Research.~~

4088 Section 164. Section 943.125, Florida Statutes, is amended
4089 to read:

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4090 943.125 Law enforcement agency accreditation; intent.-

4091 ~~(1) LEGISLATIVE INTENT.~~

4092 ~~(1) (a)~~ It is the intent of the Legislature that law
4093 enforcement agencies in the state be upgraded and strengthened
4094 through the adoption of meaningful standards of operation for
4095 those agencies.

4096 ~~(2) (b)~~ It is the further intent of the Legislature that law
4097 enforcement agencies voluntarily adopt standards designed to
4098 promote equal and fair law enforcement, to maximize the
4099 capability of law enforcement agencies to prevent and control
4100 criminal activities, and to increase interagency cooperation
4101 throughout the state.

4102 ~~(3) (c)~~ It is further the intent of the Legislature to
4103 encourage the Florida Sheriffs Association and the Florida
4104 Police Chiefs Association to develop, either jointly or
4105 separately, a law enforcement agency accreditation program. The
4106 ~~Such~~ program must ~~shall~~ be independent of any law enforcement
4107 agency, the Florida Sheriffs Association, or the Florida Police
4108 Chiefs Association. ~~The Any such law enforcement agency~~
4109 ~~accreditation~~ program must ~~should~~ address, at a minimum, the
4110 following aspects of law enforcement:

4111 (a) 1. Vehicle pursuits.

4112 (b) 2. Seizure and forfeiture of contraband articles.

4113 (c) 3. Recording and processing citizens' complaints.

4114 (d) 4. Use of force.

4115 (e) 5. Traffic stops.

4116 (f) 6. Handling natural and manmade disasters.

4117 (g) 7. Special operations.

4118 (h) 8. Prisoner transfer.

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- 4119 (i) 9. Collection and preservation of evidence.
- 4120 (j) 10. Recruitment and selection.
- 4121 (k) 11. Officer training.
- 4122 (l) 12. Performance evaluations.
- 4123 (m) 13. Law enforcement disciplinary procedures and rights.
- 4124 (n) 14. Use of criminal investigative funds.

4125 (2) ~~FEASIBILITY AND STATUS REPORT.~~ The Florida Sheriffs
4126 Association and the Florida Police Chiefs Association, either
4127 jointly or separately, shall report to the Speaker of the House
4128 of Representatives and the President of the Senate regarding the
4129 feasibility of a law enforcement agency accreditation program
4130 and the status of the efforts of the Florida Sheriffs
4131 Association and the Florida Police Chiefs Association to develop
4132 a law enforcement agency accreditation program as provided in
4133 this section.

4134 Section 165. Subsection (9) of section 943.68, Florida
4135 Statutes, is amended to read:

4136 943.68 Transportation and protective services.—

4137 (9) The department shall submit a report each July 15 to
4138 the ~~President of the Senate, Speaker of the House of~~
4139 ~~Representatives, Governor, the Legislature, and members of the~~
4140 Cabinet, detailing all transportation and protective services
4141 provided under subsections (1), (5), and (6) within the
4142 preceding fiscal year. Each report shall include a detailed
4143 accounting of the cost of such transportation and protective
4144 services, including the names of persons provided such services
4145 and the nature of state business performed.

4146 Section 166. Section 944.023, Florida Statutes, is amended
4147 to read:

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4148 944.023 Institutional capacity ~~comprehensive correctional~~
4149 ~~master plan.~~

4150 (1) As used in this section and s. 944.0231, the term:

4151 (a) "Criminal Justice Estimating Conference" means the
4152 Criminal Justice Estimating Conference referred to in s. 216.136
4153 ~~s. 216.136(5)~~.

4154 (b) "Total capacity" of the state correctional system means
4155 the total design capacity of all institutions and facilities in
4156 the state correctional system, which may include those
4157 facilities authorized and funded under chapter 957, increased by
4158 one-half, with the following exceptions:

4159 1. Medical and mental health beds must remain at design
4160 capacity.

4161 2. Community-based contracted beds must remain at design
4162 capacity.

4163 3. The one-inmate-per-cell requirement at the Florida State
4164 Prison and other maximum security facilities must be maintained
4165 pursuant to paragraph (3)(a) (7)(a).

4166 4. Community correctional centers and drug treatment
4167 centers must be increased by one-third.

4168 5. A housing unit may not exceed its maximum capacity
4169 pursuant to paragraphs (3)(a) (7)(a) and (b).

4170 6. A number of beds equal to 5 percent of total capacity
4171 shall be deducted for management beds at institutions.

4172 (c) "State correctional system" means the correctional
4173 system as defined in s. 944.02.

4174 ~~(2) The department shall develop a comprehensive~~
4175 ~~correctional master plan. The master plan shall project the~~
4176 ~~needs for the state correctional system for the coming 5-year~~

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4177 period and shall be updated annually and submitted to the
4178 Governor's office and the Legislature at the same time the
4179 department submits its legislative budget request as provided in
4180 chapter 216.

4181 (3) The purposes of the comprehensive correctional master
4182 plan shall be:

4183 (a) To ensure that the penalties of the criminal justice
4184 system are completely and effectively administered to the
4185 convicted criminals and, to the maximum extent possible, that
4186 the criminal is provided opportunities for self improvement and
4187 returned to freedom as a productive member of society.

4188 (b) To the extent possible, to protect the public safety
4189 and the law-abiding citizens of this state and to carry out the
4190 laws protecting the rights of the victims of convicted
4191 criminals.

4192 (c) To develop and maintain a humane system of punishment
4193 providing prison inmates with proper housing, nourishment, and
4194 medical attention.

4195 (d) To provide fair and adequate compensation and benefits
4196 to the employees of the state correctional system.

4197 (e) To the extent possible, to maximize the effective and
4198 efficient use of the principles used in private business.

4199 (f) To provide that convicted criminals not be incarcerated
4200 for any longer period of time or in any more secure facility
4201 than is necessary to ensure adequate sanctions, rehabilitation
4202 of offenders, and protection of public safety.

4203 (4) The comprehensive correctional master plan shall use
4204 the estimates of the Criminal Justice Estimating Conference and
4205 shall include:

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4206 (a) A plan for the decentralization of reception and
4207 classification facilities for the implementation of a systemwide
4208 diagnosis-and-evaluation capability for adult offenders. The
4209 plan shall provide for a system of psychological testing and
4210 evaluation as well as medical screening through department
4211 resources or with other public or private agencies through a
4212 purchase-of-services agreement.

4213 (b) A plan developed by the department for the
4214 comprehensive vocational and educational training of, and
4215 treatment programs for, offenders and their evaluation within
4216 each institution, program, or facility of the department, based
4217 upon the identified needs of the offender and the requirements
4218 of the employment market.

4219 (c) A plan contracting with local facilities and programs
4220 as short-term confinement resources of the department for
4221 offenders who are sentenced to 3 years or less, or who are
4222 within 3 years or less of their anticipated release date, and
4223 integration of detention services which have community-based
4224 programs. The plan shall designate such facilities and programs
4225 by region of the state and identify, by county, the capability
4226 for local incarceration.

4227 (d) A detailed analysis of methods to implement diversified
4228 alternatives to institutionalization when such alternatives can
4229 be safely employed. The analysis shall include an assessment of
4230 current pretrial intervention, probation, and community control
4231 alternatives and their cost-effectiveness with regard to
4232 restitution to victims, reimbursements for cost of supervision,
4233 and subsequent violations resulting in commitments to the
4234 department. Such analysis shall also include an assessment of

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4235 current use of electronic surveillance of offenders and
4236 projected potential for diverting additional categories of
4237 offenders from incarceration within the department.

