

By the Policy and Steering Committee on Ways and Means; the Committee on Finance and Tax; and Senator Haridopolos

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1 A bill to be entitled
2 An act relating to obsolete or outdated agency plans,
3 reports, and programs; repealing s. 14.25, F.S.,
4 relating to the Florida State Commission on Hispanic
5 Affairs; amending s. 14.26, F.S.; revising reporting
6 requirements of the Citizen's Assistance Office;
7 repealing s. 14.27, F.S., relating to the Florida
8 Commission on African-American Affairs; repealing s.
9 16.58, F.S., relating to the Florida Legal Resource
10 Center; amending s. 17.32, F.S.; revising the
11 recipients of the annual report of trust funds by the
12 Chief Financial Officer; amending s. 17.325, F.S.;
13 deleting a reporting requirement relating to the
14 governmental efficiency hotline; amending s. 20.057,
15 F.S.; deleting a reporting requirement of the Governor
16 relating to interagency agreements to delete
17 duplication of inspections; repealing s. 20.316(4)(e),
18 (f), and (g), F.S.; relating to information systems of
19 the Department of Juvenile Justice; amending s. 20.43,
20 F.S.; revising provisions relating to planning by the
21 Department of Health; amending s. 39.4086, F.S.;
22 deleting provisions relating to a report by the State
23 Courts Administrator on a guardian ad litem program
24 for dependent children; amending s. 98.255, F.S.;
25 deleting provisions relating to a report on the
26 effectiveness of voter education programs; amending s.
27 110.1227, F.S.; revising provisions relating to a
28 report by the board of directors of the Florida Long-
29 Term-Care Plan; amending s. 120.542, F.S.; deleting

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30 provisions relating to reports of petitions filed for
31 variances to agency rules; amending s. 121.45, F.S.;
32 deleting provisions relating to reports on interstate
33 compacts relating to pension portability; repealing s.
34 153.952, F.S., relating to legislative findings and
35 intent concerning privately owned wastewater systems
36 and facilities; amending s. 161.053, F.S.; deleting a
37 provision relating to a report on the coastal
38 construction control line; amending s. 161.161, F.S.;
39 deleting a provision requiring a report on funding for
40 beach erosion control; repealing s. 163.2526, F.S.,
41 relating to the review and evaluation of urban infill;
42 amending s. 163.3167, F.S.; deleting provisions
43 relating to local government comprehensive plans;
44 amending s. 163.3177, F.S.; revising requirements for
45 comprehensive plans; amending s. 163.3178, F.S.;
46 deleting a duty of the Coastal Resources Interagency
47 Management Committee to submit certain
48 recommendations; repealing s. 163.519(12), F.S.,
49 relating to the requirement for a report on
50 neighborhood improvement districts by the Department
51 of Legal Affairs; repealing s. 186.007(9), F.S.;
52 deleting provisions relating to a committee to
53 recommend to the Governor changes in the state
54 comprehensive plan; amending ss. 189.4035 and 189.412,
55 F.S.; revising requirements relating to dissemination
56 of the official list of special districts; amending s.
57 194.034, F.S.; deleting a requirement that the
58 Department of Revenue be notified of certain decisions

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59 of value adjustment boards; amending s. 206.606, F.S.;

60 revising provisions relating to a report on the

61 Florida Boating Improvement Program; amending s.

62 212.054, F.S.; deleting the requirement for a report

63 on costs of administering the discretionary sales

64 surtax; amending s. 212.08, F.S.; deleting a

65 requirement for a report on the sales tax exemption

66 for machinery and equipment used in semiconductor,

67 defense, or space technology production and research

68 and development; repealing s. 213.0452, F.S., relating

69 to a report on the structure of the Department of

70 Revenue; repealing s. 213.054, F.S., relating to

71 monitoring and reporting regarding persons claiming

72 tax exemptions; amending s. 215.70, F.S.; requiring

73 the State Board of Administration to report to the

74 Governor when funds need to be appropriated to honor

75 the full faith and credit of the state; amending s.

76 216.011, F.S.; redefining the term "long-range program

77 plan"; repealing s. 216.181(10)(c), F.S., relating to

78 reports of filled and vacant positions and salaries;

79 amending s. 252.55, F.S.; revising certain reporting

80 requirements relating to the Civil Air Patrol;

81 amending s. 253.7825, F.S.; deleting provisions

82 relating to the plan for the Cross Florida Greenways

83 State Recreation and Conservation Area; repealing s.

84 253.7826, F.S., relating to structures of the Cross

85 Florida Barge Canal; repealing s. 253.7829, F.S.,

86 relating to a management plan for retention or

87 disposition of lands of the Cross Florida Barge Canal;

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88 amending s. 259.037, F.S.; revising provisions
89 relating to a report of the Land Management Uniform
90 Accounting Council; repealing s. 267.074(4), F.S.,
91 relating to a plan for the State Historical Marker
92 Program; repealing s. 284.50(3), F.S., relating to a
93 requirement for a report by the Interagency Advisory
94 Council on Loss Prevention and certain department
95 heads; repealing s. 287.045(11), F.S., relating to a
96 requirement for reports on use of recycled products;
97 amending s. 287.059, F.S.; deleting a requirement for
98 reporting proposed fee schedules for private attorney
99 services for the Attorney General's office; repealing
100 s. 288.108(7), F.S., relating to a requirement for a
101 report by the Office of Tourism, Trade, and Economic
102 Development on high-impact businesses; repealing s.
103 288.1185, F.S., relating to the Recycling Markets
104 Advisory Committee; amending s. 288.1229, F.S.;
105 revising duties of the direct-support organization to
106 support sports-related industries and amateur
107 athletics; repealing s. 288.7015(4), F.S., relating to
108 a requirement for a report by the rules ombudsman in
109 the Executive Office of the Governor; amending s.
110 288.7771, F.S.; revising a reporting requirement of
111 the Florida Export Finance Corporation; repealing s.
112 288.8175(8), (10), and (11), F.S., relating to certain
113 responsibilities of the Department of Education with
114 respect to linkage institutes between postsecondary
115 institutions in this state and foreign countries;
116 repealing s. 288.853(5), F.S., relating to the

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117 requirement for a report on assistance to and commerce
118 with Cuba; amending s. 288.95155, F.S.; revising
119 requirements for a report by Enterprise Florida, Inc.,
120 on the Florida Small Business Technology Growth
121 Program; amending s. 288.9604, F.S.; deleting a
122 requirement for a report by the Florida Development
123 Finance Corporation; amending s. 288.9610, F.S.;
124 revising provisions relating to annual reporting by
125 the corporation; amending s. 292.05, F.S.; revising
126 requirements relating to a report by the Department of
127 Veterans' Affairs; repealing ss. 296.16 and 296.39,
128 F.S., relating to reports by the executive director of
129 the Department of Veterans' Affairs; repealing s.
130 315.03(12)(c), F.S., relating to legislative review of
131 a loan program of the Florida Seaport Transportation
132 and Economic Development Council; amending s. 319.324,
133 F.S.; deleting provisions relating to funding a report
134 on odometer fraud prevention and detection; repealing
135 s. 322.181, F.S., relating to a study by the
136 Department of Highway Safety and Motor Vehicles on
137 driving by the elderly; repealing s. 322.251(7)(c),
138 F.S., relating to a plan to indemnify persons wanted
139 for passing worthless bank checks; repealing ss.
140 341.8201-341.842, F.S., relating to the Florida High-
141 Speed Rail Authority Act; amending s. 373.0391, F.S.;
142 deleting provisions relating to provision of certain
143 information by water management districts; amending s.
144 373.046, F.S.; deleting an obsolete provision
145 requiring a report by the Secretary of Environmental

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146 Protection; repealing s. 376.121(14), F.S., relating
147 to a report by the Department of Environmental
148 Protection on damage to natural resources; repealing
149 s. 376.17, F.S., relating to reports of the department
150 to the Legislature; repealing s. 376.30713(5), F.S.,
151 relating to a report on preapproved advanced cleanup;
152 amending s. 379.2211, F.S.; revising provisions
153 relating to a report by the Fish and Wildlife
154 Conservation Commission on waterfowl permit revenues;
155 amending s. 379.2212, F.S.; revising provisions
156 relating to a report by the commission on wild turkey
157 permit revenues; repealing s. 379.2523(8), F.S.,
158 relating to duties of the Fish and Wildlife
159 Conservation Commission concerning an aquaculture
160 plan; amending s. 380.06, F.S.; deleting provisions on
161 transmission of revisions relating to statewide
162 guidelines and standards for developments of regional
163 impact; repealing s. 380.0677(3), F.S., relating to
164 powers of the Green Swamp Land Authority; repealing s.
165 381.0011(3), F.S., relating to an inclusion in the
166 Department of Health's strategic plan; repealing s.
167 381.0036, F.S., relating to planning for
168 implementation of educational requirements concerning
169 HIV and AIDS; repealing s. 381.731, F.S., relating to
170 strategic planning of the Department of Health;
171 amending s. 381.795, F.S.; deleting provisions
172 relating to studies by the Department of Health on
173 long-term, community-based supports; amending s.
174 381.931, F.S.; deleting provisions relating to the

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175 duty of the Department of Health to develop a report
176 on Medicaid expenditures; amending s. 383.19, F.S.;
177 revising provisions relating to reports by hospitals
178 contracting to provide perinatal intensive care
179 services; repealing s. 383.21, F.S., relating to
180 reviews of perinatal intensive care service programs;
181 amending s. 383.2161, F.S.; revising requirements
182 relating to a report by the Department of Health on
183 maternal and child health; repealing s. 394.4573(4),
184 F.S., relating to the requirement for a report by the
185 Department of Children and Family Services on staffing
186 state mental health facilities; amending s. 394.4985,
187 F.S.; deleting provisions relating to plans by
188 department districts; repealing s. 394.82, F.S.,
189 relating to the funding of expanded community mental
190 health services; repealing s. 394.9082(9), F.S.,
191 relating to reports on contracting with behavioral
192 health management entities; repealing s. 394.9083,
193 F.S., relating to the Behavioral Health Services
194 Integration Workgroup; repealing s. 395.807(2)(c),
195 F.S., relating to requirements for a report on the
196 retention of family practice residents; repealing s.
197 397.332(3), F.S., relating to the requirement for a
198 report by the director of the Office of Drug Control;
199 amending s. 397.333, F.S.; deleting the requirement
200 for a report by the Statewide Drug Policy Advisory
201 Council; repealing s. 397.94(1), F.S., relating to
202 children's substance abuse services plans by service
203 districts of the Department of Children and Family

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204 Services; repealing s. 400.148(2), F.S., relating to a
205 pilot program of the Agency for Health Care
206 Administration for a quality-of-care contract
207 management program; amending s. 400.967, F.S.;
208 deleting provisions relating to a report by the Agency
209 for Health Care Administration on intermediate care
210 facilities for developmentally disabled persons;
211 repealing s. 402.3016(3), F.S., relating to the
212 requirement for a report by the agency on Early Head
213 Start collaboration grants; repealing s. 402.40(9),
214 F.S., relating to submission to the Legislature of
215 certain information related to child welfare training;
216 amending s. 403.4131, F.S.; deleting provisions
217 relating to a report on the adopt-a-highway program;
218 repealing s. 406.02(4)(a), F.S., relating to the
219 requirement for a report by the Medical Examiners
220 Commission; amending s. 408.033, F.S.; revising
221 provisions relating to reports by local health
222 councils; repealing s. 408.914(4), F.S., relating to
223 the requirement of the Agency for Health Care
224 Administration to submit to the Governor a plan on the
225 comprehensive health and human services eligibility
226 access system; repealing s. 408.915(3)(i), F.S.,
227 relating to the requirement for periodic reports on
228 the pilot program for such access; repealing s.
229 408.917, F.S., relating to an evaluation of the pilot
230 project; amending s. 409.1451, F.S.; revising
231 requirements relating to reports on independent living
232 transition services; repealing s. 409.152, F.S.,

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233 relating to service integration and family
234 preservation; repealing s. 409.1679(1) and (2), F.S.,
235 relating to reports concerning residential group care
236 services; amending s. 409.1685, F.S.; revising
237 provisions relating to reports by the Department of
238 Children and Family Services on children in foster
239 care; repealing s. 409.221(4)(k), F.S., relating to
240 reports on consumer-directed care; amending s.
241 409.25575, F.S.; deleting provisions relating to a
242 report by the Department of Revenue regarding a
243 quality assurance program for privatization of
244 services; amending s. 409.2558, F.S.; deleting
245 provisions relating to the Department of Revenue's
246 solicitation of recommendations related to a rule on
247 undistributable collections; repealing s. 409.441(3),
248 F.S., relating to the state plan for the handling of
249 runaway youths; amending s. 409.906, F.S.; deleting a
250 requirement for reports of child-welfare-targeted case
251 management projects; amending s. 409.912, F.S.;
252 revising provisions relating to duties of the agency
253 with respect to cost-effective purchasing of health
254 care; repealing s. 410.0245, F.S., relating to a study
255 of service needs of the disabled adult population;
256 repealing s. 410.604(10), F.S., relating to a
257 requirement for the Department of Children and Family
258 Services to evaluate the community care for disabled
259 adults program; amending s. 411.0102, F.S.; deleting
260 provisions relating to use of child care purchasing
261 pool funds; repealing s. 411.221, F.S., relating to

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262 prevention and early assistance; repealing s. 411.242,
263 F.S., relating to the Florida Education Now and Babies
264 Later program; amending s. 414.14, F.S.; deleting a
265 provision relating to a report by the Secretary of
266 Children and Family Services on public assistance
267 policy simplification; repealing s. 414.36(1), F.S.,
268 relating to a plan for privatization of recovery of
269 public assistance overpayment claims; repealing s.
270 414.391(3), F.S., relating to a plan for automated
271 fingerprint imaging; amending s. 415.1045, F.S.;
272 deleting a requirement for a study by the Office of
273 Program Policy Analysis and Government Accountability
274 on documentation of exploitation, abuse, or neglect;
275 amending s. 420.622, F.S.; revising requirements
276 relating to a report by the State Council on
277 Homelessness; repealing s. 420.623(4), F.S., relating
278 to the requirement of a report by the Department of
279 Community Affairs on homelessness; amending s.
280 427.704, F.S.; revising requirements relating to a
281 report by the Public Service Commission on a
282 telecommunications access system; amending s. 427.706,
283 F.S.; revising requirements relating to a report by
284 the advisory committee on telecommunications access;
285 amending s. 429.07, F.S.; deleting provisions relating
286 to a report by the Department of Elderly Affairs on
287 extended congregate care facilities; repealing s.
288 429.08(2), F.S., relating to local workgroups of field
289 offices of the Agency for Health Care Administration;
290 amending s. 429.41, F.S.; deleting provisions relating

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291 to a report concerning standards for assisted living
292 facilities; amending s. 430.04, F.S.; revising duties
293 of the Department of Elderly Affairs with respect to
294 certain reports and recommendations; amending s.
295 430.502, F.S.; revising requirements with respect to
296 reports by the Alzheimer's Disease Advisory Committee;
297 amending s. 445.006, F.S.; deleting provisions
298 relating to a strategic plan for workforce
299 development; repealing s. 455.204, F.S., relating to
300 long-range policy planning in the Department of
301 Business and Professional Regulation; repealing s.
302 455.2226(8), F.S., relating to the requirement of a
303 report by the Board of Funeral Directors and
304 Embalmers; repealing s. 455.2228(6), F.S., relating to
305 the requirement of reports by the Barbers' Board and
306 the Board of Cosmetology; amending s. 456.005, F.S.;
307 revising requirements relating to long-range planning
308 by professional boards; amending s. 456.025, F.S.;
309 revising requirements relating to a report to
310 professional boards by the Department of Health;
311 repealing s. 456.034(6), F.S., relating to reports by
312 professional boards about HIV and AIDS; amending s.
313 517.302, F.S.; deleting a requirement for a report by
314 the Office of Financial Regulation on deposits into
315 the Anti-Fraud Trust Fund; repealing s. 531.415(3),
316 F.S., relating to the requirement of a report by the
317 Department of Agriculture and Consumer Services on
318 fees; repealing s. 570.0705(3), F.S., relating to the
319 requirement of a report by the Commissioner of

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320 Agriculture concerning advisory committees; repealing
321 s. 570.0725(5), F.S., relating to a report by the
322 Department of Agriculture and Consumer Services
323 concerning support for food recovery programs;
324 repealing s. 570.543(3), F.S., relating to legislative
325 recommendations of the Florida Consumers' Council;
326 amending s. 603.204, F.S.; revising requirements
327 relating to the South Florida Tropical Fruit Plan;
328 amending s. 627.64872, F.S.; deleting provisions
329 relating to an interim report by the board of
330 directors of the Florida Health Insurance Plan;
331 prohibiting the board from acting to implement the
332 plan until certain funds are appropriated; amending s.
333 744.708, F.S.; revising provisions relating to audits
334 of public guardian offices and to reports concerning
335 those offices; amending s. 768.295, F.S.; revising
336 duties of the Attorney General relating to reports
337 concerning "SLAPP" lawsuits; amending s. 775.084,
338 F.S.; deleting provisions relating to sentencing of
339 violent career criminals and to reports of judicial
340 actions with respect thereto; amending s. 790.22,
341 F.S.; deleting provisions relating to reports by the
342 Department of Juvenile Justice concerning certain
343 juvenile offenses that involve weapons; amending s.
344 943.125, F.S.; deleting provisions relating to reports
345 by the Florida Sheriffs Association and the Florida
346 Police Chiefs Association concerning law enforcement
347 agency accreditation; amending s. 943.68, F.S.;

348 revising requirements relating to reports by the

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349 Department of Law Enforcement concerning
350 transportation and protective services; amending s.
351 944.023, F.S.; adding a cross reference; amending s.
352 944.801, F.S.; deleting a requirement to deliver to
353 specified officials copies of certain reports
354 concerning education of state prisoners; repealing s.
355 945.35(10), F.S., relating to the requirement of a
356 report by the Department of Corrections concerning HIV
357 and AIDS education; repealing s. 958.045(9), F.S.,
358 relating to a report by the department concerning
359 youthful offenders; amending s. 960.045, F.S.;
360 revising requirements relating to reports by the
361 Department of Legal Affairs with respect to victims of
362 crimes; repealing s. 985.02(8)(c), F.S., relating to
363 the requirement of a study by the Office of Program
364 Policy Analysis and Government Accountability on
365 programs for young females within the Department of
366 Juvenile Justice; amending s. 985.047, F.S.; deleting
367 provisions relating to a plan by a multiagency task
368 force on information systems related to delinquency;
369 amending s. 985.47, F.S.; deleting provisions relating
370 to a report on serious or habitual juvenile offenders;
371 amending s. 985.483, F.S.; deleting provisions
372 relating to a report on intensive residential
373 treatment for offenders younger than 13 years of age;
374 repealing s. 985.61(5), F.S., relating to a report by
375 the Department of Juvenile Justice on early
376 delinquency intervention; amending s. 985.622, F.S.;
377 deleting provisions relating to submission of the

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378 multiagency plan for vocational education; repealing
379 s. 985.632(7), F.S., relating to a report by the
380 Department of Juvenile Justice on funding incentives
381 and disincentives; repealing s. 1002.34(19), F.S.,
382 relating to an evaluation and report by the
383 Commissioner of Education concerning charter technical
384 career centers; repealing s. 1003.61(4), F.S.,
385 relating to evaluation of a pilot attendance project
386 in Manatee County; amending s. 1004.22, F.S.; deleting
387 provisions relating to university reports concerning
388 sponsored research; repealing s. 1004.50(6), F.S.,
389 relating to the requirement of a report by the
390 Governor concerning unmet needs in urban communities;
391 repealing s. 1004.94(2) and (4), F.S., relating to
392 guidelines for and a report on plans for a state adult
393 literacy program; amending s. 1004.95, F.S.; revising
394 requirements relating to implementing provisions for
395 adult literacy centers; repealing s. 1006.0605, F.S.,
396 relating to students' summer nutrition; repealing s.
397 1006.67, F.S., relating to a report of campus crime
398 statistics; amending s. 1009.70, F.S.; deleting
399 provisions relating to a report on a minority law
400 school scholarship program; amending s. 1011.32, F.S.;
401 requiring the Governor to be given a copy of a report
402 related to the Community College Facility Enhancement
403 Challenge Grant Program; amending s. 1011.62, F.S.;
404 deleting provisions relating to recommendations for
405 implementing the extended-school-year program;
406 repealing s. 1012.05(2)(1), F.S., relating to a plan

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407 concerning teacher recruitment and retention; amending
408 s. 1012.42, F.S.; deleting provisions relating to a
409 plan of assistance for teachers teaching out-of-field;
410 amending s. 1013.11, F.S.; deleting provisions
411 relating to transmittal of a report on physical plant
412 safety; amending ss. 161.142, 163.065, 163.2511,
413 163.2514, 163.3202, 259.041, 259.101, 369.305,
414 379.2431, 381.732, 381.733, 411.01, 411.232, and
415 445.006, F.S., conforming cross-references to changes
416 made by the act; providing an effective date.