4238 (e) A detailed analysis of current incarceration rates of
4239 both the state and county correctional systems with the
4240 calculation by the department of the current and projected
4241 ratios of inmates in the correctional system, as defined in s.
4242 945.01, to the general population of the state which will serve
4243 as a basis for projecting construction needs.

4244 (f) A plan for community based facilities and programs for
4245 the reintegration of offenders into society whereby inmates who
4246 are being released shall receive assistance. Such assistance may
4247 be through work release, transition assistance, release
4248 assistance stipend, contract release, postrelease special
4249 services, temporary housing, or job placement programs.

4250 (g) A plan reflecting parity of pay or comparable economic
4251 benefits for correctional officers with that of law enforcement
4252 officers in this state, and an assessment of projected impacts
4253 on turnover rates within the department.

4254 (h) A plan containing habitability criteria which defines
4255 when beds are available and functional for use by inmates, and
4256 containing factors which define when institutions and facilities
4257 may be added to the inventory of the state correctional system.

4258 (5) The comprehensive correctional master plan shall
4259 project by year the total operating and capital outlay costs
4260 necessary for constructing a sufficient number of prison beds to
4261 avoid a deficiency in prison beds. Included in the master plan
4262 which projects operating and capital outlay costs shall be a
4263 siting plan which shall assess, rank, and designate appropriate

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4264 sites pursuant to s. 944.095(2)(a)-(k). The master plan shall
4265 include an assessment of the department's current capability for
4266 providing the degree of security necessary to ensure public
4267 safety and should reflect the levels of security needed for the
4268 forecasted admissions of various types of offenders based upon
4269 sentence lengths and severity of offenses. The plan shall also
4270 provide construction options for targeting violent and habitual
4271 offenders for incarceration while providing specific
4272 alternatives for the various categories of lesser offenders.

4273 (2)-(6) Institutions within the state correctional system
4274 shall have the following design capacity factors:

4275 (a) Rooms and prison cells between 40 square feet and 90
4276 square feet, inclusive: one inmate per room or prison cell.

4277 (b) Dormitory-style rooms and other rooms exceeding 90
4278 square feet: one inmate per 55 square feet.

4279 (c) At institutions with rooms or cells, except to the
4280 extent that separate confinement cells have been constructed, a
4281 number of rooms or prison cells equal to 3 percent of total
4282 design capacity must be deducted from design capacity and set
4283 aside for confinement purposes.

4284 (d) Bed count calculations used to determine design
4285 capacity shall only include beds that which are functional and
4286 available for use by inmates.

4287 (3)-(7) Institutions within the state correctional system
4288 shall have the following maximum capacity factors:

4289 (a) Rooms and prison cells between 40 square feet and 60
4290 square feet, inclusive: one inmate per room or cell. If the room
4291 or prison cell is between 60 square feet and 90 square feet,
4292 inclusive, two inmates are allowed in each room, except that one

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4293 inmate per room or prison cell is allowed at the Florida State
4294 Prison or any other maximum security institution or facility
4295 that which may be constructed.

4296 (b) Dormitory-style rooms and other rooms exceeding 90
4297 square feet: one inmate per 37.5 square feet. Double-bunking is
4298 generally allowed only along the outer walls of a dormitory.

4299 (c) At institutions with rooms or cells, except to the
4300 extent that separate confinement cells have been constructed, a
4301 number of rooms or prison cells equal to 3 percent of total
4302 maximum capacity are not available for maximum capacity, and
4303 must be set aside for confinement purposes, thereby reducing
4304 maximum capacity by 6 percent since these rooms would otherwise
4305 house two inmates.

4306 (d) A number of beds equal to 5 percent of total maximum
4307 capacity must be deducted for management at institutions.

4308 Section 167. Paragraph (f) of subsection (3) of section
4309 944.801, Florida Statutes, is amended to read:

4310 944.801 Education for state prisoners.—

4311 (3) The responsibilities of the Correctional Education
4312 Program shall be to:

4313 (f) Report annual activities to the Secretary of
4314 Corrections, ~~the Commissioner of Education, the Governor, and~~
4315 ~~the Legislature.~~

4316 Section 168. Subsection (10) of section 945.35, Florida
4317 Statutes, is repealed.

4318 Section 169. Subsection (9) of section 958.045, Florida
4319 Statutes, is repealed.

4320 Section 170. Paragraph (c) of subsection (1) of section
4321 960.045, Florida Statutes, is amended to read:

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4322 960.045 Department of Legal Affairs; powers and duties.—It
4323 shall be the duty of the department to assist persons who are
4324 victims of crime.

4325 (1) The department shall:

4326 (c) Prepare an annual ~~Report, prior to January 1 of each~~
4327 ~~year, to the presiding officers of the Senate and House of~~
4328 ~~Representatives~~ a written report of the activities of the Crime
4329 Victims' Services Office, which shall be available on the
4330 department's Internet website.

4331 Section 171. Paragraph (c) of subsection (8) of section
4332 985.02, Florida Statutes, is repealed.

4333 Section 172. Subsections (3), (4), and (5) of section
4334 985.047, Florida Statutes, are amended to read:

4335 985.047 Information systems.—

4336 ~~(3) In order to assist in the integration of the~~
4337 ~~information to be shared, the sharing of information obtained,~~
4338 ~~the joint planning on diversion and early intervention~~
4339 ~~strategies for juveniles at risk of becoming serious habitual~~
4340 ~~juvenile offenders, and the intervention strategies for serious~~
4341 ~~habitual juvenile offenders, a multiagency task force should be~~
4342 ~~organized and utilized by the law enforcement agency or county~~
4343 ~~in conjunction with the initiation of the information system~~
4344 ~~described in subsections (1) and (2). The multiagency task force~~
4345 ~~shall be composed of representatives of those agencies and~~
4346 ~~persons providing information for the central identification~~
4347 ~~file and the multiagency information sheet.~~

4348 ~~(4) This multiagency task force shall develop a plan for~~
4349 ~~the information system that includes measures which identify and~~
4350 ~~address any disproportionate representation of ethnic or racial~~

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4351 ~~minorities in the information systems and shall develop~~
4352 ~~strategies that address the protection of individual~~
4353 ~~constitutional rights.~~

4354 (3)-(5) A Any law enforcement agency, or county that which
4355 implements a juvenile offender information system ~~and the~~
4356 ~~multiagency task force which maintain the information system~~
4357 must annually provide any information gathered during the
4358 previous year to the delinquency and gang prevention council of
4359 the judicial circuit in which the county is located. This
4360 information must shall include the number, types, and patterns
4361 of delinquency tracked by the juvenile offender information
4362 system.

4363 Section 173. Paragraph (a) of subsection (8) of section
4364 985.47, Florida Statutes, is amended to read:

4365 985.47 Serious or habitual juvenile offender.—

4366 (8) ASSESSMENT AND TREATMENT SERVICES.—Pursuant to this
4367 chapter and the establishment of appropriate program guidelines
4368 and standards, contractual instruments, which shall include
4369 safeguards of all constitutional rights, shall be developed as
4370 follows:

4371 (a) The department shall provide for:

4372 1. ~~The~~ Oversight of the implementation of assessment and
4373 treatment approaches.

4374 2. ~~The~~ Identification and prequalification of appropriate
4375 individuals or not-for-profit organizations, including minority
4376 individuals or organizations when possible, to provide
4377 assessment and treatment services to serious or habitual
4378 delinquent children.

4379 3. ~~The~~ Monitoring and evaluation of assessment and

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4380 treatment services for compliance with this chapter and all
4381 applicable rules and guidelines pursuant thereto.

4382 ~~4. The development of an annual report on the performance~~
4383 ~~of assessment and treatment to be presented to the Governor, the~~
4384 ~~Attorney General, the President of the Senate, the Speaker of~~
4385 ~~the House of Representatives, and the Auditor General no later~~
4386 ~~than January 1 of each year.~~

4387 Section 174. Paragraph (a) of subsection (8) of section
4388 985.483, Florida Statutes, is amended to read:

4389 985.483 Intensive residential treatment program for
4390 offenders less than 13 years of age.—

4391 (8) ASSESSMENT AND TREATMENT SERVICES.—Pursuant to this
4392 chapter and the establishment of appropriate program guidelines
4393 and standards, contractual instruments, which shall include
4394 safeguards of all constitutional rights, shall be developed for
4395 intensive residential treatment programs for offenders less than
4396 13 years of age as follows:

4397 (a) The department shall provide for:

4398 1. ~~The~~ Oversight of the implementation of assessment and
4399 treatment approaches.

4400 2. ~~The~~ Identification and prequalification of appropriate
4401 individuals or not-for-profit organizations, including minority
4402 individuals or organizations when possible, to provide
4403 assessment and treatment services to intensive offenders less
4404 than 13 years of age.

4405 3. ~~The~~ Monitoring and evaluation of assessment and
4406 treatment services for compliance with this chapter and all
4407 applicable rules and guidelines pursuant thereto.

4408 ~~4. The development of an annual report on the performance~~

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4409 ~~of assessment and treatment to be presented to the Governor, the~~
4410 ~~Attorney General, the President of the Senate, the Speaker of~~
4411 ~~the House of Representatives, the Auditor General, and the~~
4412 ~~Office of Program Policy Analysis and Government Accountability~~
4413 ~~no later than January 1 of each year.~~

4414 Section 175. Subsection (5) of section 985.61, Florida
4415 Statutes, is repealed.

4416 Section 176. Subsection (1) of section 985.622, Florida
4417 Statutes, is amended to read:

4418 985.622 Multiagency plan for vocational education.—

4419 (1) The Department of Juvenile Justice and the Department
4420 of Education shall, in consultation with the statewide Workforce
4421 Development Youth Council, school districts, providers, and
4422 others, jointly develop a multiagency plan for vocational
4423 education which that establishes the curriculum, goals, and
4424 outcome measures for vocational programs in juvenile commitment
4425 facilities. The plan must include:

4426 (a) Provisions for maximizing appropriate state and federal
4427 funding sources, including funds under the Workforce Investment
4428 Act and the Perkins Act;

4429 (b) The responsibilities of both departments and all other
4430 appropriate entities; and

4431 (c) A detailed implementation schedule.

4432

4433 ~~The plan must be submitted to the Governor, the President of the~~
4434 ~~Senate, and the Speaker of the House of Representatives by May~~
4435 ~~1, 2001.~~

4436 Section 177. Subsection (7) of section 985.632, Florida
4437 Statutes, is repealed.

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4438 Section 178. Subsection (19) of section 1002.34, Florida
4439 Statutes, is repealed.

4440 Section 179. Subsection (4) of section 1003.61, Florida
4441 Statutes, is repealed.

4442 Section 180. Subsections (5) through (13) of section
4443 1004.22, Florida Statutes, are amended to read:

4444 1004.22 Divisions of sponsored research at state
4445 universities.—

4446 (5) Moneys deposited in the permanent sponsored research
4447 development fund of a university shall be disbursed in
4448 accordance with the terms of the contract, grant, or donation
4449 under which they are received. Moneys received for overhead or
4450 indirect costs and other moneys not required for the payment of
4451 direct costs shall be applied to the cost of operating the
4452 division of sponsored research. Any surplus moneys shall be used
4453 to support other research or sponsored training programs in any
4454 area of the university. Transportation and per diem expense
4455 allowances are ~~shall~~ be the same as those provided ~~by~~ law in s.
4456 112.061, except that personnel performing travel under a
4457 sponsored research subcontract may be reimbursed for travel
4458 expenses in accordance with ~~the provisions of~~ the applicable
4459 prime contract or grant and the travel allowances established by
4460 the subcontractor, subject to the requirements of subsection (6)
4461 (7), or except as provided in subsection (10) (11).

4462 ~~(6) (a) Each university shall submit to the Board of~~
4463 ~~Governors a report of the activities of each division of~~
4464 ~~sponsored research together with an estimated budget for the~~
4465 ~~next fiscal year.~~

4466 ~~(b) Not less than 90 days prior to the convening of each~~

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4467 ~~regular session of the Legislature in which an appropriation~~
4468 ~~shall be made, the Board of Governors shall submit to the chair~~
4469 ~~of the appropriations committee of each house of the Legislature~~
4470 ~~a compiled report, together with a compiled estimated budget for~~
4471 ~~the next fiscal year. A copy of such report and estimated budget~~
4472 ~~shall be furnished to the Governor, as the chief budget officer~~
4473 ~~of the state.~~

4474 (6)~~(7)~~ All purchases of a division of sponsored research
4475 shall be made in accordance with the policies and procedures of
4476 the university pursuant to guidelines of the Board of Governors;
4477 however, upon certification addressed to the university
4478 president that it is necessary for the efficient or expeditious
4479 prosecution of a research project, the president may exempt the
4480 purchase of material, supplies, equipment, or services for
4481 research purposes from the general purchasing requirement of
4482 state law ~~the Florida Statutes~~.

4483 (7)~~(8)~~ The university may authorize the construction,
4484 alteration, or remodeling of buildings if ~~when~~ the funds used
4485 are derived entirely from the sponsored research development
4486 fund of a university or from that fund in combination with other
4487 nonstate sources and if, provided that such construction,
4488 alteration, or remodeling is for use exclusively in the area of
4489 research. The university may; it also may authorize the
4490 acquisition of real property if ~~when~~ the cost is entirely from
4491 the said funds. Title to all real property purchased before
4492 ~~prior to~~ January 7, 2003, or with funds appropriated by the
4493 Legislature shall vest in the Board of Trustees of the Internal
4494 Improvement Trust Fund and may ~~shall only~~ be transferred or
4495 conveyed only by it.

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(8)-(9) The sponsored research programs of the Institute of Food and Agricultural Sciences, the University of Florida Health Science Center, and the engineering and industrial experiment station shall continue to be centered at the University of Florida as ~~heretofore~~ provided by law. Indirect cost reimbursements of all grants deposited in the Division of Sponsored Research shall be distributed directly to the above units in direct proportion to the amounts earned by each unit.

(9)-(10) The operation of the divisions of sponsored research and the conduct of the sponsored research program are exempt expressly exempted from the provisions of any law other laws or portions of laws in conflict with this subsection herewith and are, subject to the requirements of subsection (6) (7), exempt exempted from the provisions of chapters 215, 216, and 283.

(10)-(11) The divisions of sponsored research may pay, by advancement or reimbursement, or a combination thereof, the costs of per diem of university employees and of other authorized persons, as defined in s. 112.061(2)(e), for foreign travel up to the current rates as stated in the grant and contract ~~terms~~ and may also pay incidental expenses as authorized by s. 112.061(8). This subsection applies to any university employee traveling in foreign countries for sponsored programs of the university, if such travel expenses are approved in ~~the terms of~~ the contract or grant. The provisions of s. 112.061, other than those relating to per diem, apply to the travel described in this subsection. As used in this subsection, the term "foreign travel" means any travel outside the United States and its territories and possessions and Canada. Persons

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4525 traveling in foreign countries pursuant to this section are
4526 ~~shall not be~~ entitled to reimbursements or advancements pursuant
4527 to s. 112.061(6)(a)2. for such travel.

4528 (11) ~~(12)~~ Each division of sponsored research may is
4529 ~~authorized to~~ advance funds to any principal investigator who,
4530 under the contract or grant ~~terms~~, will be performing a portion
4531 of his or her research at a site that is remote from the
4532 university. Funds may ~~shall~~ be advanced only to employees who
4533 have executed a proper power of attorney with the university to
4534 ensure the proper collection of the ~~such~~ advanced funds if it
4535 becomes necessary. As used in this subsection, the term "remote"
4536 means so far removed from the university as to render normal
4537 purchasing and payroll functions ineffective.