417

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

419

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

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

423 14.26 Citizen's Assistance Office.—

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

426 (a) The number of complaints and investigations ~~and~~
427 ~~complaints made during the preceding quarter~~ and the disposition
428 of such investigations.

429 ~~(b) Recommendations in the form of suggested legislation or~~
430 ~~suggested procedures for the alleviation of problems disclosed~~
431 ~~by investigations.~~

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

435 (c) Recommendations for the alleviation of the cause of

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436 complaints disclosed by investigations.

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

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

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

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

443 17.32 Annual report of trust funds; duties of Chief
444 Financial Officer.—

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

451 (a) The fund code.

452 (b) The title.

453 (c) The fund type according to generally accepted
454 accounting principles.

455 (d) The statutory authority.

456 (e) The beginning cash balance.

457 (f) Direct revenues.

458 (g) Nonoperating revenues.

459 (h) Operating disbursements.

460 (i) Nonoperating disbursements.

461 (j) The ending cash balance.

462 (k) The department and budget entity in which the fund is
463 located.

464 Section 6. Subsection (1) of section 17.325, Florida

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465 Statutes, is amended to read:

466 17.325 Governmental efficiency hotline; duties of Chief
467 Financial Officer.—

468 (1) The Chief Financial Officer shall establish and operate
469 a statewide toll-free telephone hotline to receive information
470 or suggestions from the residents ~~citizens~~ of this state on how
471 to improve the operation of government, increase governmental
472 efficiency, and eliminate waste in government. ~~The Chief
473 Financial Officer shall report each month to the appropriations
474 committee of the House of Representatives and of the Senate the
475 information or suggestions received through the hotline and the
476 evaluations and determinations made by the affected agency, as
477 provided in subsection (3), with respect to such information or
478 suggestions.~~

479 Section 7. Section 20.057, Florida Statutes, is amended to
480 read:

481 20.057 Interagency agreements to delete duplication of
482 inspections.—

483 (1) The Governor shall direct any department, the head of
484 which is an officer or board appointed by and serving at the
485 pleasure of the Governor, to enter into an interagency agreement
486 to that will eliminate duplication of inspections among ~~the~~
487 departments that inspect the same type of facility or structure.
488 Parties to the agreement may include departments ~~which are~~
489 headed by a Cabinet officer, the Governor and Cabinet, or a
490 collegial body. The agreement shall:

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

493 (b) Specify that agents of the department conducting the

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494 inspection have all powers relative to the inspection as the
495 agents of the department on whose behalf the inspection is being
496 conducted.

497 (c) Require that agents of the department conducting the
498 inspection have sufficient knowledge of statutory and
499 administrative inspection requirements to conduct a proper
500 inspection.

501 (d) Specify that the departments entering ~~which have~~
502 ~~entered~~ into the agreement may not ~~neither~~ charge or ~~nor~~ accept
503 ~~any~~ funds with respect to duties performed under the agreement
504 which are in excess of the direct costs of conducting the ~~such~~
505 inspections.

506 (2) Before taking effect, an agreement entered into under
507 this section must be approved by the Governor. Inspections
508 conducted under an agreement are ~~shall be deemed~~ sufficient for
509 enforcement purposes pursuant to the agreement or as otherwise
510 provided by law.

511 ~~(2) No later than 60 days prior to the beginning of the~~
512 ~~regular session, the Governor shall make an annual report to the~~
513 ~~President of the Senate and the Speaker of the House of~~
514 ~~Representatives regarding interagency agreements. The report~~
515 ~~shall identify each interagency agreement entered into under~~
516 ~~this section, and, for each agreement, shall describe the~~
517 ~~duplication eliminated, provide data that measures the~~
518 ~~effectiveness of inspections conducted under the interagency~~
519 ~~agreement, and estimate the cost savings that have resulted from~~
520 ~~the agreement. The report shall also describe obstacles~~
521 ~~encountered by any department in attempting to develop an~~
522 ~~interagency agreement and in performing duties resulting from an~~

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523 ~~interagency agreement and shall recommend appropriate remedial~~
524 ~~legislative action.~~

525 Section 8. Paragraphs (e), (f), and (g) of subsection (4)
526 of section 20.316, Florida Statutes, are repealed.

527 Section 9. Paragraph (l) of subsection (1) of section
528 20.43, Florida Statutes, is amended to read:

529 20.43 Department of Health.—There is created a Department
530 of Health.

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

535 (1) Include in its long-range program ~~the department's~~
536 ~~strategie~~ plan developed under s. 186.021 an assessment of
537 current health programs, systems, and costs; projections of
538 future problems and opportunities; and recommended changes that
539 are needed in the health care system to improve the public
540 health.

541 Section 10. Paragraph (h) of subsection (2) of section
542 39.4086, Florida Statutes, is amended to read:

543 39.4086 Pilot program for attorneys ad litem for dependent
544 children.—

545 (2) RESPONSIBILITIES.—

546 (h) The Office of the State Courts Administrator shall
547 conduct research and gather statistical information to evaluate
548 the establishment, operation, and impact of the pilot program in
549 meeting the legal needs of dependent children. In assessing the
550 effects of the pilot program, including achievement of outcomes
551 identified under paragraph (b), the evaluation must include a

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552 comparison of children within the Ninth Judicial Circuit who are
553 appointed an attorney ad litem with those who are not. ~~The~~
554 ~~office shall submit a report to the Legislature and the Governor~~
555 ~~by October 1, 2001, and by October 1, 2002, regarding its~~
556 ~~findings. The office shall submit a final report by October 1,~~
557 ~~2003, which must include an evaluation of the pilot program;~~
558 ~~findings on the feasibility of a statewide program; and~~
559 ~~recommendations, if any, for locating, establishing, and~~
560 ~~operating a statewide program.~~

561 Section 11. Subsections (1) and (3) of section 98.255,
562 Florida Statutes, are amended to read:

563 98.255 Voter education programs.—

564 (1) ~~By March 1, 2002,~~ The Department of State shall adopt
565 rules prescribing minimum standards for nonpartisan voter
566 education. ~~In developing the rules, the department shall review~~
567 ~~current voter education programs within each county of the~~
568 ~~state. The standards shall, at a minimum, address, but are not~~
569 ~~limited to, the following subjects:~~

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

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

580 ~~(b) The Department of State, upon receipt of such~~

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581 ~~information, shall prepare a public report on the effectiveness~~
582 ~~of voter education programs and shall submit the report to the~~
583 ~~Governor, the President of the Senate, and the Speaker of the~~
584 ~~House of Representatives by January 31 of each year following a~~
585 ~~general election.~~

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

591 Section 12. Paragraph (a) of subsection (7) of section
592 110.1227, Florida Statutes, is amended to read:

593 110.1227 Florida Employee Long-Term-Care Plan Act.—

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

596 (a) Upon implementation, prepare an annual report of the
597 plan, with the assistance of an actuarial consultant, to be
598 submitted to the ~~Speaker of the House of Representatives, the~~
599 ~~President of the Senate, the Governor,~~ and the Legislature ~~the~~
600 ~~Minority Leaders of the Senate and the House of Representatives.~~

601 Section 13. Subsection (9) of section 120.542, Florida
602 Statutes, is amended to read:

603 120.542 Variances and waivers.—

604 (9) Each agency shall maintain a record of the type and
605 disposition of each petition, including temporary or emergency
606 variances and waivers, filed pursuant to this section. ~~On~~
607 ~~October 1 of each year, each agency shall file a report with the~~
608 ~~Governor, the President of the Senate, and the Speaker of the~~
609 ~~House of Representatives listing the number of petitions filed~~

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610 ~~requesting variances to each agency rule, the number of~~
611 ~~petitions filed requesting waivers to each agency rule, and the~~
612 ~~disposition of all petitions. Temporary or emergency variances~~
613 ~~and waivers, and the reasons for granting or denying temporary~~
614 ~~or emergency variances and waivers, shall be identified~~
615 ~~separately from other waivers and variances.~~

616 Section 14. Subsection (3) of section 121.45, Florida
617 Statutes, is amended to read:

618 121.45 Interstate compacts relating to pension
619 portability.—

620 (3) ESTABLISHMENT OF COMPACTS.—

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

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

634 (c) Upon a determination that ~~such~~ a compact is feasible
635 ~~and upon request of the Legislature,~~ the department, together
636 with its consulting actuaries, shall, ~~in accordance with said~~
637 ~~goals and priorities,~~ develop a proposal under which retirement
638 credit may be transferred to or from Florida in an actuarially

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639 sound manner and shall present the proposal to the Governor and
640 the Legislature for consideration.

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

645 ~~(e) After the actuarial study has been completed, the~~
646 ~~department shall present its findings and the actuarial study to~~
647 ~~the Legislature for consideration. If either house of the~~
648 ~~Legislature elects to enter into such a compact, it shall be~~
649 ~~introduced in the form of a proposed committee bill to the full~~
650 ~~Legislature during the same or next regular session.~~

651 Section 15. Section 153.952, Florida Statutes, is repealed.

652 Section 16. Subsections (3) through (22) of section
653 161.053, Florida Statutes, are amended to read:

654 161.053 Coastal construction and excavation; regulation on
655 county basis.—

656 ~~(3) It is the intent of the Legislature that any coastal~~
657 ~~construction control line that has not been updated since June~~
658 ~~30, 1980, shall be considered a critical priority for~~
659 ~~reestablishment by the department. In keeping with this intent,~~
660 ~~the department shall notify the Legislature if all such lines~~
661 ~~cannot be reestablished by December 31, 1997, so that the~~
662 ~~Legislature may subsequently consider interim lines of~~
663 ~~jurisdiction for the remaining counties.~~

664 (3)-(4) A Any coastal county or coastal municipality may
665 establish coastal construction zoning and building codes in lieu
666 of the provisions of this section if, ~~provided~~ such zones and
667 codes are approved by the department as being adequate to

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668 preserve and protect the beaches and coastal barrier dunes
669 adjacent to such beaches, which are under the jurisdiction of
670 the department, from imprudent construction that will jeopardize
671 the stability of the beach-dune system, accelerate erosion,
672 provide inadequate protection to upland structures, endanger
673 adjacent properties, or interfere with public beach access.
674 Exceptions to locally established coastal construction zoning
675 and building codes may ~~shall~~ not be granted unless previously
676 approved by the department. ~~It is~~ The intent of this subsection
677 is to provide for the local administration of established
678 coastal construction control lines through approved zoning and
679 building codes if ~~where~~ desired by local interests and where
680 such local interests have, in the judgment of the department,
681 sufficient funds and personnel to adequately administer the
682 program. Should the department determine at any time that the
683 program is inadequately administered, the department may ~~shall~~
684 ~~have authority to~~ revoke the authority granted to the county or
685 municipality.

686 (4) ~~(5)~~ Except in those areas where local zoning and
687 building codes have been established pursuant to subsection (3)
688 ~~(4)~~, a permit to alter, excavate, or construct on property
689 seaward of established coastal construction control lines may be
690 granted by the department as follows:

691 (a) The department may authorize an excavation or erection
692 of a structure at any coastal location as described in
693 subsection (1) upon receipt of an application from a property or
694 ~~and/or~~ riparian owner and upon the consideration of facts and
695 circumstances, including:

696 1. Adequate engineering data concerning shoreline stability

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697 and storm tides related to shoreline topography;

698 2. Design features of the proposed structures or
699 activities; and

700 3. Potential effects ~~impacts~~ of the location of the ~~such~~
701 structures or activities, including potential cumulative effects
702 of ~~any~~ proposed structures or activities upon the ~~such~~ beach-
703 dune system, which, in the opinion of the department, clearly
704 justify ~~such~~ a permit.

705 (b) If in the immediate contiguous or adjacent area a
706 number of existing structures have established a reasonably
707 continuous and uniform construction line closer to the line of
708 mean high water than the foregoing, and if the existing
709 structures have not been unduly affected by erosion, a proposed
710 structure may, ~~at the discretion of the department,~~ be permitted
711 along such line on written authorization from the department if
712 the ~~such~~ structure is also approved by the department. However,
713 the department may ~~shall~~ not contravene setback requirements or
714 zoning or building codes established by a county or municipality
715 which are equal to, or more strict than, the ~~those~~ requirements
716 provided in this subsection ~~herein~~. This paragraph does not
717 prohibit the department from requiring structures to meet design
718 and siting criteria established in paragraph (a) or in
719 subsection (1) or subsection (2).

720 (c) The department may condition the nature, timing, and
721 sequence of construction of permitted activities to provide
722 protection to nesting sea turtles and hatchlings and their
723 habitat, pursuant to s. 379.2431, and to native salt-resistant
724 vegetation and endangered plant communities.

725 (d) The department may require ~~such~~ engineer certifications

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726 as necessary to ensure ~~assure~~ the adequacy of the design and
727 construction of permitted projects.

728 (e) The department shall limit the construction of
729 structures that ~~which~~ interfere with public access along the
730 beach. However, the department may require, as a condition of ~~to~~
731 granting permits, the provision of alternative access if ~~when~~
732 interference with public access along the beach is unavoidable.
733 The width of the ~~such~~ alternate access may not be required to
734 exceed the width of the access that will be obstructed ~~as a~~
735 ~~result of the permit being granted.~~

736 (f) The department may, as a condition of ~~to~~ the granting
737 of a permit ~~under this section~~, require mitigation, financial,
738 or other assurances acceptable to the department ~~as may be~~
739 ~~necessary~~ to ensure ~~assure~~ performance of conditions of a permit
740 or enter into contractual agreements to best assure compliance
741 with any permit conditions. The department may also require
742 notice of the permit conditions required and the contractual
743 agreements entered into ~~pursuant to the provisions of this~~
744 ~~subsection~~ to be filed in the public records of the county in
745 which the permitted activity is located.

746 (5) ~~(6)~~ (a) As used in this subsection, the term:

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

751 2. "Seasonal high-water line" means the line formed by the
752 intersection of the rising shore and the elevation of 150
753 percent of the local mean tidal range above local mean high
754 water.

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755 (b) After October 1, 1985, and Notwithstanding any other
756 provision of this part, the department, or a local government to
757 which the department has delegated permitting authority pursuant
758 to subsections (3) ~~(4)~~ and (15) ~~(16)~~, may ~~shall~~ not issue a any
759 permit for any structure, other than a coastal or shore
760 protection structure, minor structure, or pier, meeting the
761 requirements of this part, or other than intake and discharge
762 structures for a facility sited pursuant to part II of chapter
763 403, which is proposed for a location that ~~which~~, based on the
764 department's projections of erosion in the area, will be seaward
765 of the seasonal high-water line within 30 years after the date
766 of application for the ~~such~~ permit. The procedures for
767 determining such erosion shall be established by rule. In
768 determining the area that ~~which~~ will be seaward of the seasonal
769 high-water line in 30 years, the department may ~~shall~~ not
770 include any areas landward of a coastal construction control
771 line.

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

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

779 2. The owner of the parcel ~~for which the single-family~~
780 ~~dwelling is proposed~~ does not own another parcel immediately
781 adjacent to and landward of the parcel for which the dwelling is
782 proposed;

783 3. The proposed single-family dwelling is located landward

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784 of the frontal dune structure; and

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

788 (d) In determining the land areas that ~~which~~ will be below
789 the seasonal high-water line within 30 years after the permit
790 application date, the department shall consider the effect
791 ~~impact~~ on the erosion rates of an existing beach nourishment or
792 restoration project or of a beach nourishment or restoration
793 project for which all funding arrangements have been made and
794 all permits have been issued at the time the application is
795 submitted. The department shall consider each year there is sand
796 seaward of the erosion control line whether ~~that~~ ~~no~~ erosion took
797 place that year. However, the seaward extent of the beach
798 nourishment or restoration project beyond the erosion control
799 line may ~~shall~~ not be considered in determining the applicable
800 erosion rates. ~~Nothing in~~ This subsection does not ~~shall~~
801 prohibit the department from requiring structures to meet the
802 criteria established in subsection (1), subsection (2), or
803 subsection (4) ~~(5)~~ or to be further landward than required by
804 this subsection based on the criteria established in subsection
805 (1), subsection (2), or subsection (4) ~~(5)~~.