4538 (12) ~~(13)~~ Each university board of trustees may is
4539 ~~authorized to~~ adopt rules, as necessary, to administer this
4540 section.

4541 Section 181. Subsection (6) of section 1004.50, Florida
4542 Statutes, is repealed.

4543 Section 182. Subsections (2) and (4) of section 1004.94,
4544 Florida Statutes, are repealed.

4545 Section 183. Subsection (4) of section 1004.95, Florida
4546 Statutes, is amended to read:

4547 1004.95 Adult literacy centers.—

4548 (4) The State Board of Education shall develop rules for
4549 implementing this section, ~~including criteria for evaluating the~~
4550 ~~performance of the centers, and shall submit an evaluation~~
4551 ~~report of the centers to the Legislature on or before February 1~~
4552 ~~of each year.~~

4553 Section 184. Section 1006.0605, Florida Statutes, is

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4554 repealed.4555 Section 185. Section 1006.67, Florida Statutes, is
4556 repealed.4557 Section 186. Subsection (8) of section 1009.70, Florida
4558 Statutes, is amended to read:

4559 1009.70 Florida Education Fund.—

4560 (8) There is created a legal education component of the
4561 Florida Education Fund to provide the opportunity for minorities
4562 to attain representation within the legal profession
4563 proportionate to their representation within the general
4564 population. The legal education component of the Florida
4565 Education Fund includes a law school program and a pre-law
4566 program.4567 (a) The law school scholarship program of the Florida
4568 Education Fund is to be administered by the Board of Directors
4569 of the Florida Education Fund for the purpose of increasing ~~by~~
4570 ~~200~~ the number of minority students enrolled in law schools in
4571 this state by 200. Implementation of this program is to be
4572 phased in over a 3-year period.4573 1. The board of directors shall provide financial,
4574 academic, and other support to students selected for
4575 participation in this program from funds appropriated by the
4576 Legislature.4577 2. Student selection must be made in accordance with rules
4578 adopted by the board of directors for that purpose and must be
4579 based, at least in part, on an assessment of potential for
4580 success, merit, and financial need.4581 3. Support must be made available to students who enroll in
4582 private, as well as public, law schools in this state which are

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4583 accredited by the American Bar Association.

4584 4. Scholarships must be paid directly to the participating
4585 students.

4586 5. Students who participate in this program must agree in
4587 writing to sit for The Florida Bar examination and, upon
4588 successful admission to The Florida Bar, to either practice law
4589 in the state for a period of time equal to the amount of time
4590 for which the student received aid, up to 3 years, or repay the
4591 amount of aid received.

4592 ~~6. Annually, the board of directors shall compile a report~~
4593 ~~that includes a description of the selection process, an~~
4594 ~~analysis of the academic progress of all scholarship recipients,~~
4595 ~~and an analysis of expenditures. This report must be submitted~~
4596 ~~to the President of the Senate, the Speaker of the House of~~
4597 ~~Representatives, and the Governor.~~

4598 (b) The minority pre-law scholarship loan program of the
4599 Florida Education Fund is to be administered by the Board of
4600 Directors of the Florida Education Fund for the purpose of
4601 increasing the opportunity of minority students to prepare for
4602 law school.

4603 1. From funds appropriated by the Legislature, the board of
4604 directors shall provide for student fees, room, board, books,
4605 supplies, and academic and other support to selected minority
4606 undergraduate students matriculating at eligible public and
4607 independent colleges and universities in Florida.

4608 2. Student selection must be made in accordance with rules
4609 adopted by the board of directors for that purpose and must be
4610 based, at least in part, on an assessment of potential for
4611 success, merit, and financial need.

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4612 3. To be eligible, a student must make a written agreement
4613 to enter or be accepted to enter a law school in this state
4614 within 2 years after graduation or repay the scholarship loan
4615 amount plus interest at the prevailing rate.

4616 4. Recipients who fail to gain admission to a law school
4617 within the specified period ~~of time~~, may, upon admission to law
4618 school, be eligible to have their loans canceled.

4619 5. Minority pre-law scholarship loans shall be provided to
4620 34 minority students per year for up to 4 years each, for a
4621 total of 136 scholarship loans. To continue receiving receipt of
4622 scholarship loans, recipients must maintain a 2.75 grade point
4623 average for the freshman year and a 3.25 grade point average
4624 thereafter. Participants must also take specialized courses to
4625 enhance competencies in English and logic.

4626 6. The board of directors shall maintain records on all
4627 scholarship loan recipients. Participating institutions shall
4628 submit academic progress reports to the board of directors
4629 following each academic term. ~~Annually, the board of directors~~
4630 ~~shall compile a report that includes a description of the~~
4631 ~~selection process, an analysis of the academic progress of all~~
4632 ~~scholarship loan recipients, and an analysis of expenditures.~~
4633 ~~This report must be submitted to the President of the Senate,~~
4634 ~~the Speaker of the House of Representatives, and the Governor.~~

4635 Section 187. Subsection (8) of section 1011.32, Florida
4636 Statutes, is amended to read:

4637 1011.32 Community College Facility Enhancement Challenge
4638 Grant Program.—

4639 (8) By September 1 of each year, the State Board of
4640 Education shall transmit to the Governor and the Legislature a

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4641 list of projects that which meet all eligibility requirements to
4642 participate in the Community College Facility Enhancement
4643 Challenge Grant Program and a budget request that which includes
4644 the recommended schedule necessary to complete each project.

4645 Section 188. Paragraph (r) of subsection (1) of section
4646 1011.62, Florida Statutes, is amended to read:

4647 1011.62 Funds for operation of schools.—If the annual
4648 allocation from the Florida Education Finance Program to each
4649 district for operation of schools is not determined in the
4650 annual appropriations act or the substantive bill implementing
4651 the annual appropriations act, it shall be determined as
4652 follows:

4653 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
4654 OPERATION.—The following procedure shall be followed in
4655 determining the annual allocation to each district for
4656 operation:

4657 (r) *Extended-school-year program.*—It is the intent of the
4658 Legislature that students be provided additional instruction by
4659 extending the school year to 210 days or more. Districts may
4660 apply to the Commissioner of Education for funds to be used in
4661 planning and implementing an extended-school-year program. ~~The~~
4662 ~~Department of Education shall recommend to the Legislature the~~
4663 ~~policies necessary for full implementation of an extended school~~
4664 ~~year.~~

4665 Section 189. Paragraph (1) of subsection (2) of section
4666 1012.05, Florida Statutes, is repealed.

4667 Section 190. Subsection (1) of section 1012.42, Florida
4668 Statutes, is amended to read:

4669 1012.42 Teacher teaching out-of-field.—

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(1) ASSISTANCE.—Each district school board shall adopt and implement a plan to assist any teacher teaching out-of-field, and priority consideration in professional development activities shall be given to a teacher ~~teachers~~ who is ~~are~~ teaching out-of-field. The district school board shall require that the teacher ~~such teachers~~ participate in a certification or staff development program designed to provide the teacher with the competencies required for the assigned duties. The board-approved assistance plan must include duties of administrative personnel and other instructional personnel to provide students with instructional services. ~~Each district school board shall contact its regional workforce board, created pursuant to s. 445.007, to identify resources that may assist teachers who are teaching out of field and who are pursuing certification.~~

Section 191. Section 1013.11, Florida Statutes, is amended to read:

1013.11 Postsecondary institutions assessment of physical plant safety.—The president of each postsecondary institution shall conduct or cause to be conducted an annual assessment of physical plant safety. An annual report shall incorporate the assessment findings obtained through such assessment and recommendations for the improvement of safety on each campus. The annual report shall be submitted to the respective governing or licensing board of jurisdiction no later than January 1 of each year. Each board shall compile the individual institutional reports and convey the aggregate institutional reports to the Commissioner of Education or the Chancellor of the State University System, as appropriate. ~~The Commissioner of Education and the Chancellor of the State University System shall convey~~

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4699 ~~these reports and the reports required in s. 1006.67 to the~~
4700 ~~President of the Senate and the Speaker of the House of~~
4701 ~~Representatives no later than March 1 of each year.~~

4702 Section 192. Subsection (3) of section 161.142, Florida
4703 Statutes, is amended to read:

4704 161.142 Declaration of public policy relating to improved
4705 navigation inlets.—The Legislature recognizes the need for
4706 maintaining navigation inlets to promote commercial and
4707 recreational uses of our coastal waters and their resources. The
4708 Legislature further recognizes that inlets interrupt or alter
4709 the natural drift of beach-quality sand resources, which often
4710 results in these sand resources being deposited in nearshore
4711 areas or in the inlet channel, or in the inland waterway
4712 adjacent to the inlet, instead of providing natural nourishment
4713 to the adjacent eroding beaches. Accordingly, the Legislature
4714 finds it is in the public interest to replicate the natural
4715 drift of sand which is interrupted or altered by inlets to be
4716 replaced and for each level of government to undertake all
4717 reasonable efforts to maximize inlet sand bypassing to ensure
4718 that beach-quality sand is placed on adjacent eroding beaches.
4719 Such activities cannot make up for the historical sand deficits
4720 caused by inlets but shall be designed to balance the sediment
4721 budget of the inlet and adjacent beaches and extend the life of
4722 proximate beach-restoration projects so that periodic
4723 nourishment is needed less frequently. Therefore, in furtherance
4724 of this declaration of public policy and the Legislature's
4725 intent to redirect and recommit the state's comprehensive beach
4726 management efforts to address the beach erosion caused by
4727 inlets, the department shall ensure that:

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(3) Construction waterward of the coastal construction control line on downdrift coastal areas, on islands substantially created by the deposit of spoil, located within 1 mile of the centerline of navigation channels or inlets, providing access to ports listed in s. 403.021(9)(b), which suffers or has suffered erosion caused by such navigation channel maintenance or construction shall be exempt from the permitting requirements and prohibitions of s. 161.053~~(4)-(5)~~ or ~~(5)-(6)~~; however, such construction shall comply with the applicable Florida Building Code adopted pursuant to s. 553.73. The timing and sequence of any construction activities associated with inlet management projects shall provide protection to nesting sea turtles and their hatchlings and habitats, to nesting shorebirds, and to native salt-resistant vegetation and endangered plant communities. Beach-quality sand placed on the beach as part of an inlet management project must be suitable for marine turtle nesting.

Section 193. Paragraph (a) of subsection (4) of section 163.065, Florida Statutes, is amended to read:

163.065 Miami River Improvement Act.—

(4) PLAN.—The Miami River Commission, working with the City of Miami and Miami-Dade County, shall consider the merits of the following:

(a) Development and adoption of an urban infill and redevelopment plan, under ss. 163.2511-163.2523 ~~ss. 163.2511-163.2526~~, which and participating state and regional agencies shall review ~~the proposed plan~~ for the purposes of determining consistency with applicable law.

Section 194. Subsection (1) of section 163.2511, Florida

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4757 Statutes, is amended to read:

4758 163.2511 Urban infill and redevelopment.—

4759 (1) Sections 163.2511-163.2523 ~~163.2511-163.2526~~ may be
4760 cited as the "Growth Policy Act."

4761 Section 195. Section 163.2514, Florida Statutes, is amended
4762 to read:

4763 163.2514 Growth Policy Act; definitions.—As used in ss.
4764 163.2511-163.2523, the term ~~ss. 163.2511-163.2526~~:

4765 (1) "Local government" means any county or municipality.

4766 (2) "Urban infill and redevelopment area" means an area or
4767 areas designated by a local government where:

4768 (a) Public services such as water and wastewater,
4769 transportation, schools, and recreation are already available or
4770 are scheduled to be provided in an adopted 5-year schedule of
4771 capital improvements;

4772 (b) The area, or one or more neighborhoods within the area,
4773 suffers from pervasive poverty, unemployment, and general
4774 distress as defined by s. 290.0058;

4775 (c) The area exhibits a proportion of properties that are
4776 substandard, overcrowded, dilapidated, vacant or abandoned, or
4777 functionally obsolete which is higher than the average for the
4778 local government;

4779 (d) More than 50 percent of the area is within 1/4 mile of
4780 a transit stop, or a sufficient number of ~~such~~ transit stops
4781 will be made available concurrent with the designation; and

4782 (e) The area includes or is adjacent to community
4783 redevelopment areas, brownfields, enterprise zones, or Main
4784 Street programs; ~~or~~ or has been designated by the state or Federal
4785 Government as an urban redevelopment, revitalization, or infill

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4786 area under empowerment zone, enterprise community, or brownfield
4787 showcase community programs or similar programs.

4788 Section 196. Subsection (2) of section 163.3202, Florida
4789 Statutes, is amended to read:

4790 163.3202 Land development regulations.—

4791 (2) Local land development regulations shall contain
4792 specific and detailed provisions necessary or desirable to
4793 implement the adopted comprehensive plan and shall at as a
4794 minimum:

4795 (a) Regulate the subdivision of land.~~at~~

4796 (b) Regulate the use of land and water for those land use
4797 categories included in the land use element and ensure the
4798 compatibility of adjacent uses and provide for open space.~~at~~

4799 (c) Provide for protection of potable water wellfields.~~at~~

4800 (d) Regulate areas subject to seasonal and periodic
4801 flooding and provide for drainage and stormwater management.~~at~~

4802 (e) Ensure the protection of environmentally sensitive
4803 lands designated in the comprehensive plan.~~at~~

4804 (f) Regulate signage.~~at~~

4805 (g) Provide that public facilities and services meet or
4806 exceed the standards established in the capital improvements
4807 element required by s. 163.3177 and are available when needed
4808 for the development, or that development orders and permits are
4809 conditioned on the availability of these public facilities and
4810 services necessary to serve the proposed development. ~~Not later~~
4811 ~~than 1 year after its due date established by the state land~~
4812 ~~planning agency's rule for submission of local comprehensive~~
4813 ~~plans pursuant to s. 163.3167(2),~~ A local government may shall
4814 not issue a development order or permit that which results in a

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4815 reduction in the level of services for the affected public
4816 facilities below the level of services provided in the local
4817 government's comprehensive plan ~~of the local government~~.

4818 (h) Ensure safe and convenient onsite traffic flow,
4819 considering needed vehicle parking.

4820 Section 197. Paragraph (b) of subsection (11) of section
4821 259.041, Florida Statutes, is amended to read:

4822 259.041 Acquisition of state-owned lands for preservation,
4823 conservation, and recreation purposes.—

4824 (11)

4825 (b) All project applications shall identify, within their
4826 acquisition plans, ~~those projects that~~ which require a full fee
4827 simple interest to achieve the public policy goals, together
4828 with the reasons full title is determined to be necessary. The
4829 state agencies and the water management districts may use
4830 alternatives to fee simple acquisition to bring the remaining
4831 projects in their acquisition plans under public protection. For
4832 the purposes of this subsection, the term "alternatives to fee
4833 simple acquisition" includes, but is not limited to: purchase of
4834 development rights; obtaining conservation easements; obtaining
4835 flowage easements; purchase of timber rights, mineral rights, or
4836 hunting rights; purchase of agricultural interests or
4837 silvicultural interests; entering into land protection
4838 agreements as defined in s. 380.0677(3) ~~s. 380.0677(4)~~; fee
4839 simple acquisitions with reservations; creating life estates; or
4840 any other acquisition technique ~~that~~ which achieves the public
4841 policy goals listed in paragraph (a). It is presumed that a
4842 private landowner retains the full range of uses for all the
4843 rights or interests in the landowner's land which are not

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4844 specifically acquired by the public agency. The lands upon which
4845 hunting rights are specifically acquired pursuant to this
4846 paragraph shall be available for hunting in accordance with the
4847 management plan or hunting regulations adopted by the Florida
4848 Fish and Wildlife Conservation Commission, unless the hunting
4849 rights are purchased specifically to protect activities on
4850 adjacent lands.