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

810 (6) ~~(7)~~ Any coastal structure erected, or excavation
811 created, in violation of ~~the provisions of~~ this section is
812 ~~hereby~~ declared to be a public nuisance, and such structure

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813 shall be ~~forthwith~~ removed or such excavation shall be ~~forthwith~~
814 refilled after written notice by the department directing such
815 removal or filling. If ~~In the event~~ the structure is not removed
816 or the excavation refilled within a reasonable time as directed,
817 the department may remove such structure or fill such excavation
818 at its own expense, and the costs thereof shall become a lien on
819 ~~upon~~ the property of the upland owner upon which the ~~such~~
820 unauthorized structure or excavation is located.

821 (7) ~~(8)~~ Any person, firm, corporation, or agent thereof who
822 violates this section commits ~~is guilty of~~ a misdemeanor of the
823 first degree, punishable as provided in s. 775.082 or s.
824 775.083, ~~+~~ except that a person driving a ~~any~~ vehicle on, over,
825 or across a ~~any~~ sand dune and damaging or causing to be damaged
826 such sand dune or the vegetation growing thereon in violation of
827 this section commits ~~is guilty of~~ a misdemeanor of the second
828 degree, punishable as provided in s. 775.082 or s. 775.083. A
829 person, firm, corporation, or agent thereof commits ~~shall be~~
830 ~~deemed guilty of~~ a separate offense for each day during any
831 portion of which a ~~any~~ violation of this section is committed or
832 continued.

833 (8) ~~(9)~~ ~~The provisions of~~ This section does ~~de~~ not apply to
834 structures intended for shore protection purposes which are
835 regulated by s. 161.041 or to structures existing or under
836 construction before ~~prior to~~ the establishment of the coastal
837 construction control line if the ~~as provided herein, provided~~
838 ~~such~~ structures are ~~may not be~~ materially altered except as
839 provided in subsection (4) ~~(5)~~. Except for structures that have
840 been materially altered, structures ~~determined to be~~ under
841 construction at the time of the establishment or reestablishment

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842 of the coastal construction control line are ~~shall be~~ exempt
843 from the provisions of this section. However, unless such an
844 exemption has been judicially confirmed to exist before ~~prior to~~
845 April 10, 1992, the exemption shall last only for a period of 3
846 years from ~~either~~ the date of the determination of the exemption
847 or April 10, 1992, whichever occurs later. The department may
848 extend the exemption period for structures that require longer
849 periods for completion if ~~of their construction, provided that~~
850 construction during the initial exemption period is ~~has been~~
851 continuous. For purposes of this subsection, the term
852 "continuous" means following a reasonable sequence of
853 construction without significant or unreasonable periods of work
854 stoppage.

855 (9) ~~(10)~~ The department may ~~by regulation~~ exempt
856 specifically described portions of the coastline from the
857 provisions of this section if, when in its judgment, such
858 portions of coastline because of their nature are not subject to
859 erosion of a substantially damaging effect to the public.

860 (10) ~~(11)~~ Pending the establishment of coastal construction
861 control lines as provided herein, the provisions of s. 161.052
862 shall remain in force. However, upon the establishment of
863 coastal construction control lines, or the establishment of
864 coastal construction zoning and building codes as provided in
865 subsection (3) ~~(4)~~, the provisions of s. 161.052 shall be
866 superseded by the provisions of this section.

867 (11) ~~(12)~~ (a) The coastal construction control requirements
868 defined in subsection (1) and the requirements of the erosion
869 projections in ~~pursuant to~~ subsection (5) ~~(6)~~ do not apply to
870 any modification, maintenance, or repair of ~~to~~ any existing

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871 structure within the limits of the existing foundation which
872 does not require, involve, or include any additions to, or
873 repair or modification of, the existing foundation of that
874 structure. Specifically excluded from this exemption are
875 seawalls or other rigid coastal or shore protection structures
876 and any additions or enclosures added, constructed, or installed
877 below the first dwelling floor or lowest deck of the existing
878 structure.

879 (b) Activities seaward of the coastal construction control
880 line which are determined by the department not to cause a
881 measurable interference with the natural functioning of the
882 coastal system are exempt from the requirements of ~~in~~ subsection
883 (4) ~~(5)~~.

884 (c) The department may establish exemptions from the
885 requirements of this section for minor activities determined by
886 the department not to have an adverse effect ~~impacts~~ on the
887 coastal system. Examples of such activities include, but are not
888 limited to:

889 1. Boat moorings;

890 2. Maintenance of existing beach-dune ~~beach/dune~~
891 vegetation;

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

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

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

898 6. The removal of any existing structures or debris from
899 the upland, if ~~provided~~ there is no excavation or disturbance to

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900 the existing topography or to beach-dune ~~beach/dune~~ vegetation;

901 7. Construction of a ~~any~~ new roof overhang extending no
902 more than 4 feet beyond the confines of the existing foundation
903 during modification, renovation, or reconstruction of a
904 habitable structure within the confines of the existing
905 foundation of that structure which does not include any
906 additions to or modification of the existing foundation of that
907 structure;

908 8. Minor and temporary excavation for the purpose of
909 repairs to existing subgrade residential service utilities
910 (e.g., water and sewer lines, septic tanks and drainfields,
911 electrical and telephone cables, and gas lines), if provided
912 ~~that~~ there is minimal disturbance and the ~~that~~ grade is restored
913 with fill compatible in both coloration and grain size to the
914 onsite material and any damaged or destroyed vegetation is
915 restored using similar vegetation; and

916 9. Any other minor construction that has an effect with
917 ~~impacts~~ similar to the above activities.

918 (12) ~~(13)~~ (a) Notwithstanding the coastal construction
919 control requirements defined in subsection (1) or the erosion
920 projection determined pursuant to subsection (5) ~~(6)~~, the
921 department may, ~~at its discretion,~~ issue a permit for the repair
922 or rebuilding within the confines of the original foundation of
923 a major structure pursuant to ~~the provisions of~~ (4)
924 ~~(5)~~. Alternatively, the department may also, ~~at its discretion,~~
925 issue a permit for a more landward relocation or rebuilding of a
926 damaged or existing structure if such relocation or rebuilding
927 would not cause further harm to the beach-dune system, and if,
928 in the case of rebuilding, the ~~such~~ rebuilding complies with ~~the~~

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929 ~~provisions of subsection (4) (5),~~ and otherwise complies with
930 ~~the provisions of~~ this subsection.

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

935 (c) In reviewing applications for relocation or rebuilding,
936 the department shall specifically consider changes in shoreline
937 conditions, the availability of other relocation or rebuilding
938 options, and the design adequacy of the project sought to be
939 rebuilt.

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

943 (13) ~~(14)~~ Concurrent with the establishment of a coastal
944 construction control line and the ongoing administration of this
945 chapter, the secretary of the department shall make
946 recommendations to the Board of Trustees of the Internal
947 Improvement Trust Fund concerning the purchase of the fee or any
948 lesser interest in any lands seaward of the control line
949 pursuant to the state's Save Our Coast, Conservation and
950 Recreation Lands, or Outdoor Recreation Land acquisition
951 programs; and, with respect to those control lines established
952 pursuant to this section before ~~prior to~~ June 14, 1978, the
953 secretary may make such recommendations.

954 (14) ~~(15)~~ A coastal county or municipality fronting on the
955 Gulf of Mexico, the Atlantic Ocean, or the Straits of Florida
956 shall advise the department within 5 days after receipt of any
957 permit application for construction or other activities proposed

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958 to be located seaward of the line established by the department
959 pursuant to ~~the provisions of~~ this section. Within 5 days after
960 receipt of such application, the county or municipality shall
961 notify the applicant of the requirements for state permits.

962 (15) ~~(16)~~ In keeping with the intent of subsection (3) ~~(4)~~,
963 ~~and at the discretion of the department~~, authority for
964 permitting certain types of activities that ~~which~~ have been
965 defined by the department may be delegated by the department to
966 a coastal county or coastal municipality. Such partial
967 delegation shall be narrowly construed to those particular
968 activities specifically named in the delegation and agreed to by
969 the affected county or municipality. ~~and~~ The delegation may be
970 revoked by the department at any time if it is determined that
971 the delegation is improperly or inadequately administered.

972 (16) ~~(17)~~ The department may, at the request of a property
973 owner, contract with the ~~such~~ property owner for an agreement,
974 or modify an existing contractual agreement regulating
975 development activities landward of a coastal construction
976 control line, if ~~provided that nothing within~~ the contractual
977 agreement is consistent ~~shall be inconsistent~~ with the design
978 and siting provisions of this section. ~~In no case shall~~ The
979 contractual agreement may not bind either party for a period
980 longer than 5 years following ~~from~~ its date of execution. Before
981 ~~Prior to~~ beginning a ~~any~~ construction activity covered by the
982 agreement, the property owner must ~~shall~~ obtain the necessary
983 authorization required by the agreement. The agreement may ~~shall~~
984 not authorize construction for:

985 (a) Major habitable structures that ~~which would~~ require
986 construction beyond the expiration of the agreement, unless such

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987 construction is above the completed foundation; or

988 (b) Nonhabitable major structures or minor structures,
989 unless such construction is ~~was~~ authorized at the same time as
990 the habitable major structure.

991 ~~(17)(18)~~ The department may ~~is authorized to~~ grant areawide
992 permits to local governments, other governmental agencies, and
993 utility companies for special classes of activities in areas
994 under their general jurisdiction or responsibility if, ~~so long~~
995 ~~as~~ these activities, due to the type, size, or temporary nature
996 of the activity, will not cause measurable interference with the
997 natural functioning of the beach-dune ~~beach-dune~~ system or with
998 marine turtles or their nesting sites. Such activities ~~shall~~
999 include, but are not ~~be~~ limited to: road repairs, not including
1000 new construction; utility repairs and replacements, or other
1001 minor activities necessary to provide utility services; beach
1002 cleaning; and emergency response. The department may adopt rules
1003 to establish criteria and guidelines for ~~use by~~ permit
1004 applicants. The department must ~~shall~~ require notice provisions
1005 appropriate to the type and nature of the activities for which
1006 the areawide permits are sought.

1007 ~~(18)(19)~~ The department may ~~is authorized to~~ grant general
1008 permits for projects, including dune walkovers, decks, fences,
1009 landscaping, sidewalks, driveways, pool resurfacing, minor pool
1010 repairs, and other nonhabitable structures, if the ~~so long as~~
1011 ~~these~~ projects, due to their ~~the~~ type, size, or temporary nature
1012 ~~of the project~~, will not cause a measurable interference with
1013 the natural functioning of the beach-dune ~~beach-dune~~ system or
1014 with marine turtles or their nesting sites. ~~In no event shall~~
1015 Multifamily habitable structures do not qualify for general

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1016 permits. However, single-family habitable structures that ~~which~~
1017 do not advance the line of existing construction and satisfy all
1018 siting and design requirements of this section may be eligible
1019 for a general permit ~~pursuant to this subsection~~. The department
1020 may adopt rules to establish criteria and guidelines for ~~use by~~
1021 permit applicants.

1022 (a) Persons wishing to use the general permits must ~~set~~
1023 ~~forth in this subsection shall~~, at least 30 days before
1024 beginning any work, notify the department in writing on forms
1025 adopted by the department. The notice must ~~shall~~ include a
1026 description of the proposed project and supporting documents
1027 depicting the proposed project, its location, and other
1028 pertinent information as required by rule, to demonstrate that
1029 the proposed project qualifies for the requested general permit.
1030 Persons who undertake projects without proof of notice to the
1031 department, but whose projects would otherwise qualify for
1032 general permits, shall be considered to have ~~as being~~ undertaken
1033 a project without a permit and are ~~shall be~~ subject to
1034 enforcement pursuant to s. 161.121.

1035 (b) Persons wishing to use a general permit must provide
1036 notice as required by the applicable local building code where
1037 the project will be located. If a building code requires no
1038 notice, any person wishing to use a general permit must, at a
1039 minimum, post on the property at least 5 days before commencing
1040 ~~prior to the commencement of~~ construction a sign no smaller than
1041 88 square inches, with letters no smaller than one-quarter inch,
1042 describing the project.

1043 ~~(19)(20)~~(a) The department may suspend or revoke the use of
1044 a general or areawide permit for good cause, including:

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1045 submission of false or inaccurate information in the
1046 notification for use of a general or areawide permit; violation
1047 of law, department orders, or rules relating to permit
1048 conditions; deviation from the specified activity or project
1049 indicated or the conditions for undertaking the activity or
1050 project; refusal of lawful inspection; or any other act by ~~on~~
1051 the permittee ~~permittee's part in using the general or areawide~~
1052 ~~permit~~ which results or may result in harm or injury to human
1053 health or welfare, or which causes harm or injury to animal,
1054 plant, or aquatic life or to property.

1055 (b) The department shall have access to the permitted
1056 activity or project at reasonable times to inspect and determine
1057 compliance with the permit and department rules.

1058 ~~(20)-(21)~~ The department may ~~is authorized to~~ adopt rules
1059 related to the ~~following provisions of this section:~~
1060 establishment of coastal construction control lines; activities
1061 seaward of the coastal construction control line; exemptions;
1062 property owner agreements; delegation of the program; permitting
1063 programs; and violations and penalties.

1064 ~~(21)-(22)~~ In accordance with ss. 553.73 and 553.79, and upon
1065 the effective date of the Florida Building Code, the provisions
1066 of this section which pertain to and govern the design,
1067 construction, erection, alteration, modification, repair, and
1068 demolition of public and private buildings, structures, and
1069 facilities shall be incorporated into the Florida Building Code.
1070 The Florida Building Commission may ~~shall have the authority to~~
1071 adopt rules pursuant to ss. 120.536 and 120.54 ~~in order~~ to
1072 administer ~~implement~~ those provisions. This subsection does not
1073 limit or abrogate the right and authority of the department to

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1074 require permits or to adopt and enforce environmental standards,
 1075 including, but not limited to, standards for ensuring the
 1076 protection of the beach-dune system, proposed or existing
 1077 structures, adjacent properties, marine turtles, native salt-
 1078 resistant vegetation, endangered plant communities, and the
 1079 preservation of public beach access.

1080 Section 17. Subsection (2) of section 161.161, Florida
 1081 Statutes, is amended to read:

1082 161.161 Procedure for approval of projects.—

1083 (2) Annually ~~Upon approval of the beach management plan,~~
 1084 the secretary shall present to the Legislature ~~President of the~~
 1085 ~~Senate, the Speaker of the House of Representatives, and the~~
 1086 ~~chairs of the legislative appropriations committees~~
 1087 recommendations for funding of beach erosion control projects
 1088 prioritized according to the. ~~Such recommendations shall be~~
 1089 ~~presented to such members of the Legislature in the priority~~
 1090 ~~order specified in the plan and established pursuant to criteria~~
 1091 established ~~contained~~ in s. 161.101(14).

1092 Section 18. Section 163.2526, Florida Statutes, is
 1093 repealed.

1094 Section 19. Subsection (2) of section 163.3167, Florida
 1095 Statutes, is amended to read:

1096 163.3167 Scope of act.—

1097 (2) Each local government shall prepare a comprehensive
 1098 plan of the type and in the manner set out in this part ~~act~~ or
 1099 ~~shall~~ prepare amendments to its existing comprehensive plan to
 1100 conform it to the requirements of this part and in the manner
 1101 set out in this part. Each local government, in accordance with
 1102 ~~the procedures in~~ s. 163.3184, shall submit its complete

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1103 proposed comprehensive plan or its complete comprehensive plan
1104 as proposed to be amended to the state land planning agency ~~by~~
1105 ~~the date specified in the rule adopted by the state land~~
1106 ~~planning agency pursuant to this subsection. The state land~~
1107 ~~planning agency shall, prior to October 1, 1987, adopt a~~
1108 ~~schedule of local governments required to submit complete~~
1109 ~~proposed comprehensive plans or comprehensive plans as proposed~~
1110 ~~to be amended. Such schedule shall specify the exact date of~~
1111 ~~submission for each local government, shall establish equal,~~
1112 ~~staggered submission dates, and shall be consistent with the~~
1113 ~~following time periods:~~

1114 ~~(a) Beginning on July 1, 1988, and on or before July 1,~~
1115 ~~1990, each county that is required to include a coastal~~
1116 ~~management element in its comprehensive plan and each~~
1117 ~~municipality in such a county; and~~

1118 ~~(b) Beginning on July 1, 1989, and on or before July 1,~~
1119 ~~1991, all other counties or municipalities.~~

1120

1121 ~~Nothing herein shall preclude the state land planning agency~~
1122 ~~from permitting by rule a county together with each municipality~~
1123 ~~in the county from submitting a proposed comprehensive plan~~
1124 ~~earlier than the dates established in paragraphs (a) and (b).~~

1125 ~~Any county or municipality that fails to meet the schedule set~~
1126 ~~for submission of its proposed comprehensive plan by more than~~
1127 ~~90 days shall be subject to the sanctions described in s.~~

1128 ~~163.3184(11)(a) imposed by the Administration Commission.~~

1129 ~~Notwithstanding the time periods established in this subsection,~~
1130 ~~the state land planning agency may establish later deadlines for~~
1131 ~~the submission of proposed comprehensive plans or comprehensive~~

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1132 ~~plans as proposed to be amended for a county or municipality~~
1133 ~~which has all or a part of a designated area of critical state~~
1134 ~~concern within its boundaries; however, such deadlines shall not~~
1135 ~~be extended to a date later than July 1, 1991, or the time of~~
1136 ~~de-designation, whichever is earlier.~~

1137 Section 20. Paragraph (h) of subsection (6) and paragraph
1138 (k) of subsection (10) of section 163.3177, Florida Statutes,
1139 are amended to read:

1140 163.3177 Required and optional elements of comprehensive
1141 plan; studies and surveys.—

1142 (6) In addition to the requirements of subsections (1)-(5)
1143 and (12), the comprehensive plan shall include the following
1144 elements:

1145 (h)1. An intergovernmental coordination element showing
1146 relationships and stating principles and guidelines to be used
1147 in coordinating ~~the accomplishment of coordination of~~ the
1148 adopted comprehensive plan with the plans of school boards,
1149 regional water supply authorities, and other units of local
1150 government providing services but not having regulatory
1151 authority over the use of land, with the comprehensive plans of
1152 adjacent municipalities, the county, adjacent counties, or the
1153 region, with the state comprehensive plan and with the
1154 applicable regional water supply plan approved pursuant to s.
1155 373.0361, as the case may require and as such adopted plans or
1156 plans in preparation may exist. This element of the local
1157 comprehensive plan must ~~shall~~ demonstrate consideration of the
1158 particular effects of the local plan, when adopted, upon the
1159 development of adjacent municipalities, the county, adjacent
1160 counties, or the region, or upon the state comprehensive plan,

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1161 as the case may require.