4851 Section 198. Paragraph (c) of subsection (3) of section
4852 259.101, Florida Statutes, is amended to read:

4853 259.101 Florida Preservation 2000 Act.—

4854 (3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.—Less the costs
4855 of issuance, the costs of funding reserve accounts, and other
4856 costs with respect to the bonds, the proceeds of bonds issued
4857 pursuant to this act shall be deposited into the Florida
4858 Preservation 2000 Trust Fund created by s. 375.045. In fiscal
4859 year 2000-2001, for each Florida Preservation 2000 program
4860 described in paragraphs (a)-(g), that portion of each program's
4861 total remaining cash balance which, as of June 30, 2000, is in
4862 excess of that program's total remaining appropriation balances
4863 shall be redistributed by the department and deposited into the
4864 Save Our Everglades Trust Fund for land acquisition. For
4865 purposes of calculating the total remaining cash balances for
4866 this redistribution, the Florida Preservation 2000 Series 2000
4867 bond proceeds, including interest thereon, and the fiscal year
4868 1999-2000 General Appropriations Act amounts shall be deducted
4869 from the remaining cash and appropriation balances,
4870 respectively. The remaining proceeds shall be distributed by the
4871 Department of Environmental Protection in the following manner:

4872 (c) Ten percent to the Department of Community Affairs to

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4873 provide land acquisition grants and loans to local governments
4874 through the Florida Communities Trust pursuant to part III of
4875 chapter 380. From funds allocated to the trust, \$3 million
4876 annually shall be used by the Division of State Lands within the
4877 Department of Environmental Protection to implement the Green
4878 Swamp Land Protection Initiative specifically for the purchase
4879 of conservation easements, as defined in s. 380.0677(3) s.
4880 ~~380.0677(4)~~, of lands, or severable interests or rights in
4881 lands, in the Green Swamp Area of Critical State Concern. From
4882 funds allocated to the trust, \$3 million annually shall be used
4883 by the Monroe County Comprehensive Plan Land Authority
4884 specifically for the purchase of a any real property interest in
4885 ~~either~~ those lands subject to the Rate of Growth Ordinances
4886 adopted by local governments in Monroe County or those lands
4887 within the boundary of an approved Conservation and Recreation
4888 Lands project located within the Florida Keys or Key West Areas
4889 of Critical State Concern; however, title to lands acquired
4890 within the boundary of an approved Conservation and Recreation
4891 Lands project may, in accordance with an approved joint
4892 acquisition agreement, vest in the Board of Trustees of the
4893 Internal Improvement Trust Fund. Of the remaining funds
4894 ~~allocated to the trust after the above transfers occur~~, one-half
4895 shall be matched by local governments on a dollar-for-dollar
4896 basis. To the extent allowed by federal requirements for the use
4897 of bond proceeds, the trust shall expend Preservation 2000 funds
4898 to carry out the purposes of part III of chapter 380.
4899
4900 Local governments may use federal grants or loans, private
4901 donations, or environmental mitigation funds, including

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4902 environmental mitigation funds required pursuant to s. 338.250,
4903 for any part or all of any local match required for the purposes
4904 described in this subsection. Bond proceeds allocated pursuant
4905 to paragraph (c) may be used to purchase lands on the priority
4906 lists developed pursuant to s. 259.035. Title to lands purchased
4907 pursuant to paragraphs (a), (d), (e), (f), and (g) shall be
4908 vested in the Board of Trustees of the Internal Improvement
4909 Trust Fund. Title to lands purchased pursuant to paragraph (c)
4910 may be vested in the Board of Trustees of the Internal
4911 Improvement Trust Fund. The board of trustees shall hold title
4912 to land protection agreements and conservation easements that
4913 were or will be acquired pursuant to s. 380.0677, and the
4914 Southwest Florida Water Management District and the St. Johns
4915 River Water Management District shall monitor such agreements
4916 and easements within their respective districts until the state
4917 assumes this responsibility.

4918 Section 199. Subsections (1) and (5) of section 369.305,
4919 Florida Statutes, are amended to read:

4920 369.305 Review of local comprehensive plans, land
4921 development regulations, Wekiva River development permits, and
4922 amendments.—

4923 (1) ~~It is the intent of the Legislature that comprehensive~~
4924 ~~plans and land development regulations of Orange, Lake, and~~
4925 ~~Seminole Counties be revised to protect the Wekiva River~~
4926 ~~Protection Area prior to the due dates established in ss.~~
4927 ~~163.3167(2) and 163.3202 and chapter 9J-12, Florida~~
4928 ~~Administrative Code.~~ It is also the intent of the Legislature
4929 that Orange, Lake, and Seminole the Counties emphasize the
4930 Wekiva River Protection Area this important state resource in

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4931 their planning and regulation efforts. Therefore, each county's
4932 ~~county shall, by April 1, 1989, review and amend those portions~~
4933 ~~of its~~ local comprehensive plan and ~~its~~ land development
4934 regulations applicable to the Wekiva River Protection Area must,
4935 ~~and, if necessary, adopt additional land development regulations~~
4936 ~~which are applicable to the Wekiva River Protection Area to meet~~
4937 the following criteria:

4938 (a) Each county's local comprehensive plan must ~~shall~~
4939 contain goals, policies, and objectives that ~~which~~ result in the
4940 protection of the:

4941 1. Water quantity, water quality, and hydrology of the
4942 Wekiva River System;

4943 2. Wetlands associated with the Wekiva River System;

4944 3. Aquatic and wetland-dependent wildlife species
4945 associated with the Wekiva River System;

4946 4. Habitat within the Wekiva River Protection Area of
4947 species designated pursuant to rules 39-27.003, 39-27.004, and
4948 39-27.005, Florida Administrative Code; and

4949 5. Native vegetation within the Wekiva River Protection
4950 Area.

4951 (b) The various land uses and densities and intensities of
4952 development permitted by the local comprehensive plan shall
4953 protect the resources enumerated in paragraph (a) and the rural
4954 character of the Wekiva River Protection Area. The plan must
4955 ~~shall~~ also include:

4956 1. Provisions that ~~to~~ ensure the preservation of sufficient
4957 habitat for feeding, nesting, roosting, and resting so as to
4958 maintain viable populations of species designated pursuant to
4959 rules 39-27.003, 39-27.004, and 39-27.005, Florida

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4960 Administrative Code, within the Wekiva River Protection Area.

4961 2. Restrictions on the clearing of native vegetation within
4962 the 100-year flood plain.

4963 3. Prohibition of development that is not low-density
4964 residential in nature, unless the that development has less
4965 effect impacts on natural resources than low-density residential
4966 development.

4967 4. Provisions for setbacks along the Wekiva River for areas
4968 that do not fall within the protection zones established
4969 pursuant to s. 373.415.

4970 5. Restrictions on intensity of development adjacent to
4971 publicly owned lands to prevent adverse impacts to such lands.

4972 6. Restrictions on filling and alteration of wetlands in
4973 the Wekiva River Protection Area.