1162 a. The intergovernmental coordination element must ~~shall~~
1163 provide ~~for~~ procedures for identifying and implementing ~~to~~
1164 ~~identify and implement~~ joint planning areas, especially for the
1165 purpose of annexation, municipal incorporation, and joint
1166 infrastructure service areas.

1167 b. The intergovernmental coordination element must ~~shall~~
1168 provide for recognition of campus master plans prepared pursuant
1169 to s. 1013.30.

1170 c. The intergovernmental coordination element may provide
1171 for a voluntary dispute resolution process, as established
1172 pursuant to s. 186.509, for bringing to closure in a timely
1173 ~~manner~~ intergovernmental disputes to closure in a timely manner.
1174 A local government may also develop and use an alternative local
1175 dispute resolution process for this purpose.

1176 2. The intergovernmental coordination element shall also
1177 ~~further~~ state principles and guidelines to be used in
1178 coordinating the accomplishment of coordination of the adopted
1179 comprehensive plan with the plans of school boards and other
1180 units of local government providing facilities and services but
1181 not having regulatory authority over the use of land. In
1182 addition, the intergovernmental coordination element must ~~shall~~
1183 describe joint processes for collaborative planning and
1184 decisionmaking on population projections and public school
1185 siting, the location and extension of public facilities subject
1186 to concurrency, and siting facilities with countywide
1187 significance, including locally unwanted land uses whose nature
1188 and identity are established in an agreement. Within 1 year
1189 after ~~of~~ adopting their intergovernmental coordination elements,

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1190 each county, all the municipalities within that county, the
1191 district school board, and any unit of local government service
1192 providers in that county shall establish by interlocal or other
1193 formal agreement executed by all affected entities, the joint
1194 processes described in this subparagraph consistent with their
1195 adopted intergovernmental coordination elements.

1196 3. To foster coordination between special districts and
1197 local general-purpose governments as local general-purpose
1198 governments implement local comprehensive plans, each
1199 independent special district must submit a public facilities
1200 report to the appropriate local government as required by s.
1201 189.415.

1202 4.a. Local governments must execute an interlocal agreement
1203 with the district school board, the county, and nonexempt
1204 municipalities pursuant to s. 163.31777. The local government
1205 shall amend the intergovernmental coordination element to ensure
1206 ~~provide~~ that coordination between the local government and
1207 school board is pursuant to the agreement and shall state the
1208 obligations of the local government under the agreement.

1209 ~~b.~~ Plan amendments that comply with this subparagraph are
1210 exempt from the provisions of s. 163.3187(1).

1211 ~~5. The state land planning agency shall establish a~~
1212 ~~schedule for phased completion and transmittal of plan~~
1213 ~~amendments to implement subparagraphs 1., 2., and 3. from all~~
1214 ~~jurisdictions so as to accomplish their adoption by December 31,~~
1215 ~~1999. A local government may complete and transmit its plan~~
1216 ~~amendments to carry out these provisions prior to the scheduled~~
1217 ~~date established by the state land planning agency. The plan~~
1218 ~~amendments are exempt from the provisions of s. 163.3187(1).~~

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1219 ~~5.6.~~ By January 1, 2004, any county having a population
1220 greater than 100,000, and the municipalities and special
1221 districts within that county, shall submit a report to the
1222 Department of Community Affairs which identifies:

1223 a. ~~Identifies~~ All existing or proposed interlocal service
1224 delivery agreements relating to ~~regarding the following~~:
1225 education; sanitary sewer; public safety; solid waste; drainage;
1226 potable water; parks and recreation; and transportation
1227 facilities.

1228 b. ~~Identifies~~ Any deficits or duplication in the provision
1229 of services within its jurisdiction, whether capital or
1230 operational. Upon request, the Department of Community Affairs
1231 shall provide technical assistance to the local governments in
1232 identifying deficits or duplication.

1233 ~~6.7.~~ Within 6 months after submission of the report, the
1234 Department of Community Affairs shall, through the appropriate
1235 regional planning council, coordinate a meeting of all local
1236 governments within the regional planning area to discuss the
1237 reports and potential strategies to remedy any identified
1238 deficiencies or duplications.

1239 ~~7.8.~~ Each local government shall update its
1240 intergovernmental coordination element based upon the findings
1241 in the report submitted pursuant to subparagraph 5. 6. The
1242 report may be used as supporting data and analysis for the
1243 intergovernmental coordination element.

1244 (10) The Legislature recognizes the importance and
1245 significance of chapter 9J-5, Florida Administrative Code, the
1246 Minimum Criteria for Review of Local Government Comprehensive
1247 Plans and Determination of Compliance of the Department of

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1248 Community Affairs that will be used to determine compliance of
1249 local comprehensive plans. The Legislature reserved unto itself
1250 the right to review chapter 9J-5, Florida Administrative Code,
1251 and to reject, modify, or take no action relative to this rule.
1252 Therefore, pursuant to subsection (9), the Legislature hereby
1253 has reviewed chapter 9J-5, Florida Administrative Code, and
1254 expresses the following legislative intent:

1255 (k) In order for ~~So that~~ local governments ~~are able~~ to
1256 prepare and adopt comprehensive plans with knowledge of the
1257 rules that are ~~will be~~ applied to determine consistency of the
1258 plans with ~~provisions of~~ this part, ~~it is the intent of the~~
1259 ~~Legislature that~~ there should be no doubt as to the legal
1260 standing of chapter 9J-5, Florida Administrative Code, at the
1261 close of the 1986 legislative session. Therefore, the
1262 Legislature declares that changes made to chapter 9J-5 before,
1263 ~~Florida Administrative Code, prior to~~ October 1, 1986, are ~~shall~~
1264 not ~~be~~ subject to rule challenges under s. 120.56(2), or to
1265 drawout proceedings under s. 120.54(3)(c)2. The entire chapter
1266 9J-5, Florida Administrative Code, as amended, is ~~shall be~~
1267 subject to rule challenges under s. 120.56(3), as nothing herein
1268 indicates ~~shall be construed to indicate~~ approval or disapproval
1269 of any portion of chapter 9J-5, ~~Florida Administrative Code,~~ not
1270 specifically addressed herein. ~~No challenge pursuant to s.~~
1271 ~~120.56(3) may be filed from July 1, 1987, through April 1, 1993.~~
1272 ~~Any amendments to chapter 9J-5, Florida Administrative Code,~~
1273 ~~exclusive of the amendments adopted prior to October 1, 1986,~~
1274 ~~pursuant to this act, shall be subject to the full chapter 120~~
1275 ~~process. All amendments shall have effective dates as provided~~
1276 ~~in chapter 120 and submission to the President of the Senate and~~

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1277 ~~Speaker of the House of Representatives shall not be required.~~

1278 Section 21. Subsection (6) of section 163.3178, Florida
1279 Statutes, is amended to read:

1280 163.3178 Coastal management.—

1281 (6) Local governments are encouraged to adopt countywide
1282 marina siting plans to designate sites for existing and future
1283 marinas. The Coastal Resources Interagency Management Committee,
1284 at the direction of the Legislature, shall identify incentives
1285 to encourage local governments to adopt such siting plans and
1286 uniform criteria and standards to be used by local governments
1287 to implement state goals, objectives, and policies relating to
1288 marina siting. These criteria must ensure that priority is given
1289 to water-dependent land uses. ~~The Coastal Resources Interagency
1290 Management Committee shall submit its recommendations regarding
1291 local government incentives to the Legislature by December 1,
1292 1993.~~ Countywide marina siting plans must be consistent with
1293 state and regional environmental planning policies and
1294 standards. Each local government in the coastal area which
1295 participates in the adoption of a countywide marina siting plan
1296 shall incorporate the plan into the coastal management element
1297 of its local comprehensive plan.

1298 Section 22. Subsection (12) of section 163.519, Florida
1299 Statutes, is repealed.

1300 Section 23. Subsection (9) of section 186.007, Florida
1301 Statutes, is repealed.

1302 Section 24. Subsection (5) of section 189.4035, Florida
1303 Statutes, is amended to read:

1304 189.4035 Preparation of official list of special
1305 districts.—

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1306 (5) The official list of special districts shall be
1307 available on the department's website ~~distributed by the~~
1308 ~~department on October 1 of each year to the President of the~~
1309 ~~Senate, the Speaker of the House of Representatives, the Auditor~~
1310 ~~General, the Department of Revenue, the Department of Financial~~
1311 ~~Services, the Department of Management Services, the State Board~~
1312 ~~of Administration, counties, municipalities, county property~~
1313 ~~appraisers, tax collectors, and supervisors of elections and to~~
1314 ~~all interested parties who request the list.~~

1315 Section 25. Subsection (2) of section 189.412, Florida
1316 Statutes, is amended to read:

1317 189.412 Special District Information Program; duties and
1318 responsibilities.—The Special District Information Program of
1319 the Department of Community Affairs is created and has the
1320 following special duties:

1321 (2) The maintenance of a master list of independent and
1322 dependent special districts which shall be available on the
1323 department's website ~~annually updated and distributed to the~~
1324 ~~appropriate officials in state and local governments.~~

1325 Section 26. Subsection (2) of section 194.034, Florida
1326 Statutes, is amended to read:

1327 194.034 Hearing procedures; rules.—

1328 (2) ~~If In each case, Except when~~ a complaint is withdrawn
1329 by the petitioner or is acknowledged as correct by the property
1330 appraiser, the value adjustment board shall render a written
1331 decision in each case. All ~~such~~ decisions shall be issued within
1332 20 calendar days after ~~of~~ the last day the board is in session
1333 under s. 194.032. The decision of the board must ~~shall~~ contain
1334 findings of fact and conclusions of law and must ~~shall~~ include

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1335 reasons for upholding or overturning the determination of the
1336 property appraiser. ~~If~~ When a special magistrate has been
1337 appointed, the recommendations of the special magistrate shall
1338 be considered by the board. ~~The clerk,~~ Upon issuance of the
1339 board's decision ~~decisions,~~ the clerk shall, on a form provided
1340 by the Department of Revenue, notify by first-class mail each
1341 taxpayer and, ~~the property appraiser,~~ ~~and the department~~ of the
1342 decision of the board.

1343 Section 27. Paragraph (b) of subsection (1) of section
1344 206.606, Florida Statutes, is amended to read:

1345 206.606 Distribution of certain proceeds.—

1346 (1) Moneys collected pursuant to ss. 206.41(1)(g) and
1347 206.87(1)(e) shall be deposited in the Fuel Tax Collection Trust
1348 Fund. Such moneys, after deducting the service charges imposed
1349 by s. 215.20, the refunds granted pursuant to s. 206.41, and the
1350 administrative costs incurred by the department in collecting,
1351 administering, enforcing, and distributing the tax, which
1352 administrative costs may not exceed 2 percent of collections,
1353 shall be distributed monthly to the State Transportation Trust
1354 Fund, except that:

1355 (b) Annually, \$2.5 million shall be transferred to the
1356 State Game Trust Fund in the Fish and Wildlife Conservation
1357 Commission ~~in each fiscal year~~ and used for recreational boating
1358 activities, ~~and freshwater fisheries management and research.~~
1359 The transfers must be made in equal monthly amounts beginning on
1360 July 1 of each fiscal year. The commission shall annually
1361 determine where unmet needs exist for boating-related
1362 activities, and may fund such activities in counties where, due
1363 to the number of vessel registrations, sufficient financial

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1364 resources are unavailable.

1365 1. A minimum of \$1.25 million shall be used to fund local
1366 projects to provide recreational channel marking and other
1367 uniform waterway markers, public boat ramps, lifts, and hoists,
1368 marine railways, and other public launching facilities, derelict
1369 vessel removal, and other local boating-related activities. In
1370 funding the projects, the commission shall give priority
1371 consideration to ~~as follows~~:

1372 a. Unmet needs in counties having ~~with~~ populations of
1373 100,000 or fewer ~~less~~.

1374 b. Unmet needs in coastal counties having ~~with~~ a high level
1375 of boating-related activities from individuals residing in other
1376 counties.

1377 2. The remaining \$1.25 million may be used for recreational
1378 boating activities and freshwater fisheries management and
1379 research.

1380 3. The commission may ~~is authorized to~~ adopt rules pursuant
1381 ~~to ss. 120.536(1) and 120.54~~ to administer ~~implement~~ a Florida
1382 Boating Improvement Program.

1383
1384 ~~On February 1 of each year,~~ The commission shall prepare and
1385 make available on its Internet website ~~file~~ an annual report
1386 ~~with the President of the Senate and the Speaker of the House of~~
1387 ~~Representatives~~ outlining the status of its Florida Boating
1388 Improvement Program, including the projects funded, and a list
1389 of counties whose needs are unmet due to insufficient financial
1390 resources from vessel registration fees.

1391 Section 28. Paragraph (b) of subsection (4) of section
1392 212.054, Florida Statutes, is amended to read:

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1393 212.054 Discretionary sales surtax; limitations,
1394 administration, and collection.-

1395 (4)

1396 (b) The proceeds of a discretionary sales surtax collected
1397 by the selling dealer located in a county imposing ~~which imposes~~
1398 the surtax shall be returned, less the cost of administration,
1399 to the county where the selling dealer is located. The proceeds
1400 shall be transferred to the Discretionary Sales Surtax Clearing
1401 Trust Fund. A separate account shall be established in the ~~such~~
1402 trust fund for each county imposing a discretionary surtax. The
1403 amount deducted for the costs of administration may ~~shall~~ not
1404 exceed 3 percent of the total revenue generated for all counties
1405 levying a surtax authorized in s. 212.055. The amount deducted
1406 for the costs of administration may ~~shall~~ be used only for ~~those~~
1407 costs that ~~which~~ are solely and directly attributable to the
1408 surtax. The total cost of administration shall be prorated among
1409 those counties levying the surtax on the basis of the amount
1410 collected for a particular county to the total amount collected
1411 for all counties. ~~No later than March 1 of each year, the~~
1412 ~~department shall submit a written report which details the~~
1413 ~~expenses and amounts deducted for the costs of administration to~~
1414 ~~the President of the Senate, the Speaker of the House of~~
1415 ~~Representatives, and the governing authority of each county~~
1416 ~~levying a surtax.~~ The department shall distribute the moneys in
1417 the trust fund ~~each month~~ to the appropriate counties each
1418 month, unless otherwise provided in s. 212.055.

1419 Section 29. Paragraph (j) of subsection (5) of section
1420 212.08, Florida Statutes, is amended to read:

1421 212.08 Sales, rental, use, consumption, distribution, and

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1422 storage tax; specified exemptions.—The sale at retail, the
1423 rental, the use, the consumption, the distribution, and the
1424 storage to be used or consumed in this state of the following
1425 are hereby specifically exempt from the tax imposed by this
1426 chapter.

1427 (5) EXEMPTIONS; ACCOUNT OF USE.—

1428 (j) *Machinery and equipment used in semiconductor, defense,*
1429 *or space technology production.*—

1430 1.a. Industrial machinery and equipment used in
1431 semiconductor technology facilities certified under subparagraph
1432 5. to manufacture, process, compound, or produce semiconductor
1433 technology products for sale or for use by these facilities are
1434 exempt from the tax imposed by this chapter. For purposes of
1435 this paragraph, industrial machinery and equipment includes
1436 molds, dies, machine tooling, other appurtenances or accessories
1437 to machinery and equipment, testing equipment, test beds,
1438 computers, and software, whether purchased or self-fabricated,
1439 and, if self-fabricated, includes materials and labor for
1440 design, fabrication, and assembly.

1441 b. Industrial machinery and equipment used in defense or
1442 space technology facilities certified under subparagraph 5. to
1443 design, manufacture, assemble, process, compound, or produce
1444 defense technology products or space technology products for
1445 sale or for use by these facilities are exempt from the tax
1446 imposed by this chapter.

1447 2. Building materials purchased for use in manufacturing or
1448 expanding clean rooms in semiconductor-manufacturing facilities
1449 are exempt from the tax imposed by this chapter.

1450 3. In addition to meeting the criteria mandated by

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1451 subparagraph 1. or subparagraph 2., a business must be certified
1452 by the Office of Tourism, Trade, and Economic Development ~~as~~
1453 ~~authorized in this paragraph~~ in order to qualify for exemption
1454 under this paragraph.

1455 4. For items purchased tax-exempt pursuant to this
1456 paragraph, possession of a written certification from the
1457 purchaser, certifying the purchaser's entitlement to the
1458 exemption ~~pursuant to this paragraph~~, relieves the seller of the
1459 responsibility of collecting the tax on the sale of such items,
1460 and the department shall look solely to the purchaser for
1461 recovery of the tax if it determines that the purchaser was not
1462 entitled to the exemption.

1463 5.a. To be eligible to receive the exemption provided by
1464 subparagraph 1. or subparagraph 2., a qualifying business entity
1465 shall ~~apply~~ initially apply to Enterprise Florida, Inc. The
1466 original certification ~~is shall be~~ valid for a period of 2
1467 years. In lieu of submitting a new application, the original
1468 certification may be renewed biennially by submitting to the
1469 Office of Tourism, Trade, and Economic Development a statement,
1470 certified under oath, that there has been no material change in
1471 the conditions or circumstances entitling the business entity to
1472 the original certification. The initial application and the
1473 certification renewal statement shall be developed by the Office
1474 of Tourism, Trade, and Economic Development in consultation with
1475 Enterprise Florida, Inc.

1476 b. Enterprise Florida, Inc., shall review each submitted
1477 initial application ~~and information~~ and determine whether or not
1478 the application is complete within 5 working days. Once ~~an~~
1479 ~~application is~~ complete, Enterprise Florida, Inc., shall, within

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1480 10 working days, evaluate the application and recommend approval
1481 or disapproval ~~of the application~~ to the Office of Tourism,
1482 Trade, and Economic Development.

1483 c. Upon receipt of the initial application and
1484 recommendation from Enterprise Florida, Inc., or upon receipt of
1485 a certification renewal statement, the Office of Tourism, Trade,
1486 and Economic Development shall certify within 5 working days
1487 those applicants who are found to meet the requirements of this
1488 section and notify the applicant, Enterprise Florida, Inc., and
1489 the department of the original certification or certification
1490 renewal. If the Office of Tourism, Trade, and Economic
1491 Development finds that the applicant does not meet the
1492 requirements ~~of this section~~, it shall notify the applicant and
1493 Enterprise Florida, Inc., within 10 working days that the
1494 application for certification has been denied and the reasons
1495 for denial. The Office of Tourism, Trade, and Economic
1496 Development has final approval authority for certification under
1497 this section.