4974 7. Provisions encouraging clustering of residential
4975 development if when it promotes protection of environmentally
4976 sensitive areas, and ensures ensuring that residential
4977 development in the aggregate are shall be of a rural in density
4978 and character.

4979 (c) The local comprehensive plan must shall require that
4980 the density or intensity of development permitted on parcels of
4981 property adjacent to the Wekiva River System be concentrated on
4982 those portions of the parcels which are the farthest from the
4983 surface waters and wetlands of the Wekiva River System.

4984 (d) The local comprehensive plan must shall require that
4985 parcels of land adjacent to the surface waters and watercourses
4986 of the Wekiva River System not be subdivided so as to interfere
4987 with the implementation of protection zones as established
4988 pursuant to s. 373.415, any applicable setbacks from the surface

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4989 waters in the Wekiva River System which are established by local
4990 governments, or the policy established in paragraph (c) of
4991 concentrating development in the Wekiva River Protection Area as
4992 far from the surface waters and wetlands of the Wekiva River
4993 System as practicable.

4994 (e) The local land development regulations must ~~shall~~
4995 implement the provisions of paragraphs (a), (b), (c), and (d)
4996 and must ~~shall~~ also include restrictions on the location of
4997 septic tanks and drainfields in the 100-year flood plain and
4998 discharges of stormwater to the Wekiva River System.

4999 ~~(5) During the period of time between the effective date of
5000 this act and the due date of a county's revised local government
5001 comprehensive plan as established by s. 163.3167(2) and chapter
5002 9J-12, Florida Administrative Code, any local comprehensive plan
5003 amendment or amendment to a land development regulation, adopted
5004 or issued by a county, which applies to the Wekiva River
5005 Protection Area, or any Wekiva River development permit adopted
5006 by a county, solely within protection zones established pursuant
5007 to s. 373.415, shall be sent to the department within 10 days
5008 after its adoption or issuance by the local governing body but
5009 shall not become effective until certified by the department as
5010 being in compliance with purposes described in subsection (1).
5011 The department shall make its decision on certification within
5012 60 days after receipt of the amendment or development permit
5013 solely within protection zones established pursuant to s.
5014 373.415. The department's decision on certification shall be
5015 final agency action. This subsection shall not apply to any
5016 amendments or new land development regulations adopted pursuant
5017 to subsections (1)-(4) or to any development order approving,~~

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5018 ~~approving with conditions, or denying a development of regional~~
5019 ~~impact.~~

5020 Section 200. Paragraph (g) of subsection (1) of section
5021 379.2431, Florida Statutes, is amended to read:

5022 379.2431 Marine animals; regulation.—

5023 (1) PROTECTION OF MARINE TURTLES.—

5024 (g) The Department of Environmental Protection may
5025 condition the nature, timing, and sequence of construction of
5026 permitted activities to provide protection to nesting marine
5027 turtles and hatchlings and their habitat pursuant to s.

5028 ~~161.053(4) the provisions of s. 161.053(5). If~~ When the
5029 department is considering a permit for a beach restoration,
5030 beach renourishment, or inlet sand transfer project and the
5031 applicant has had an active marine turtle nest relocation
5032 program or the applicant has agreed to and has the ability to
5033 administer a program, the department may ~~must~~ not restrict the
5034 timing of the project. If Where appropriate, the department, in
5035 accordance with the applicable rules of the Fish and Wildlife
5036 Conservation Commission, shall require as a condition of the
5037 permit that the applicant relocate and monitor all turtle nests
5038 that would be affected by the beach restoration, beach
5039 renourishment, or sand transfer activities. Such relocation and
5040 monitoring activities shall be conducted in a manner that
5041 ensures successful hatching. This limitation on the department's
5042 authority applies only on the Atlantic coast of Florida.

5043 Section 201. Section 381.732, Florida Statutes, is amended
5044 to read:

5045 381.732 Short title; Healthy Communities, Healthy People
5046 Act.—Sections 381.732-381.734 ~~381.731-381.734~~ may be cited as

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5047 the "Healthy Communities, Healthy People Act."

5048 Section 202. Section 381.733, Florida Statutes, is amended
5049 to read:

5050 381.733 Definitions relating to Healthy Communities,
5051 Healthy People Act.—As used in ss. 381.732-381.734 ~~ss. 381.731-~~
5052 ~~381.734~~, the term:

5053 (1) "Department" means the Department of Health.

5054 (2) "Primary prevention" means interventions directed
5055 toward healthy populations with a focus on avoiding disease
5056 before it occurs prior to its occurrence.

5057 (3) "Secondary prevention" means interventions designed to
5058 promote the early detection and treatment of diseases and to
5059 reduce the risks experienced by at-risk populations.

5060 (4) "Tertiary prevention" means interventions directed at
5061 rehabilitating and minimizing the effects of disease in a
5062 chronically ill population.

5063 Section 203. Paragraph (d) of subsection (5) of section
5064 411.01, Florida Statutes, is amended to read:

5065 411.01 School readiness programs; early learning
5066 coalitions.—

5067 (5) CREATION OF EARLY LEARNING COALITIONS.—

5068 (d) *Implementation.*—

5069 1. An early learning coalition may not implement the school
5070 readiness program until ~~the coalition is authorized through~~
5071 ~~approval of~~ the coalition's school readiness plan is approved by
5072 the Agency for Workforce Innovation.

5073 2. Each early learning coalition shall develop a plan for
5074 implementing the school readiness program to meet the
5075 requirements of this section and the performance standards and

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5076 outcome measures adopted by the Agency for Workforce Innovation.
5077 The plan must demonstrate how the program will ensure that each
5078 3-year-old and 4-year-old child in a publicly funded school
5079 readiness program receives scheduled activities and instruction
5080 designed to enhance the age-appropriate progress of the children
5081 in attaining the performance standards adopted by the agency ~~for~~
5082 ~~Workforce Innovation~~ under subparagraph (4) (d)8. Before
5083 implementing the school readiness program, the early learning
5084 coalition must submit the plan to the agency ~~for Workforce~~
5085 ~~Innovation~~ for approval. The agency ~~for Workforce Innovation~~ may
5086 approve the plan, reject the plan, or approve the plan with
5087 conditions. The agency ~~for Workforce Innovation~~ shall review
5088 school readiness plans at least annually.

5089 3. If the Agency for Workforce Innovation determines during
5090 the annual review of school readiness plans, or through
5091 monitoring and performance evaluations conducted under paragraph
5092 (4) (1), that an early learning coalition has not substantially
5093 implemented its plan, has not substantially met the performance
5094 standards and outcome measures adopted by the agency, or has not
5095 effectively administered the school readiness program or
5096 Voluntary Prekindergarten Education Program, the agency ~~for~~
5097 ~~Workforce Innovation~~ may dissolve the coalition and temporarily
5098 contract with a qualified entity to continue school readiness
5099 and prekindergarten services in the coalition's county or
5100 multicounty region until the coalition is reestablished through
5101 resubmission of a school readiness plan and approval by the
5102 agency.

5103 4. The Agency for Workforce Innovation shall adopt criteria
5104 for the approval of school readiness plans. The criteria must be

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5105 consistent with the performance standards and outcome measures
5106 adopted by the agency and must require each approved plan to
5107 include the following minimum standards and provisions:

5108 a. A sliding fee scale establishing a copayment for parents
5109 based upon their ability to pay, which is the same for all
5110 program providers, to be implemented and reflected in each
5111 program's budget.

5112 b. A choice of settings and locations in licensed,
5113 registered, religious-exempt, or school-based programs to be
5114 provided to parents.

5115 c. Instructional staff who have completed the training
5116 course as required in s. 402.305(2)(d)1., as well as staff who
5117 have additional training or credentials as required by the
5118 Agency for Workforce Innovation. The plan must provide a method
5119 for assuring the qualifications of all personnel in all program
5120 settings.