1498 d. The initial application and certification renewal
1499 statement must indicate, for program evaluation purposes only,
1500 the average number of full-time equivalent employees at the
1501 facility over the preceding calendar year, the average wage and
1502 benefits paid to those employees over the preceding calendar
1503 year, the total investment made in real and tangible personal
1504 property over the preceding calendar year, and the total value
1505 of tax-exempt purchases and taxes exempted during the previous
1506 year. The department shall assist the Office of Tourism, Trade,
1507 and Economic Development in evaluating and verifying information
1508 provided in the application for exemption.

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1509 e. The Office of Tourism, Trade, and Economic Development
1510 may use the information reported on the initial application and
1511 certification renewal statement for evaluation purposes only ~~and~~
1512 ~~shall prepare an annual report on the exemption program and its~~
1513 ~~cost and impact. The annual report for the preceding fiscal year~~
1514 ~~shall be submitted to the Governor, the President of the Senate,~~
1515 ~~and the Speaker of the House of Representatives by September 30~~
1516 ~~of each fiscal year.~~

1517 6. A business certified to receive this exemption may elect
1518 to designate one or more state universities or community
1519 colleges as recipients of up to 100 percent of the amount of the
1520 exemption ~~for which they may qualify~~. To receive these funds,
1521 the institution must agree to match the funds ~~so earned~~ with
1522 equivalent cash, programs, services, or other in-kind support on
1523 a one-to-one basis for ~~in the pursuit of~~ research and
1524 development projects ~~as~~ requested by the certified business. The
1525 rights to any patents, royalties, or real or intellectual
1526 property must be vested in the business unless otherwise agreed
1527 to by the business and the university or community college.

1528 7. As used in this paragraph, the term:

1529 a. "Semiconductor technology products" means raw
1530 semiconductor wafers or semiconductor thin films that are
1531 transformed into semiconductor memory or logic wafers, including
1532 wafers containing mixed memory and logic circuits; related
1533 assembly and test operations; active-matrix flat panel displays;
1534 semiconductor chips; semiconductor lasers; optoelectronic
1535 elements; and related semiconductor technology products as
1536 determined by the Office of Tourism, Trade, and Economic
1537 Development.

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1538 b. "Clean rooms" means manufacturing facilities enclosed in
1539 a manner that meets the clean manufacturing requirements
1540 necessary for high-technology semiconductor-manufacturing
1541 environments.

1542 c. "Defense technology products" means products that have a
1543 military application, including, but not limited to, weapons,
1544 weapons systems, guidance systems, surveillance systems,
1545 communications or information systems, munitions, aircraft,
1546 vessels, or boats, or components thereof, which are intended for
1547 military use and manufactured in performance of a contract with
1548 the United States Department of Defense or the military branch
1549 of a recognized foreign government or a subcontract thereunder
1550 which relates to matters of national defense.

1551 d. "Space technology products" means products that are
1552 specifically designed or manufactured for application in space
1553 activities, including, but not limited to, space launch
1554 vehicles, space flight vehicles, missiles, satellites or
1555 research payloads, avionics, and associated control systems and
1556 processing systems and components of any of the foregoing. The
1557 term does not include products that are designed or manufactured
1558 for general commercial aviation or other uses even though those
1559 products may also serve an incidental use in space applications.

1560 Section 30. Section 213.0452, Florida Statutes, is
1561 repealed.

1562 Section 31. Section 213.054, Florida Statutes, is repealed.

1563 Section 32. Subsection (3) of section 215.70, Florida
1564 Statutes, is amended to read:

1565 215.70 State Board of Administration to act in case of
1566 defaults.—

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1567 (3) ~~It shall be the duty of~~ The State Board of
1568 Administration shall ~~to~~ monitor the debt service accounts for
1569 bonds issued pursuant to this act. The board shall advise the
1570 Governor and Legislature of any projected need to appropriate
1571 funds to honor the pledge of full faith and credit of the state.
1572 The report must ~~shall~~ include the estimated amount of
1573 appropriations needed, the estimated maximum amount of
1574 appropriations needed, and a contingency appropriation request
1575 for each bond issue.

1576 Section 33. Paragraph (z) of subsection (1) of section
1577 216.011, Florida Statutes, is amended to read:

1578 216.011 Definitions.—

1579 (1) For the purpose of fiscal affairs of the state,
1580 appropriations acts, legislative budgets, and approved budgets,
1581 each of the following terms has the meaning indicated:

1582 (z) "Long-range program plan" means a plan developed
1583 pursuant to s. 216.013 ~~on an annual basis by each state agency~~
1584 ~~that is policy based, priority driven, accountable, and~~
1585 ~~developed through careful examination and justification of all~~
1586 ~~programs and their associated costs. Each plan is developed by~~
1587 ~~examining the needs of agency customers and clients and~~
1588 ~~proposing programs and associated costs to address those needs~~
1589 ~~based on state priorities as established by law, the agency~~
1590 ~~mission, and legislative authorization. The plan provides the~~
1591 ~~framework and context for preparing the legislative budget~~
1592 ~~request and includes performance indicators for evaluating the~~
1593 ~~impact of programs and agency performance.~~

1594 Section 34. Paragraph (c) of subsection (10) of section
1595 216.181, Florida Statutes, is repealed.

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1596 Section 35. Subsection (5) of section 252.55, Florida
1597 Statutes, is amended to read:

1598 252.55 Civil Air Patrol, Florida Wing.—

1599 (5) The wing commander of the Florida Wing of the Civil Air
1600 Patrol shall biennially furnish the Bureau of Emergency
1601 Management a 2-year ~~an annual~~ projection of the goals and
1602 objectives of the Civil Air Patrol which shall ~~for the following~~
1603 ~~year. These will~~ be reported ~~to the Governor~~ in the division's
1604 biennial ~~annual~~ report submitted pursuant to s. 252.35 ~~of the~~
1605 ~~division on February 1 of each year.~~

1606 Section 36. Subsection (1) of section 253.7825, Florida
1607 Statutes, is amended to read:

1608 253.7825 Recreational uses.—

1609 (1) The Cross Florida Greenways State Recreation and
1610 Conservation Area must be managed as a multiple-use area
1611 pursuant to s. 253.034(2)(a), and as ~~further~~ provided in this
1612 section herein. ~~The University of Florida Management Plan~~
1613 ~~provides a conceptual recreational plan that may ultimately be~~
1614 ~~developed at various locations throughout the greenways~~
1615 ~~corridor. The plan proposes to locate a number of the larger,~~
1616 ~~more comprehensive and complex recreational facilities in~~
1617 ~~sensitive, natural resource areas.~~ Future site-specific studies
1618 and investigations must be conducted by the department to
1619 determine compatibility with, and potential for adverse impact
1620 to, existing natural resources, need for the facility, the
1621 availability of other alternative locations with reduced adverse
1622 impacts to existing natural resources, and the proper specific
1623 sites and locations for the more comprehensive and complex
1624 facilities. Furthermore, it is appropriate, with the approval of

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1625 the department, to allow more fishing docks, boat launches, and
1626 other user-oriented facilities to be developed and maintained by
1627 local governments.

1628 Section 37. Section 253.7826, Florida Statutes, is
1629 repealed.

1630 Section 38. Section 253.7829, Florida Statutes, is
1631 repealed.

1632 Section 39. Subsection (4) of section 259.037, Florida
1633 Statutes, is amended to read:

1634 259.037 Land Management Uniform Accounting Council.—

1635 (4) The council shall provide a report of the agencies'
1636 expenditures pursuant to the adopted categories ~~to the President~~
1637 ~~of the Senate and the Speaker of the House of Representatives~~
1638 ~~annually, beginning July 1, 2001. The council shall also provide~~
1639 ~~this report~~ to the Acquisition and Restoration Council and the
1640 division for inclusion in its annual report required pursuant to
1641 s. 259.036.

1642 Section 40. Subsection (4) of section 267.074, Florida
1643 Statutes, is repealed.

1644 Section 41. Subsection (3) of section 284.50, Florida
1645 Statutes, is repealed.

1646 Section 42. Subsection (11) of section 287.045, Florida
1647 Statutes, is repealed.

1648 Section 43. Subsection (15) of section 287.059, Florida
1649 Statutes, is amended to read:

1650 287.059 Private attorney services.—

1651 (15) The Attorney General's office may, ~~by rule,~~ adopt
1652 standard fee schedules for court reporting services for each
1653 judicial circuit by rule, in consultation with the Florida Court

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1654 Reporters Association. ~~Agencies,~~ When contracting for court
1655 reporting services, an agency shall ~~must~~ use the standard fee
1656 schedule ~~for court reporting services~~ established pursuant to
1657 this section unless ~~a,~~ ~~provided~~ no state contract is not
1658 applicable or unless the head of the agency or his or her
1659 designee waives use of the schedule and sets forth the reasons
1660 for deviating from the schedule in writing to the Attorney
1661 General. The ~~Such~~ waiver must demonstrate necessity based upon
1662 criteria for deviation from the schedule which the Attorney
1663 General shall establish by rule. ~~Any proposed fee schedule under~~
1664 ~~this section shall be submitted to the Governor, the Speaker of~~
1665 ~~the House of Representatives, the President of the Senate, and~~
1666 ~~the Chief Justice of the Florida Supreme Court at least 60 days~~
1667 ~~prior to publication of the notice to adopt the rule.~~

1668 Section 44. Subsection (7) of section 288.108, Florida
1669 Statutes, is repealed.

1670 Section 45. Section 288.1185, Florida Statutes, is
1671 repealed.

1672 Section 46. Paragraph (e) of subsection (8) of section
1673 288.1229, Florida Statutes, is amended to read:

1674 288.1229 Promotion and development of sports-related
1675 industries and amateur athletics; direct-support organization;
1676 powers and duties.—

1677 (8) To promote amateur sports and physical fitness, the
1678 direct-support organization shall:

1679 (e) Promote Florida as a host for national and
1680 international amateur athletic competitions. ~~As part of this~~
1681 ~~effort, the direct-support organization shall:~~

1682 ~~1. Assist and support Florida cities or communities bidding~~

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1683 ~~or seeking to host the Summer Olympics or Pan American Games.~~

1684 ~~2. Annually report to the Governor, the President of the~~
1685 ~~Senate, and the Speaker of the House of Representatives on the~~
1686 ~~status of the efforts of cities or communities bidding to host~~
1687 ~~the Summer Olympics or Pan American Games, including, but not~~
1688 ~~limited to, current financial and infrastructure status,~~
1689 ~~projected financial and infrastructure needs, and~~
1690 ~~recommendations for satisfying the unmet needs and fulfilling~~
1691 ~~the requirements for a successful bid in any year that the~~
1692 ~~Summer Olympics or Pan American Games are held in this state.~~

1693 Section 47. Subsection (4) of section 288.7015, Florida
1694 Statutes, is repealed.

1695 Section 48. Section 288.7771, Florida Statutes, is amended
1696 to read:

1697 288.7771 Annual report of Florida Export Finance
1698 Corporation. ~~By March 31 of each year,~~ The corporation shall
1699 annually prepare and submit to Enterprise Florida, Inc., for
1700 inclusion in its annual report required by s. 288.095 the
1701 ~~Governor, the President of the Senate, the Speaker of the House~~
1702 ~~of Representatives, the Senate Minority Leader, and the House~~
1703 ~~Minority Leader~~ a complete and detailed report setting forth:

1704 (1) The report required in s. 288.776(3).

1705 (2) Its assets and liabilities at the end of its most
1706 recent fiscal year.

1707 Section 49. Subsections (8), (10), and (11) of section
1708 288.8175, Florida Statutes, are repealed.

1709 Section 50. Subsection (5) of section 288.853, Florida
1710 Statutes, is repealed.

1711 Section 51. Subsection (5) of section 288.95155, Florida

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1712 Statutes, is amended to read:

1713 288.95155 Florida Small Business Technology Growth
1714 Program.—

1715 (5) ~~By January 1 of each year, Enterprise Florida, Inc.,~~
1716 ~~shall prepare and include in its annual report required by s.~~
1717 288.095 ~~a report on the financial status of the program and the~~
1718 ~~account and shall submit a copy of the report to the board of~~
1719 ~~directors of Enterprise Florida, Inc., the appropriate~~
1720 ~~legislative committees responsible for economic development~~
1721 ~~oversight, and the appropriate legislative appropriations~~
1722 ~~subcommittees. The report must ~~shall~~ specify the assets and~~
1723 ~~liabilities of the account within the current fiscal year and~~
1724 ~~must ~~shall~~ include a portfolio update that lists all of the~~
1725 ~~businesses assisted, the private dollars leveraged by each~~
1726 ~~business assisted, and the growth in sales and in employment of~~
1727 ~~each business assisted.~~

1728 Section 52. Paragraph (c) of subsection (4) of section
1729 288.9604, Florida Statutes, is amended to read:

1730 288.9604 Creation of the authority.—

1731 (4)

1732 (c) The directors of the corporation shall annually elect
1733 one of their members as chair and one as vice chair. The
1734 corporation may employ a president, technical experts, and such
1735 other agents and employees, permanent and temporary, as it
1736 requires and determine their qualifications, duties, and
1737 compensation. For such legal services as it requires, the
1738 corporation may employ or retain its own counsel and legal
1739 staff. ~~The corporation shall file with the governing body of~~
1740 ~~each public agency with which it has entered into an interlocal~~

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1741 ~~agreement and with the Governor, the Speaker of the House of~~
1742 ~~Representatives, the President of the Senate, the Minority~~
1743 ~~Leaders of the Senate and House of Representatives, and the~~
1744 ~~Auditor General, on or before 90 days after the close of the~~
1745 ~~fiscal year of the corporation, a report of its activities for~~
1746 ~~the preceding fiscal year, which report shall include a complete~~
1747 ~~financial statement setting forth its assets, liabilities,~~
1748 ~~income, and operating expenses as of the end of such fiscal~~
1749 ~~year.~~

1750 Section 53. Section 288.9610, Florida Statutes, is amended
1751 to read:

1752 288.9610 Annual reports of Florida Development Finance
1753 Corporation.—On or before 90 days after the close of ~~By December~~
1754 ~~1 of each year,~~ the Florida Development Finance Corporation's
1755 fiscal year, the corporation shall submit to the Governor, the
1756 Legislature ~~President of the Senate, the Speaker of the House of~~
1757 ~~Representatives, the Senate Minority Leader, the House Minority~~
1758 ~~Leader, the Auditor General,~~ and the governing body of each
1759 public entity with which it has entered into an interlocal
1760 agreement ~~city or county activating the Florida Development~~
1761 ~~Finance Corporation~~ a complete and detailed report setting
1762 forth:

1763 (1) The results of any audit conducted pursuant to s. 11.45
1764 ~~evaluation required in s. 11.45(3)(j).~~

1765 (2) The activities, operations, and accomplishments of the
1766 Florida Development Finance Corporation, including the number of
1767 businesses assisted by the corporation.

1768 (3) Its assets, and liabilities, income, and operating
1769 expenses at the end of its most recent fiscal year, including a

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1770 description of all of its outstanding revenue bonds.

1771 Section 54. Subsection (6) of section 292.05, Florida
1772 Statutes, is amended to read:

1773 292.05 Duties of Department of Veterans' Affairs.—

1774 (6) The department shall, by ~~on~~ December 31 of each year,
1775 submit ~~make~~ an annual written report to the Governor, the
1776 Cabinet, and the Legislature which describes: ~~of the state, the~~
1777 ~~Speaker of the House of Representatives, and the President of~~
1778 ~~the Senate, which report shall show~~

1779 (a) The expenses incurred in veteran service work in the
1780 state; the number, nature, and kind of cases handled by the
1781 department and by county and city veteran service officers of
1782 the state; the amounts of benefits obtained for veterans; the
1783 names and addresses of all certified veteran service officers,
1784 including county and city veteran service officers. The report
1785 must ~~shall~~ also describe the actions taken by the department in
1786 implementing subsections (4), (5), and (7) and include ~~shall~~
1787 ~~contain such~~ other information and recommendations as ~~may appear~~
1788 ~~to~~ the department requires ~~to be right and proper~~.

1789 (b) The current status of the department's domiciliary and
1790 nursing homes established pursuant to chapter 296, including all
1791 receipts and expenditures, the condition of the homes, the
1792 number of residents received and discharged during the preceding
1793 year, occupancy rates, staffing, and any other information
1794 necessary to provide an understanding of the management,
1795 conduct, and operation of the homes.

1796 Section 55. Section 296.16, Florida Statutes, is repealed.

1797 Section 56. Section 296.39, Florida Statutes, is repealed.

1798 Section 57. Paragraph (c) of subsection (12) of section

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1799 315.03, Florida Statutes, is repealed.

1800 Section 58. Subsection (2) of section 319.324, Florida
1801 Statutes, is amended to read:

1802 319.324 Odometer fraud prevention and detection; funding.-

1803 (2) Moneys deposited into the Highway Safety Operating
1804 Trust Fund under this section shall be used to implement and
1805 maintain efforts by the department to prevent and detect
1806 odometer fraud, including the prompt investigation of alleged
1807 instances of odometer mileage discrepancies reported by licensed
1808 motor vehicle dealers, auctions, or purchasers of motor
1809 vehicles. ~~Such moneys shall also be used to fund an annual
1810 report to the Legislature by the Department of Highway Safety
1811 and Motor Vehicles, summarizing the department's investigations
1812 and findings.~~ In addition, moneys deposited into the fund may be
1813 used by the department for general operations.

1814 Section 59. Section 322.181, Florida Statutes, is repealed.

1815 Section 60. Paragraph (c) of subsection (7) of section
1816 322.251, Florida Statutes, is repealed.

1817 Section 61. Sections 341.8201-341.842, Florida Statutes,
1818 are repealed.

1819 Section 62. Section 373.0391, Florida Statutes, is amended
1820 to read:

1821 373.0391 Technical assistance to local governments.-

1822 ~~(1)~~ The water management districts shall assist local
1823 governments in the development and future revision of local
1824 government comprehensive plan elements or public facilities
1825 report as required by s. 189.415, related to water resource
1826 issues.

1827 ~~(2) By July 1, 1991, each water management district shall~~

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1828 ~~prepare and provide information and data to assist local~~
1829 ~~governments in the preparation and implementation of their local~~
1830 ~~government comprehensive plans or public facilities report as~~
1831 ~~required by s. 189.415, whichever is applicable. Such~~
1832 ~~information and data shall include, but not be limited to:~~

1833 ~~(a) All information and data required in a public~~
1834 ~~facilities report pursuant to s. 189.415.~~

1835 ~~(b) A description of regulations, programs, and schedules~~
1836 ~~implemented by the district.~~

1837 ~~(c) Identification of regulations, programs, and schedules~~
1838 ~~undertaken or proposed by the district to further the State~~
1839 ~~Comprehensive Plan.~~

1840 ~~(d) A description of surface water basins, including~~
1841 ~~regulatory jurisdictions, flood-prone areas, existing and~~
1842 ~~projected water quality in water management district operated~~
1843 ~~facilities, as well as surface water runoff characteristics and~~
1844 ~~topography regarding flood plains, wetlands, and recharge areas.~~

1845 ~~(e) A description of groundwater characteristics, including~~
1846 ~~existing and planned wellfield sites, existing and anticipated~~
1847 ~~cones of influence, highly productive groundwater areas, aquifer~~
1848 ~~recharge areas, deep well injection zones, contaminated areas,~~
1849 ~~an assessment of regional water resource needs and sources for~~
1850 ~~the next 20 years, and water quality.~~

1851 ~~(f) The identification of existing and potential water~~
1852 ~~management district land acquisitions.~~

1853 ~~(g) Information reflecting the minimum flows for surface~~
1854 ~~watercourses to avoid harm to water resources or the ecosystem~~
1855 ~~and information reflecting the minimum water levels for aquifers~~
1856 ~~to avoid harm to water resources or the ecosystem.~~

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1857 Section 63. Subsection (4) of section 373.046, Florida
1858 Statutes, is amended to read:

1859 373.046 Interagency agreements.—

1860 (4) The Legislature recognizes and affirms the division of
1861 responsibilities between the department and the water management
1862 districts as set forth in ss. III. and X. of each of the
1863 operating agreements codified as rules 17-101.040(12)(a)3., 4.,
1864 and 5., Florida Administrative Code. Section IV.A.2.a. of each
1865 operating agreement regarding individual permit oversight is
1866 rescinded. The department is ~~shall be~~ responsible for permitting
1867 those activities under part IV of this chapter which, because of
1868 their complexity and magnitude, need to be economically and
1869 efficiently evaluated at the state level, including, but not
1870 limited to, mining, hazardous waste management facilities, and
1871 solid waste management facilities that do not qualify for a
1872 general permit under chapter 403. With regard to
1873 postcertification information submittals for activities
1874 authorized under chapters 341 and 403 siting act certifications,
1875 the department, after consultation with the appropriate water
1876 management district and other agencies having applicable
1877 regulatory jurisdiction, shall determine ~~be responsible for~~
1878 ~~determining~~ the permittee's compliance with conditions of
1879 certification which are ~~were~~ based upon the nonprocedural
1880 requirements of part IV of this chapter. ~~The Legislature~~
1881 ~~authorizes~~ The water management districts and the department may
1882 ~~to~~ modify the division of responsibilities referenced in this
1883 section and enter into further interagency agreements by
1884 rulemaking, including incorporation by reference, pursuant to
1885 chapter 120, to provide for greater efficiency and to avoid

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1886 duplication in the administration of part IV of this chapter by
1887 designating ~~certain~~ activities that ~~which~~ will be regulated by
1888 either the water management districts or the department. In
1889 developing such interagency agreements, the water management
1890 districts and the department shall consider ~~should take into~~
1891 ~~consideration~~ the technical and fiscal ability of each water
1892 management district to implement all or some of the provisions
1893 of part IV of this chapter. This subsection does not rescind or
1894 restrict ~~Nothing herein rescinds or restricts~~ the authority of
1895 the districts to regulate silviculture and agriculture pursuant
1896 to part IV of this chapter or s. 403.927. ~~By December 10, 1993,~~
1897 ~~the secretary of the department shall submit a report to the~~
1898 ~~President of the Senate and the Speaker of the House of~~
1899 ~~Representatives regarding the efficiency of the procedures and~~
1900 ~~the division of responsibilities contemplated by this subsection~~
1901 ~~and regarding progress toward the execution of further~~
1902 ~~interagency agreements and the integration of permitting with~~
1903 ~~sovereignty lands approval. The report also will consider the~~
1904 ~~feasibility of improving the protection of the environment~~
1905 ~~through comprehensive criteria for protection of natural~~
1906 ~~systems.~~

1907 Section 64. Subsection (14) of section 376.121, Florida
1908 Statutes, is repealed.

1909 Section 65. Section 376.17, Florida Statutes, is repealed.

1910 Section 66. Subsection (5) of section 376.30713, Florida
1911 Statutes, is repealed.

1912 Section 67. Subsection (2) of section 379.2211, Florida
1913 Statutes, is amended to read:

1914 379.2211 Florida waterfowl permit revenues.-

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1915 (2) The intent of this section is to expand waterfowl
1916 research and management and increase waterfowl populations in
1917 the state without detracting from other programs. The commission
1918 shall prepare and make available on its Internet website an
1919 annual report documenting the use of funds generated under ~~the~~
1920 ~~provisions of this section, to be submitted to the Governor, the~~
1921 ~~Speaker of the House of Representatives, and the President of~~
1922 ~~the Senate on or before September 1 of each year.~~

1923 Section 68. Subsection (2) of section 379.2212, Florida
1924 Statutes, is amended to read:

1925 379.2212 Florida wild turkey permit revenues.—

1926 (2) The intent of this section is to expand wild turkey
1927 research and management and to increase wild turkey populations
1928 in the state without detracting from other programs. The
1929 commission shall prepare and make available on its Internet
1930 website an annual report documenting the use of funds generated
1931 ~~under the provisions of this section, to be submitted to the~~
1932 ~~Governor, the Speaker of the House of Representatives, and the~~
1933 ~~President of the Senate on or before September 1 of each year.~~

1934 Section 69. Subsection (8) of section 379.2523, Florida
1935 Statutes, is repealed.

1936 Section 70. Paragraph (a) of subsection (2) of section
1937 380.06, Florida Statutes, is amended to read:

1938 380.06 Developments of regional impact.—

1939 (2) STATEWIDE GUIDELINES AND STANDARDS.—

1940 (a) The state land planning agency shall recommend to the
1941 Administration Commission specific statewide guidelines and
1942 standards for adoption pursuant to this subsection. The
1943 Administration Commission shall by rule adopt statewide

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1944 guidelines and standards to be used in determining whether
1945 particular developments shall undergo development-of-regional-
1946 impact review. The statewide guidelines and standards previously
1947 adopted by the Administration Commission and approved by the
1948 Legislature shall remain in effect unless revised pursuant to
1949 this section or superseded by other provisions of law. Revisions
1950 to the present statewide guidelines and standards, after
1951 adoption by the Administration Commission, shall be transmitted
1952 on or before March 1 to the President of the Senate and the
1953 Speaker of the House of Representatives for presentation at the
1954 next regular session of the Legislature. Unless approved by law
1955 by the Legislature, the revisions to the present guidelines and
1956 standards shall not become effective.

1957 Section 71. Subsection (3) of section 380.0677, Florida
1958 Statutes, is repealed.

1959 Section 72. Subsection (3) of section 381.0011, Florida
1960 Statutes, is repealed.

1961 Section 73. Section 381.0036, Florida Statutes, is
1962 repealed.

1963 Section 74. Section 381.731, Florida Statutes, is repealed.

1964 Section 75. Section 381.795, Florida Statutes, is amended
1965 to read:

1966 381.795 Long-term community-based supports.—The department
1967 shall, contingent upon specific appropriations for these
1968 purposes, establish÷

1969 ~~(1) Study the long-term needs for community-based supports~~
1970 ~~and services for individuals who have sustained traumatic brain~~
1971 ~~or spinal cord injuries. The purpose of this study is to prevent~~
1972 ~~inappropriate residential and institutional placement of these~~

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1973 individuals, and promote placement in the most cost effective
1974 and least restrictive environment. Any placement recommendations
1975 for these individuals shall ensure full utilization of and
1976 collaboration with other state agencies, programs, and community
1977 partners. This study shall be submitted to the Governor, the
1978 President of the Senate, and the Speaker of the House of
1979 Representatives not later than December 31, 2000.

1980 ~~(2)~~ Based upon the results of this study, establish a plan
1981 for the implementation of a program of long-term community-based
1982 supports and services for individuals who have sustained
1983 traumatic brain or spinal cord injuries and who may be subject
1984 to inappropriate residential and institutional placement as a
1985 direct result of such injuries.

1986 (1)(a) The program shall be payor of last resort for
1987 program services, and expenditures for ~~such~~ services shall be
1988 considered funded services for purposes of s. 381.785; however,
1989 notwithstanding s. 381.79(5), proceeds resulting from this
1990 subsection shall be used solely for this program.

1991 (2)(b) The department shall adopt ~~create~~, by rule,
1992 procedures to ensure, that if in the event the program is unable
1993 to directly or indirectly provide ~~such~~ services to all eligible
1994 individuals due to lack of funds, those individuals most at risk
1995 of suffering to suffer the greatest harm from an imminent
1996 inappropriate residential or institutional placement are served
1997 first.

1998 (3)(e) Every applicant or recipient of the long-term
1999 community-based supports and services program must ~~shall~~ have
2000 been a resident of the state for 1 year immediately preceding
2001 application and be a resident of the state at the time of

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2002 application.

2003 ~~(4)(d)~~ The department shall adopt rules pursuant to ss.
 2004 ~~120.536(1) and 120.54~~ to administer ~~implement the provision of~~
 2005 this section ~~subsection~~.

2006 Section 76. Section 381.931, Florida Statutes, is amended
 2007 to read:

2008 381.931 Annual report on Medicaid expenditures.—The
 2009 Department of Health and the Agency for Health Care
 2010 Administration shall monitor the total Medicaid expenditures for
 2011 services made under this act. If Medicaid expenditures are
 2012 projected to exceed the amount appropriated by the Legislature,
 2013 the Department of Health shall limit the number of screenings to
 2014 ensure Medicaid expenditures do not exceed the amount
 2015 appropriated. ~~The Department of Health, in cooperation with the~~
 2016 ~~Agency for Health Care Administration, shall prepare an annual~~
 2017 ~~report that must include the number of women screened; the~~
 2018 ~~percentage of positive and negative outcomes; the number of~~
 2019 ~~referrals to Medicaid and other providers for treatment~~
 2020 ~~services; the estimated number of women who are not screened or~~
 2021 ~~not served by Medicaid due to funding limitations, if any; the~~
 2022 ~~cost of Medicaid treatment services; and the estimated cost of~~
 2023 ~~treatment services for women who were not screened or referred~~
 2024 ~~for treatment due to funding limitations. The report shall be~~
 2025 ~~submitted to the President of the Senate, the Speaker of the~~
 2026 ~~House of Representatives, and the Executive Office of the~~
 2027 ~~Governor by March 1 of each year.~~

2028 Section 77. Subsection (6) of section 383.19, Florida
 2029 Statutes, is amended to read:

2030 383.19 Standards; funding; ineligibility.—

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2031 (6) Each hospital that ~~which~~ contracts with the department
2032 to provide services under the terms of ss. 383.15-383.21 shall
2033 prepare and submit to the department an annual report that
2034 includes, but is not limited to, the number of clients served
2035 and the costs of services in the center. The department shall
2036 annually conduct a programmatic and financial evaluation of each
2037 center.

2038 Section 78. Section 383.21, Florida Statutes, is repealed.

2039 Section 79. Section 383.2161, Florida Statutes, is amended
2040 to read:

2041 383.2161 Maternal and child health report.—The Department
2042 of Health ~~annually~~ shall annually compile and analyze the risk
2043 information collected by the Office of Vital Statistics and the
2044 district prenatal and infant care coalitions and shall maintain
2045 county and statewide data on ~~prepare and submit to the~~
2046 ~~Legislature by January 2 a report that includes, but is not~~
2047 ~~limited to:~~

2048 (1) The number of families identified as families at
2049 potential risk;

2050 (2) The number of families receiving ~~that receive~~ family
2051 outreach services;

2052 (3) The increase in demand for services; and

2053 (4) The unmet need for services for identified target
2054 groups.

2055 Section 80. Subsection (4) of section 394.4573, Florida
2056 Statutes, is repealed.

2057 Section 81. Subsection (1) of section 394.4985, Florida
2058 Statutes, is amended to read:

2059 394.4985 Districtwide information and referral network;

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2060 implementation.—

2061 (1) Each service district of the Department of Children and
2062 Family Services shall develop a detailed implementation plan for
2063 a districtwide comprehensive child and adolescent mental health
2064 information and referral network to be operational by July 1,
2065 1999. The plan must include an operating budget that
2066 demonstrates cost efficiencies and identifies funding sources
2067 for the district information and referral network. ~~The plan must~~
2068 ~~be submitted by the department to the Legislature by October 1,~~
2069 ~~1998.~~ The district shall use existing district information and
2070 referral providers if, in the development of the plan, it is
2071 concluded that these providers would deliver information and
2072 referral services in a more efficient and effective manner when
2073 compared to other alternatives. The district information and
2074 referral network must include:

2075 (a) A resource file that contains information about the
2076 child and adolescent mental health services as described in s.
2077 394.495, including, but not limited to:

- 2078 1. Type of program;
- 2079 2. Hours of service;
- 2080 3. Ages of persons served;
- 2081 4. Program description;
- 2082 5. Eligibility requirements; and
- 2083 6. Fees.

2084 (b) Information about private providers and professionals
2085 in the community who ~~which~~ serve children and adolescents with
2086 an emotional disturbance.

2087 (c) A system to document requests for services which ~~that~~
2088 are received through the network referral process, including,

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2089 but not limited to:

- 2090 1. Number of calls by type of service requested;
- 2091 2. Ages of the children and adolescents for whom services
- 2092 are requested; and
- 2093 3. Type of referral made by the network.

2094 (d) The ability to share client information with the

2095 appropriate community agencies.

2096 ~~(e) The submission of an annual report to the department,~~

2097 ~~the Agency for Health Care Administration, and appropriate local~~

2098 ~~government entities, which contains information about the~~

2099 ~~sources and frequency of requests for information, types and~~

2100 ~~frequency of services requested, and types and frequency of~~

2101 ~~referrals made.~~

2102 Section 82. Section 394.82, Florida Statutes, is repealed.

2103 Section 83. Subsection (9) of section 394.9082, Florida

2104 Statutes, is repealed.

2105 Section 84. Section 394.9083, Florida Statutes, is

2106 repealed.

2107 Section 85. Paragraph (c) of subsection (2) of section

2108 395.807, Florida Statutes, is repealed.

2109 Section 86. Subsection (3) of section 397.332, Florida

2110 Statutes, is repealed.

2111 Section 87. Subsection (4) of section 397.333, Florida

2112 Statutes, is amended to read:

2113 397.333 Statewide Drug Policy Advisory Council.—

2114 (4) ~~(a)~~ The chairperson of the advisory council shall

2115 appoint workgroups that include members of state agencies that

2116 are not represented on the advisory council and shall solicit

2117 input and recommendations from those state agencies. ~~In~~

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2118 ~~addition,~~ The chairperson may also appoint workgroups ~~as~~
2119 ~~necessary~~ from among the members of the advisory council in
2120 order to efficiently address specific issues. A representative
2121 of a state agency appointed to any workgroup shall be the head
2122 of the agency~~,~~ or his or her designee. The chairperson may
2123 designate lead and contributing agencies within a workgroup.

2124 ~~(b) The advisory council shall submit a report to the~~
2125 ~~Governor, the President of the Senate, and the Speaker of the~~
2126 ~~House of Representatives by December 1 of each year which~~
2127 ~~contains a summary of the work of the council during that year~~
2128 ~~and the recommendations required under subsection (3). Interim~~
2129 ~~reports may be submitted at the discretion of the chairperson of~~
2130 ~~the advisory council.~~

2131 Section 88. Subsection (1) of section 397.94, Florida
2132 Statutes, is repealed.

2133 Section 89. Subsection (2) of section 400.148, Florida
2134 Statutes, is repealed.

2135 Section 90. Paragraph (a) of subsection (2) of section
2136 400.967, Florida Statutes, is amended to read:

2137 400.967 Rules and classification of deficiencies.—

2138 (2) Pursuant to the intention of the Legislature, the
2139 agency, in consultation with the Agency for Persons with
2140 Disabilities and the Department of Elderly Affairs, shall adopt
2141 and enforce rules to administer this part and part II of chapter
2142 408, which shall include reasonable and fair criteria governing:

2143 (a) The location and construction of the facility;
2144 including fire and life safety, plumbing, heating, cooling,
2145 lighting, ventilation, and other housing conditions that ~~will~~
2146 ensure the health, safety, and comfort of residents. The agency

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2147 shall establish standards for facilities and equipment to
2148 increase the extent to which new facilities and a new wing or
2149 floor added to an existing facility after July 1, 2000, are
2150 structurally capable of serving as shelters only for residents,
2151 staff, and families of residents and staff, and equipped to be
2152 self-supporting during and immediately following disasters. ~~The~~
2153 ~~Agency for Health Care Administration shall work with facilities~~
2154 ~~licensed under this part and report to the Governor and the~~
2155 ~~Legislature by April 1, 2000, its recommendations for cost-~~
2156 ~~effective renovation standards to be applied to existing~~
2157 ~~facilities. In making such rules, the agency shall be guided by~~
2158 ~~criteria recommended by nationally recognized, reputable~~
2159 ~~professional groups and associations having knowledge concerning~~
2160 ~~such subject matters.~~ The agency shall update or revise the such
2161 criteria as the need arises. All facilities must comply with
2162 those lifesafety code requirements and building code standards
2163 applicable at the time of approval of their construction plans.
2164 The agency may require alterations to a building if it
2165 determines that an existing condition constitutes a distinct
2166 hazard to life, health, or safety. The agency shall adopt fair
2167 and reasonable rules setting forth conditions under which
2168 existing facilities undergoing additions, alterations,
2169 conversions, renovations, or repairs are required to comply with
2170 the most recent updated or revised standards.