5121 d. Specific eligibility priorities for children within the
5122 early learning coalition's county or multicounty region in
5123 accordance with subsection (6).

5124 e. Performance standards and outcome measures adopted by
5125 the agency ~~for Workforce Innovation~~.

5126 f. Payment rates adopted by the early learning coalition
5127 and approved by the agency ~~for Workforce Innovation~~. Payment
5128 rates may not have the effect of limiting parental choice or
5129 creating standards or levels of services that have not been
5130 authorized by the Legislature.

5131 g. Systems support services, including a central agency,
5132 child care resource and referral, eligibility determinations,
5133 training of providers, and parent support and involvement.

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5134 h. Direct enhancement services to families and children.

5135 System support and direct enhancement services shall be in
5136 addition to payments for the placement of children in school
5137 readiness programs.

5138 i. The business organization of the early learning
5139 coalition, which must include the coalition's articles of
5140 incorporation and bylaws if the coalition is organized as a
5141 corporation. If the coalition is not organized as a corporation
5142 or other business entity, the plan must include the contract
5143 with a fiscal agent. An early learning coalition may contract
5144 with other coalitions to achieve efficiency in multicounty
5145 services, and these contracts may be part of the coalition's
5146 school readiness plan.

5147 j. Strategies to meet the needs of unique populations, such
5148 as migrant workers.

5149

5150 As part of the school readiness plan, the early learning
5151 coalition may request the Governor to apply for a waiver to
5152 allow the coalition to administer the Head Start Program to
5153 accomplish the purposes of the school readiness program. If a
5154 school readiness plan demonstrates that specific statutory goals
5155 can be achieved more effectively by modifying using procedures
5156 ~~that require modification of~~ existing rules, policies, or
5157 procedures, a request for a waiver to the Agency for Workforce
5158 Innovation may be submitted as part of the plan. Upon review,
5159 the agency ~~for Workforce Innovation~~ may grant the proposed
5160 modification.

5161 5. Persons with an early childhood teaching certificate may
5162 provide support and supervision to other staff in the school

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5163 readiness program.

5164 6. An early learning coalition may not implement its school
5165 readiness plan until it submits the plan to and receives
5166 approval from the Agency for Workforce Innovation. Once the plan
5167 is approved, the plan and the services provided under the plan
5168 shall be controlled by the early learning coalition. The plan
5169 shall be reviewed and revised as necessary, but at least
5170 biennially. An early learning coalition may not implement the
5171 revisions until the coalition submits the revised plan to and
5172 receives approval from the agency ~~for Workforce Innovation~~. If
5173 the agency ~~for Workforce Innovation~~ rejects a revised plan, the
5174 coalition must continue to operate under its prior approved
5175 plan.

5176 7. Sections 125.901(2) (a)3., ~~411.221~~, and 411.232 do not
5177 apply to an early learning coalition with an approved school
5178 readiness plan. To facilitate innovative practices and to allow
5179 the regional establishment of school readiness programs, an
5180 early learning coalition may apply to the Governor and Cabinet
5181 for a waiver of, and the Governor and Cabinet may waive, any of
5182 the provisions of ss. 411.223, 411.232, and 1003.54, if the
5183 waiver is necessary for implementation of the coalition's school
5184 readiness plan.

5185 8. Two or more counties may join for purposes of planning
5186 and implementing a school readiness program.

5187 9. An early learning coalition may, subject to approval by
5188 the Agency for Workforce Innovation as part of the coalition's
5189 school readiness plan, receive subsidized child care funds for
5190 all children eligible for any federal subsidized child care
5191 program.

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5192 10. An early learning coalition may enter into multiparty
5193 contracts with multicounty service providers in order to meet
5194 the needs of unique populations such as migrant workers.

5195 Section 204. Paragraph (a) of subsection (3) of section
5196 411.232, Florida Statutes, is amended to read:

5197 411.232 Children's Early Investment Program.—

5198 (3) ESSENTIAL ELEMENTS.—

5199 (a) Initially, the program shall be directed to geographic
5200 areas where at-risk young children and their families are in
5201 greatest need because of an unfavorable combination of economic,
5202 social, environmental, and health factors, including, without
5203 limitation, extensive poverty, high crime rate, great incidence
5204 of low birthweight babies, high incidence of alcohol and drug
5205 abuse, and high rates of teenage pregnancy. The selection of a
5206 geographic site ~~must~~ shall also consider the incidence of young
5207 children within these at-risk geographic areas who are cocaine
5208 babies, children of single mothers who receive temporary cash
5209 assistance, children of teenage parents, low birthweight babies,
5210 and very young foster children. To receive funding under this
5211 section, an agency, board, council, or provider must
5212 demonstrate:

5213 1. Its capacity to administer and coordinate the programs
5214 and services in a comprehensive manner and provide a flexible
5215 range of services;

5216 2. Its capacity to identify and serve those children least
5217 able to access existing programs and case management services;

5218 3. Its capacity to administer and coordinate the programs
5219 and services in an intensive and continuous manner;

5220 4. The proximity of its facilities to young children,

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5221 parents, and other family members to be served by the program,
5222 or its ability to provide offsite services;

5223 5. Its ability to use existing federal, state, and local
5224 governmental programs and services in implementing the
5225 investment program;

5226 6. Its ability to coordinate activities and services with
5227 existing public and private, state and local agencies and
5228 programs such as those responsible for health, education, social
5229 support, mental health, child care, respite care, housing,
5230 transportation, alcohol and drug abuse treatment and prevention,
5231 income assistance, employment training and placement, nutrition,
5232 and other relevant services, all the foregoing intended to
5233 assist children and families at risk;

5234 7. How its plan will involve project participants and
5235 community representatives in the planning and operation of the
5236 investment program; and

5237 8. Its ability to participate in the evaluation component
5238 required in this section.~~; and~~

5239 ~~9. Its consistency with the strategic plan pursuant to s.~~
5240 ~~411.221.~~

5241 Section 205. Paragraph (a) of subsection (6) of section
5242 445.006, Florida Statutes, is amended to read:

5243 445.006 Strategic and operational plans for workforce
5244 development.—

5245 (6) (a) The operational plan must include strategies that
5246 are designed to prevent or reduce the need for a person to
5247 receive public assistance, including. ~~These strategies must~~
5248 ~~include~~:

5249 1. A teen pregnancy prevention component that includes, but

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5250 is not limited to, a plan for implementing ~~the Florida Education~~
5251 ~~New and Babies Later (ENABLE) program under s. 411.242 and the~~
5252 ~~Teen Pregnancy Prevention Community Initiative within each~~
5253 ~~county of the services area in which the teen birth rate is~~
5254 ~~higher than the state average;~~

5255 2. A component that encourages ~~creation of~~ community-based
5256 welfare prevention and reduction initiatives that increase
5257 support provided by noncustodial parents to their welfare-
5258 dependent children and are consistent with program and financial
5259 guidelines developed by Workforce Florida, Inc., and the
5260 Commission on Responsible Fatherhood. These initiatives may
5261 include, but are not limited to, improved paternity
5262 establishment, work activities for noncustodial parents,
5263 programs aimed at decreasing out-of-wedlock pregnancies,
5264 encouraging involvement of fathers with their children including
5265 court-ordered supervised visitation, and increasing child
5266 support payments;

5267 3. A component that encourages formation and maintenance of
5268 two-parent families through, among other things, court-ordered
5269 supervised visitation;

5270 4. A component that fosters responsible fatherhood in
5271 families receiving assistance; and

5272 5. A component that fosters provision of services that
5273 reduce the incidence and effects of domestic violence on women
5274 and children in families receiving assistance.

5275 Section 206. This act shall take effect upon becoming a
5276 law.