2171 Section 91. Subsection (3) of section 402.3016, Florida
2172 Statutes, is repealed.

2173 Section 92. Subsection (9) of section 402.40, Florida
2174 Statutes, is repealed.

2175 Section 93. Subsection (1) of section 403.4131, Florida

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2176 Statutes, is amended to read:

2177 403.4131 Litter control.—

2178 (1) The Department of Transportation shall establish an
2179 “adopt-a-highway” program to allow local organizations to be
2180 identified with specific highway cleanup and highway
2181 beautification projects authorized under s. 339.2405. ~~The~~
2182 ~~department shall report to the Governor and the Legislature on~~
2183 ~~the progress achieved and the savings incurred by the “adopt-a-~~
2184 ~~highway” program.~~ The department shall also monitor ~~and report~~
2185 ~~on~~ compliance with the provisions of the adopt-a-highway program
2186 to ensure that organizations participating ~~that participate~~ in
2187 the program comply with the goals identified by the department.

2188 Section 94. Paragraph (a) of subsection (4) of section
2189 406.02, Florida Statutes, is repealed.

2190 Section 95. Paragraph (g) of subsection (1) of section
2191 408.033, Florida Statutes, is amended to read:

2192 408.033 Local and state health planning.—

2193 (1) LOCAL HEALTH COUNCILS.—

2194 (g) Each local health council may ~~is authorized to~~ accept
2195 and receive, in furtherance of its health planning functions,
2196 funds, grants, and services from governmental agencies and from
2197 private or civic sources and to perform studies related to local
2198 health planning in exchange for such funds, grants, or services.
2199 Each ~~local health~~ council shall, no later than January 30 of
2200 each year, render an accounting of the receipt and disbursement
2201 of such funds received by it to the Department of Health. ~~The~~
2202 ~~department shall consolidate all such reports and submit such~~
2203 ~~consolidated report to the Legislature no later than March 1 of~~
2204 ~~each year.~~

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2205 Section 96. Subsection (4) of section 408.914, Florida
2206 Statutes, is repealed.

2207 Section 97. Paragraph (i) of subsection (3) of section
2208 408.915, Florida Statutes, is repealed.

2209 Section 98. Section 408.917, Florida Statutes, is repealed.

2210 Section 99. Paragraph (b) of subsection (7) of section
2211 409.1451, Florida Statutes, is amended to read:

2212 409.1451 Independent living transition services.-

2213 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The
2214 Secretary of Children and Family Services shall establish the
2215 Independent Living Services Advisory Council for the purpose of
2216 reviewing and making recommendations concerning the
2217 implementation and operation of the independent living
2218 transition services. This advisory council shall continue to
2219 function as specified in this subsection until the Legislature
2220 determines that the advisory council can no longer provide a
2221 valuable contribution to the department's efforts to achieve the
2222 goals of the independent living transition services.

2223 (b) The advisory council shall report to the secretary
2224 ~~appropriate substantive committees of the Senate and the House~~
2225 ~~of Representatives~~ on the status of the implementation of the
2226 system of independent living transition services; efforts to
2227 publicize the availability of aftercare support services, the
2228 Road-to-Independence Program, and transitional support services;
2229 the success of the services; problems identified;
2230 recommendations for department or legislative action; and the
2231 department's implementation of the recommendations contained in
2232 the Independent Living Services Integration Workgroup Report
2233 submitted to the appropriate ~~Senate and the House~~ substantive

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2234 committees of the Legislature by December 31, 2002. The
2235 department shall submit a report by December 31 of each year to
2236 the Governor and the Legislature ~~This advisory council report~~
2237 ~~shall be submitted by December 31 of each year that the council~~
2238 ~~is in existence and shall be accompanied by a report from the~~
2239 ~~department~~ which includes a summary of the factors reported on
2240 by the council and identifies the recommendations of the
2241 advisory council and either describes the department's actions
2242 to implement the ~~these~~ recommendations or provides the
2243 department's rationale for not implementing the recommendations.

2244 Section 100. Section 409.152, Florida Statutes, is
2245 repealed.

2246 Section 101. Subsections (1) and (2) of section 409.1679,
2247 Florida Statutes, are repealed.

2248 Section 102. Section 409.1685, Florida Statutes, is amended
2249 to read:

2250 409.1685 Children in foster care; annual report to
2251 Legislature.—The Department of Children and Family Services
2252 shall submit a written report to the Governor and ~~substantive~~
2253 ~~committees~~ of the Legislature concerning the status of children
2254 in foster care and ~~concerning~~ the judicial review mandated by
2255 part X of chapter 39. The ~~This~~ report shall be submitted by May
2256 ~~March~~ 1 of each year and must ~~shall~~ include the following
2257 information for the prior calendar year:

2258 (1) The number of 6-month and annual judicial reviews
2259 completed during that period.

2260 (2) The number of children in foster care returned to a
2261 parent, guardian, or relative as a result of a 6-month or annual
2262 judicial review hearing during that period.

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2263 (3) The number of termination of parental rights
2264 proceedings instituted during that period, including ~~which shall~~
2265 ~~include:~~

2266 (a) The number of termination of parental rights
2267 proceedings initiated pursuant to former s. 39.703; and

2268 (b) The total number of terminations of parental rights
2269 ordered.

2270 (4) The number of foster care children placed for adoption
2271 ~~during that period.~~

2272 Section 103. Paragraph (k) of subsection (4) of section
2273 409.221, Florida Statutes, is repealed.

2274 Section 104. Paragraph (a) of subsection (3) of section
2275 409.25575, Florida Statutes, is amended to read:

2276 409.25575 Support enforcement; privatization.—

2277 (3)(a) The department shall establish a quality assurance
2278 program for the privatization of services. ~~The quality assurance~~
2279 ~~program must include standards for each specific component of~~
2280 ~~these services. The department shall establish minimum~~
2281 ~~thresholds for each component. Each program operated pursuant to~~
2282 ~~contract must be evaluated annually by the department or by an~~
2283 ~~objective competent entity designated by the department under~~
2284 ~~the provisions of the quality assurance program. The evaluation~~
2285 ~~must be financed from cost savings associated with the~~
2286 ~~privatization of services. ~~The department shall submit an annual~~~~
2287 ~~report regarding quality performance, outcome measure~~
2288 ~~attainment, and cost efficiency to the President of the Senate,~~
2289 ~~the Speaker of the House of Representatives, the Minority leader~~
2290 ~~of each house of the Legislature, and the Governor no later than~~
2291 ~~January 31 of each year, beginning in 1999. The quality~~

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2292 assurance program must be financed through administrative
2293 savings generated by this act.

2294 Section 105. Subsection (9) of section 409.2558, Florida
2295 Statutes, is amended to read:

2296 409.2558 Support distribution and disbursement.—

2297 (9) RULEMAKING AUTHORITY.—The department may adopt rules to
2298 administer this section. ~~The department shall provide a draft of~~
2299 ~~the proposed concepts for the rule for the undistributable~~
2300 ~~collections to interested parties for review and recommendations~~
2301 ~~prior to full development of the rule and initiating the formal~~
2302 ~~rule-development process. The department shall consider but is~~
2303 ~~not required to implement the recommendations. The department~~
2304 ~~shall provide a report to the President of the Senate and the~~
2305 ~~Speaker of the House of Representatives containing the~~
2306 ~~recommendations received from interested parties and the~~
2307 ~~department's response regarding incorporating the~~
2308 ~~recommendations into the rule.~~

2309 Section 106. Subsection (3) of section 409.441, Florida
2310 Statutes, is repealed.

2311 Section 107. Subsection (24) of section 409.906, Florida
2312 Statutes, is amended to read:

2313 409.906 Optional Medicaid services.—Subject to specific
2314 appropriations, the agency may make payments for services which
2315 are optional to the state under Title XIX of the Social Security
2316 Act and are furnished by Medicaid providers to recipients who
2317 are determined to be eligible on the dates on which the services
2318 were provided. Any optional service that is provided shall be
2319 provided only when medically necessary and in accordance with
2320 state and federal law. Optional services rendered by providers

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2321 in mobile units to Medicaid recipients may be restricted or
2322 prohibited by the agency. Nothing in this section shall be
2323 construed to prevent or limit the agency from adjusting fees,
2324 reimbursement rates, lengths of stay, number of visits, or
2325 number of services, or making any other adjustments necessary to
2326 comply with the availability of moneys and any limitations or
2327 directions provided for in the General Appropriations Act or
2328 chapter 216. If necessary to safeguard the state's systems of
2329 providing services to elderly and disabled persons and subject
2330 to the notice and review provisions of s. 216.177, the Governor
2331 may direct the Agency for Health Care Administration to amend
2332 the Medicaid state plan to delete the optional Medicaid service
2333 known as "Intermediate Care Facilities for the Developmentally
2334 Disabled." Optional services may include:

2335 (24) CHILD-WELFARE-TARGETED CASE MANAGEMENT.—The Agency for
2336 Health Care Administration, in consultation with the Department
2337 of Children and Family Services, may establish a targeted case-
2338 management project in those counties identified by the
2339 Department of Children and Family Services and for all counties
2340 with a community-based child welfare project, as authorized
2341 under s. 409.1671, which have been specifically approved by the
2342 department. ~~Results of targeted case management projects shall~~
2343 ~~be reported to the Social Services Estimating Conference~~
2344 ~~established under s. 216.136.~~ The covered group of individuals
2345 who are eligible to receive targeted case management include
2346 children who are eligible for Medicaid; who are between the ages
2347 of birth through 21; and who are under protective supervision or
2348 postplacement supervision, under foster-care supervision, or in
2349 shelter care or foster care. The number of individuals who are

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2350 eligible to receive targeted case management is ~~shall be~~ limited
2351 to the number for whom the Department of Children and Family
2352 Services has ~~available~~ matching funds to cover the costs. The
2353 general revenue funds required to match the funds for services
2354 provided by the community-based child welfare projects are
2355 limited to funds available for services described under s.
2356 409.1671. The Department of Children and Family Services may
2357 transfer the general revenue matching funds as billed by the
2358 Agency for Health Care Administration.

2359 Section 108. Paragraph (b) of subsection (4), subsections
2360 (29) and (44), and paragraph (c) of subsection (49) of section
2361 409.912, Florida Statutes, are amended to read:

2362 409.912 Cost-effective purchasing of health care.—The
2363 agency shall purchase goods and services for Medicaid recipients
2364 in the most cost-effective manner consistent with the delivery
2365 of quality medical care. To ensure that medical services are
2366 effectively utilized, the agency may, in any case, require a
2367 confirmation or second physician's opinion of the correct
2368 diagnosis for purposes of authorizing future services under the
2369 Medicaid program. This section does not restrict access to
2370 emergency services or poststabilization care services as defined
2371 in 42 C.F.R. part 438.114. Such confirmation or second opinion
2372 shall be rendered in a manner approved by the agency. The agency
2373 shall maximize the use of prepaid per capita and prepaid
2374 aggregate fixed-sum basis services when appropriate and other
2375 alternative service delivery and reimbursement methodologies,
2376 including competitive bidding pursuant to s. 287.057, designed
2377 to facilitate the cost-effective purchase of a case-managed
2378 continuum of care. The agency shall also require providers to

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2379 minimize the exposure of recipients to the need for acute
2380 inpatient, custodial, and other institutional care and the
2381 inappropriate or unnecessary use of high-cost services. The
2382 agency shall contract with a vendor to monitor and evaluate the
2383 clinical practice patterns of providers in order to identify
2384 trends that are outside the normal practice patterns of a
2385 provider's professional peers or the national guidelines of a
2386 provider's professional association. The vendor must be able to
2387 provide information and counseling to a provider whose practice
2388 patterns are outside the norms, in consultation with the agency,
2389 to improve patient care and reduce inappropriate utilization.
2390 The agency may mandate prior authorization, drug therapy
2391 management, or disease management participation for certain
2392 populations of Medicaid beneficiaries, certain drug classes, or
2393 particular drugs to prevent fraud, abuse, overuse, and possible
2394 dangerous drug interactions. The Pharmaceutical and Therapeutics
2395 Committee shall make recommendations to the agency on drugs for
2396 which prior authorization is required. The agency shall inform
2397 the Pharmaceutical and Therapeutics Committee of its decisions
2398 regarding drugs subject to prior authorization. The agency is
2399 authorized to limit the entities it contracts with or enrolls as
2400 Medicaid providers by developing a provider network through
2401 provider credentialing. The agency may competitively bid single-
2402 source-provider contracts if procurement of goods or services
2403 results in demonstrated cost savings to the state without
2404 limiting access to care. The agency may limit its network based
2405 on the assessment of beneficiary access to care, provider
2406 availability, provider quality standards, time and distance
2407 standards for access to care, the cultural competence of the

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2408 provider network, demographic characteristics of Medicaid
2409 beneficiaries, practice and provider-to-beneficiary standards,
2410 appointment wait times, beneficiary use of services, provider
2411 turnover, provider profiling, provider licensure history,
2412 previous program integrity investigations and findings, peer
2413 review, provider Medicaid policy and billing compliance records,
2414 clinical and medical record audits, and other factors. Providers
2415 shall not be entitled to enrollment in the Medicaid provider
2416 network. The agency shall determine instances in which allowing
2417 Medicaid beneficiaries to purchase durable medical equipment and
2418 other goods is less expensive to the Medicaid program than long-
2419 term rental of the equipment or goods. The agency may establish
2420 rules to facilitate purchases in lieu of long-term rentals in
2421 order to protect against fraud and abuse in the Medicaid program
2422 as defined in s. 409.913. The agency may seek federal waivers
2423 necessary to administer these policies.

2424 (4) The agency may contract with:

2425 (b) An entity that is providing comprehensive behavioral
2426 health care services to specified ~~certain~~ Medicaid recipients
2427 through a capitated, prepaid arrangement pursuant to the federal
2428 waiver in ~~provided for by~~ s. 409.905(5). The ~~Such an~~ entity must
2429 be licensed under chapter 624, chapter 636, or chapter 641 and
2430 must possess the clinical systems and operational competence to
2431 manage risk and provide comprehensive behavioral health care to
2432 Medicaid recipients. As used in this paragraph, the term
2433 "comprehensive behavioral health care services" means covered
2434 mental health and substance abuse treatment services that are
2435 available to Medicaid recipients. The Secretary of ~~the~~
2436 ~~Department of~~ Children and Family Services shall approve

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2437 ~~provisions of procurements~~ related to children in the
2438 department's care or custody before ~~prior to~~ enrolling such
2439 children in a prepaid behavioral health plan. A ~~Any~~ contract
2440 awarded under this paragraph must be competitively procured. ~~In~~
2441 ~~developing~~ The behavioral health care prepaid plan procurement
2442 document must require, ~~the agency shall ensure that the~~
2443 ~~procurement document requires~~ the contractor to develop and
2444 implement a plan that ensures ~~to ensure~~ compliance with s.
2445 394.4574 related to services provided to residents of licensed
2446 assisted living facilities that hold a limited mental health
2447 license. Except as provided in subparagraph 8., and except in
2448 counties where the Medicaid managed care pilot program is
2449 authorized pursuant to s. 409.91211, the agency shall seek
2450 federal approval to contract with a single entity meeting the
2451 ~~these~~ requirements to provide comprehensive behavioral health
2452 care services to all Medicaid recipients not enrolled in a
2453 Medicaid managed care plan authorized under s. 409.91211 or a
2454 Medicaid health maintenance organization in an agency AHCA area.
2455 In an agency AHCA area where the Medicaid managed care pilot
2456 program is authorized pursuant to s. 409.91211 in one or more
2457 counties, the agency may procure a contract with a single entity
2458 to serve the remaining counties as an agency AHCA area or the
2459 remaining counties may be included with an adjacent agency AHCA
2460 area and shall be subject to this paragraph. Each entity must
2461 offer sufficient choice of providers in its network to ensure
2462 recipient access to care and the opportunity to select a
2463 provider with whom the recipient is ~~they are~~ satisfied. The
2464 network must ~~shall~~ include all public mental health hospitals.
2465 To ensure unimpaired access to behavioral health care services

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2466 by Medicaid recipients, all contracts issued pursuant to this
2467 paragraph must ~~shall~~ require 80 percent of the capitation paid
2468 to the managed care plan, including health maintenance
2469 organizations, to be expended for ~~the provision of~~ behavioral
2470 health care services. If ~~In the event~~ the managed care plan
2471 expends less than 80 percent ~~of the capitation paid pursuant to~~
2472 ~~this paragraph for the provision of behavioral health care~~
2473 ~~services~~, the difference must ~~shall~~ be returned to the agency.
2474 The agency shall provide the managed care plan with a
2475 certification letter indicating the amount of capitation paid
2476 during each calendar year for the provision of behavioral health
2477 care services pursuant to this section. The agency may reimburse
2478 for substance abuse treatment services on a fee-for-service
2479 basis until the agency finds that adequate funds are available
2480 for capitated, prepaid arrangements.

2481 1. ~~By January 1, 2001, the agency shall modify the~~
2482 Contracts with the entities providing comprehensive inpatient
2483 and outpatient mental health care services to Medicaid
2484 recipients in Hillsborough, Highlands, Hardee, Manatee, and Polk
2485 Counties must, ~~to~~ include substance abuse treatment services.

2486 2. ~~By July 1, 2003,~~ The agency and the Department of
2487 Children and Family Services shall execute a written agreement
2488 that requires collaboration and joint development of all policy,
2489 budgets, procurement documents, contracts, and monitoring plans
2490 that have an impact on the state and Medicaid community mental
2491 health and targeted case management programs.

2492 3. Except as provided in subparagraph 8., ~~by July 1, 2006,~~
2493 the agency and the Department of Children and Family Services
2494 shall contract with managed care entities in each agency ~~AHCA~~

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2495 area except area 6 or arrange to provide comprehensive inpatient
2496 and outpatient mental health and substance abuse services
2497 through capitated prepaid arrangements to all Medicaid
2498 recipients who are eligible to participate in such plans under
2499 federal law ~~and regulation~~. In agency AHCA areas where the
2500 eligible population is fewer individuals number less than
2501 150,000, the agency shall contract with a single managed care
2502 plan to provide comprehensive behavioral health services to all
2503 recipients who are not enrolled in a Medicaid health maintenance
2504 organization or a Medicaid capitated managed care plan
2505 authorized under s. 409.91211. The agency may contract with more
2506 than one comprehensive behavioral health provider ~~to provide~~
2507 ~~care to recipients who are not enrolled in a Medicaid capitated~~
2508 ~~managed care plan authorized under s. 409.91211 or a Medicaid~~
2509 ~~health maintenance organization in agency AHCA~~ areas where the
2510 eligible population exceeds 150,000. In an agency AHCA area
2511 where the Medicaid managed care pilot program is authorized
2512 pursuant to s. 409.91211 in one or more counties, the agency may
2513 procure a contract with a single entity to serve the remaining
2514 counties as an agency AHCA area or the remaining counties may be
2515 included with an adjacent agency AHCA area and shall be subject
2516 to this paragraph. Contracts for comprehensive behavioral health
2517 providers awarded pursuant to this section shall be
2518 competitively procured. ~~Both~~ For-profit and not-for-profit
2519 corporations are ~~shall be~~ eligible to compete. Managed care
2520 plans contracting with the agency under subsection (3) shall
2521 provide and receive payment for the same comprehensive
2522 behavioral health benefits as provided in agency AHCA rules,
2523 including handbooks incorporated by reference. In agency AHCA

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2524 area 11, the agency shall contract with at least two
2525 comprehensive behavioral health care providers to provide
2526 behavioral health care to recipients in that area who are
2527 enrolled in, or assigned to, the MediPass program. One of the
2528 behavioral health care contracts must ~~shall~~ be with the existing
2529 provider service network pilot project, as described in
2530 paragraph (d), for the purpose of demonstrating the cost-
2531 effectiveness of the provision of quality mental health services
2532 through a public hospital-operated managed care model. Payment
2533 must ~~shall~~ be at an agreed-upon capitated rate to ensure cost
2534 savings. Of the recipients in area 11 who are assigned to
2535 MediPass under ~~the provisions of s. 409.9122(2)(k)~~, a minimum of
2536 50,000 must ~~of those MediPass-enrolled recipients shall~~ be
2537 assigned to the existing provider service network in area 11 for
2538 their behavioral care.

2539 ~~4. By October 1, 2003, the agency and the department shall~~
2540 ~~submit a plan to the Governor, the President of the Senate, and~~
2541 ~~the Speaker of the House of Representatives which provides for~~
2542 ~~the full implementation of capitated prepaid behavioral health~~
2543 ~~care in all areas of the state.~~

2544 ~~a. Implementation shall begin in 2003 in those AHCA areas~~
2545 ~~of the state where the agency is able to establish sufficient~~
2546 ~~capitation rates.~~

2547 ~~4.b.~~ If the agency determines that the proposed capitation
2548 rate in an any area is insufficient to provide appropriate
2549 services, the agency may adjust the capitation rate to ensure
2550 that care is ~~will be~~ available. The agency and the department
2551 may use existing general revenue to address any additional
2552 required match but may not over-obligate existing funds on an

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2553 annualized basis.

2554 ~~e.~~ Subject to ~~any~~ limitations provided for in the General
2555 Appropriations Act, the agency, in compliance with appropriate
2556 federal authorization, shall develop policies and procedures
2557 that allow for certification of local and state funds.

2558 5. Children residing in a statewide inpatient psychiatric
2559 program, or in a Department of Juvenile Justice or a Department
2560 of Children and Family Services residential program approved as
2561 a Medicaid behavioral health overlay services provider may ~~shall~~
2562 not be included in a behavioral health care prepaid health plan
2563 or any other Medicaid managed care plan pursuant to this
2564 paragraph.

2565 6. In converting to a prepaid system of delivery, the
2566 agency ~~shall~~ in its procurement document shall require an entity
2567 providing only comprehensive behavioral health care services to
2568 prevent the displacement of indigent care patients by enrollees
2569 in the Medicaid prepaid health plan providing behavioral health
2570 care services from facilities receiving state funding to provide
2571 indigent behavioral health care, to facilities licensed under
2572 chapter 395 which do not receive state funding for indigent
2573 behavioral health care, or reimburse the unsubsidized facility
2574 for the cost of behavioral health care provided to the displaced
2575 indigent care patient.

2576 7. Traditional community mental health providers under
2577 contract with the Department of Children and Family Services
2578 pursuant to part IV of chapter 394, child welfare providers
2579 under contract with the Department of Children and Family
2580 Services in areas 1 and 6, and inpatient mental health providers
2581 licensed under ~~pursuant to~~ chapter 395 must be offered an

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2582 opportunity to accept or decline a contract to participate in
2583 any provider network for prepaid behavioral health services.

2584 8. All Medicaid-eligible children, except children in area
2585 1 and children in Highlands County, Hardee County, Polk County,
2586 or Manatee County of area 6, who are open for child welfare
2587 services in the HomeSafeNet system, shall receive their
2588 behavioral health care services through a specialty prepaid plan
2589 operated by community-based lead agencies either through a
2590 single agency or formal agreements among several agencies. The
2591 specialty prepaid plan must result in savings to the state
2592 comparable to savings achieved in other Medicaid managed care
2593 and prepaid programs. The ~~Such~~ plan must provide mechanisms to
2594 maximize state and local revenues. The agency and the Department
2595 of Children and Family Services ~~specialty prepaid plan~~ shall
2596 develop the specialty prepaid plan ~~be developed by the agency~~
2597 ~~and the Department of Children and Family Services~~. The agency
2598 ~~may is authorized to~~ seek any federal waivers to implement this
2599 initiative. Medicaid-eligible children whose cases are open for
2600 child welfare services in the HomeSafeNet system and who reside
2601 in agency AHCA area 10 are exempt from the specialty prepaid
2602 plan upon the development of a service delivery mechanism for
2603 children who reside in area 10 as specified in s.
2604 409.91211(3)(dd).

2605 (29) The agency shall perform enrollments and
2606 disenrollments for Medicaid recipients who are eligible for
2607 MediPass or managed care plans. Notwithstanding the prohibition
2608 contained in paragraph (21)(f), managed care plans may perform
2609 preenrollments of Medicaid recipients under the supervision of
2610 the agency or its agents. For the purposes of this section, the

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2611 term "preenrollment" means the provision of marketing and
2612 educational materials to a Medicaid recipient and assistance in
2613 completing the application forms, but does ~~shall~~ not include
2614 actual enrollment into a managed care plan. An application for
2615 enrollment may ~~shall~~ not be deemed complete until the agency or
2616 its agent verifies that the recipient made an informed,
2617 voluntary choice. The agency, in cooperation with the Department
2618 of Children and Family Services, may test new marketing
2619 initiatives to inform Medicaid recipients about their managed
2620 care options at selected sites. ~~The agency shall report to the~~
2621 ~~Legislature on the effectiveness of such initiatives.~~ The agency
2622 may contract with a third party to perform managed care plan and
2623 MediPass enrollment and disenrollment services for Medicaid
2624 recipients and may ~~is authorized to~~ adopt rules to administer
2625 ~~implement~~ such services. The agency may adjust the capitation
2626 rate only to cover the costs of a third-party enrollment and
2627 disenrollment contract, and for agency supervision and
2628 management of the managed care plan enrollment and disenrollment
2629 contract.

2630 (44) The Agency for Health Care Administration shall ensure
2631 that any Medicaid managed care plan as defined in s.
2632 409.9122(2)(f), whether paid on a capitated basis or a shared
2633 savings basis, is cost-effective. For purposes of this
2634 subsection, the term "cost-effective" means that a network's
2635 per-member, per-month costs to the state, including, but not
2636 limited to, fee-for-service costs, administrative costs, and
2637 case-management fees, if any, must be no greater than the
2638 state's costs associated with contracts for Medicaid services
2639 established under subsection (3), which may be adjusted for

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2640 health status. The agency shall conduct actuarially sound
2641 adjustments for health status in order to ensure such cost-
2642 effectiveness and shall annually publish the results on its
2643 Internet website ~~and submit the results annually to the~~
2644 ~~Governor, the President of the Senate, and the Speaker of the~~
2645 ~~House of Representatives no later than December 31 of each year.~~
2646 Contracts established pursuant to this subsection which are not
2647 cost-effective may not be renewed.

2648 (49) The agency shall contract with established minority
2649 physician networks that provide services to historically
2650 underserved minority patients. The networks must provide cost-
2651 effective Medicaid services, comply with the requirements to be
2652 a MediPass provider, and provide their primary care physicians
2653 with access to data and other management tools necessary to
2654 assist them in ensuring the appropriate use of services,
2655 including inpatient hospital services and pharmaceuticals.

2656 (c) For purposes of this subsection, the term "cost-
2657 effective" means that a network's per-member, per-month costs to
2658 the state, including, but not limited to, fee-for-service costs,
2659 administrative costs, and case-management fees, if any, must be
2660 no greater than the state's costs associated with contracts for
2661 Medicaid services established under subsection (3), which shall
2662 be actuarially adjusted for case mix, model, and service area.
2663 The agency shall conduct actuarially sound audits adjusted for
2664 case mix and model in order to ensure such cost-effectiveness
2665 and shall annually publish the audit results on its Internet
2666 website ~~and submit the audit results annually to the Governor,~~
2667 ~~the President of the Senate, and the Speaker of the House of~~
2668 ~~Representatives no later than December 31.~~ Contracts established

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2669 pursuant to this subsection which are not cost-effective may not
2670 be renewed.

2671 Section 109. Section 410.0245, Florida Statutes, is
2672 repealed.

2673 Section 110. Subsection (10) of section 410.604, Florida
2674 Statutes, is repealed.

2675 Section 111. Paragraph (d) of subsection (5) of section
2676 411.0102, Florida Statutes, is amended to read:

2677 411.0102 Child Care Executive Partnership Act; findings and
2678 intent; grant; limitation; rules.-

2679 (5)

2680 (d) Each early learning coalition shall ~~be required to~~
2681 establish a community child care task force for each child care
2682 purchasing pool. The task force must be composed of employers,
2683 parents, private child care providers, and one representative
2684 from the local children's services council, if one exists in the
2685 area of the purchasing pool. The early learning coalition is
2686 expected to recruit the task force members from existing child
2687 care councils, commissions, or task forces already operating in
2688 the area of a purchasing pool. A majority of the task force
2689 shall consist of employers. ~~Each task force shall develop a plan~~
2690 ~~for the use of child care purchasing pool funds. The plan must~~
2691 ~~show how many children will be served by the purchasing pool,~~
2692 ~~how many will be new to receiving child care services, and how~~
2693 ~~the early learning coalition intends to attract new employers~~
2694 ~~and their employees to the program.~~

2695 Section 112. Section 411.221, Florida Statutes, is
2696 repealed.

2697 Section 113. Section 411.242, Florida Statutes, is

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2698 repealed.

2699 Section 114. Section 414.14, Florida Statutes, is amended
2700 to read:

2701 414.14 Public assistance policy simplification.—To the
2702 extent possible, the department shall align the requirements for
2703 eligibility under this chapter with the food stamp program and
2704 medical assistance eligibility policies and procedures to
2705 simplify the budgeting process and reduce errors. If the
2706 department determines that s. 414.075, relating to resources, or
2707 s. 414.085, relating to income, is inconsistent with ~~related~~
2708 ~~provisions of federal law governing which govern~~ the food stamp
2709 program or medical assistance, and that conformance to federal
2710 law would simplify administration of the WAGES Program or reduce
2711 errors without materially increasing the cost of the program to
2712 the state, the secretary of the department may propose a change
2713 in the resource or income requirements of the program by rule.
2714 ~~The secretary shall provide written notice to the President of~~
2715 ~~the Senate, the Speaker of the House of Representatives, and the~~
2716 ~~chairpersons of the relevant committees of both houses of the~~
2717 ~~Legislature summarizing the proposed modifications to be made by~~
2718 ~~rule and changes necessary to conform state law to federal law.~~
2719 ~~The proposed rule shall take effect 14 days after written notice~~
2720 ~~is given unless the President of the Senate or the Speaker of~~
2721 ~~the House of Representatives advises the secretary that the~~
2722 ~~proposed rule exceeds the delegated authority of the~~
2723 ~~Legislature.~~

2724 Section 115. Subsection (1) of section 414.36, Florida
2725 Statutes, is repealed.

2726 Section 116. Subsection (3) of section 414.391, Florida

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2727 Statutes, is repealed.

2728 Section 117. Subsection (6) of section 415.1045, Florida
2729 Statutes, is amended to read:

2730 415.1045 Photographs, videotapes, and medical examinations;
2731 abrogation of privileged communications; confidential records
2732 and documents.—

2733 (6) WORKING AGREEMENTS.—~~By March 1, 2004,~~ The department
2734 shall enter into working agreements with the jurisdictionally
2735 responsible county sheriff's ~~sheriffs'~~ office or local police
2736 department that will be the lead agency for ~~when~~ conducting any
2737 criminal investigation arising from an allegation of abuse,
2738 neglect, or exploitation of a vulnerable adult. The working
2739 agreement must specify how the requirements of this chapter will
2740 be met. ~~The Office of Program Policy Analysis and Government~~
2741 ~~Accountability shall conduct a review of the efficacy of the~~
2742 ~~agreements and report its findings to the Legislature by March~~
2743 ~~1, 2005.~~ For the purposes of such agreement, the
2744 jurisdictionally responsible law enforcement entity may ~~is~~
2745 ~~authorized to~~ share Florida criminal history and local criminal
2746 history information that is not otherwise exempt from s.
2747 119.07(1) with the district personnel. A law enforcement entity
2748 entering into such agreement must comply with s. 943.0525.
2749 Criminal justice information provided by the ~~such~~ law
2750 enforcement entity may ~~shall~~ be used only for the purposes
2751 specified in the agreement and shall be provided at no charge.
2752 Notwithstanding any other provision of law, the Department of
2753 Law Enforcement shall provide to the department electronic
2754 access to Florida criminal justice information that ~~which~~ is
2755 lawfully available and not exempt from s. 119.07(1), only for

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2756 the purpose of protective investigations and emergency
2757 placement. As a condition of access to the ~~such~~ information, the
2758 department shall ~~be required to~~ execute an appropriate user
2759 agreement addressing the access, use, dissemination, and
2760 destruction of such information and ~~to~~ comply with all
2761 applicable laws and rules of the Department of Law Enforcement.

2762 Section 118. Subsection (9) of section 420.622, Florida
2763 Statutes, is amended to read:

2764 420.622 State Office on Homelessness; Council on
2765 Homelessness.—

2766 (9) The council shall, by December 31 of each year, provide
2767 issue to the Governor, the Legislature ~~President of the Senate,~~
2768 ~~the Speaker of the House of Representatives,~~ and the Secretary
2769 of Children and Family Services ~~an evaluation of the executive~~
2770 ~~director's performance in fulfilling the statutory duties of the~~
2771 ~~office,~~ a report summarizing the extent of homelessness in the
2772 state and the council's recommendations to the office and the
2773 corresponding actions taken by the office, and any
2774 recommendations to the Legislature for reducing proposals to
2775 reduce homelessness in this state.

2776 Section 119. Subsection (4) of section 420.623, Florida
2777 Statutes, is repealed.

2778 Section 120. Subsection (9) of section 427.704, Florida
2779 Statutes, is amended to read:

2780 427.704 Powers and duties of the commission.—

2781 (9) The commission shall prepare ~~provide to the President~~
2782 ~~of the Senate and to the Speaker of the House of Representatives~~
2783 an annual report on the operation of the telecommunications
2784 access system which shall be available on the commission's

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2785 Internet website. ~~The first report shall be provided no later~~
2786 ~~than January 1, 1992, and successive reports shall be provided~~
2787 ~~by January 1 of each year thereafter.~~ Reports must ~~shall~~ be
2788 prepared in consultation with the administrator and the advisory
2789 committee appointed pursuant to s. 427.706. The reports must
2790 ~~shall~~, at a minimum, briefly outline the status of developments
2791 in ~~of~~ the telecommunications access system, the number of
2792 persons served, the call volume, revenues and expenditures, the
2793 allocation of the revenues and expenditures between provision of
2794 specialized telecommunications devices to individuals and
2795 operation of statewide relay service, other major policy or
2796 operational issues, and proposals for improvements or changes to
2797 the telecommunications access system.

2798 Section 121. Subsection (2) of section 427.706, Florida
2799 Statutes, is amended to read:

2800 427.706 Advisory committee.—

2801 (2) The advisory committee shall provide the expertise,
2802 experience, and perspective of persons who are hearing impaired
2803 or speech impaired to the commission and to the administrator
2804 during all phases of the development and operation of the
2805 telecommunications access system. The advisory committee shall
2806 advise the commission and the administrator on ~~any matter~~
2807 ~~relating to~~ the quality and cost-effectiveness of the
2808 telecommunications relay service and the specialized
2809 telecommunications devices distribution system. The advisory
2810 committee may submit material for inclusion in the annual report
2811 prepared pursuant to s. 427.704 ~~to the President of the Senate~~
2812 ~~and the Speaker of the House of Representatives.~~

2813 Section 122. Paragraph (b) of subsection (3) of section

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2814 429.07, Florida Statutes, is amended to read:

2815 429.07 License required; fee.—

2816 (3) In addition to the requirements of s. 408.806, each
2817 license granted by the agency must state the type of care for
2818 which the license is granted. Licenses shall be issued for one
2819 or more of the following categories of care: standard, extended
2820 congregate care, limited nursing services, or limited mental
2821 health.

2822 (b) An extended congregate care license shall be issued to
2823 facilities providing, directly or through contract, services
2824 beyond those authorized in paragraph (a), including services
2825 performed by persons licensed under ~~acts performed pursuant to~~
2826 ~~part I of chapter 464 by persons licensed thereunder,~~ and
2827 supportive services, as defined by rule, to persons who would
2828 otherwise ~~would~~ be disqualified from continued residence in a
2829 facility licensed under this part.

2830 1. In order for extended congregate care services to be
2831 provided ~~in a facility licensed under this part,~~ the agency must
2832 first determine that all requirements established in law and
2833 rule are met and must specifically designate, on the facility's
2834 license, that such services may be provided and whether the
2835 designation applies to all or part of the ~~a~~ facility. Such
2836 designation may be made at the time of initial licensure or
2837 relicensure, or upon request in writing by a licensee under this
2838 part and part II of chapter 408. The notification of approval or
2839 the denial of the ~~such~~ request shall be made in accordance with
2840 part II of chapter 408. Existing facilities qualifying to
2841 provide extended congregate care services must have maintained a
2842 standard license and may not have been subject to administrative

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2843 sanctions during the previous 2 years, or since initial
2844 licensure if the facility has been licensed for less than 2
2845 years, for any of the following reasons:

- 2846 a. A class I or class II violation;
- 2847 b. Three or more repeat or recurring class III violations
2848 of identical or similar resident care standards ~~as specified in~~
2849 ~~rule~~ from which a pattern of noncompliance is found by the
2850 agency;
- 2851 c. Three or more class III violations that were not
2852 corrected in accordance with the corrective action plan approved
2853 by the agency;
- 2854 d. Violation of resident care standards which results in
2855 requiring the facility ~~resulting in a requirement~~ to employ the
2856 services of a consultant pharmacist or consultant dietitian;
- 2857 e. Denial, suspension, or revocation of a license for
2858 another facility licensed under this part in which the applicant
2859 for an extended congregate care license has at least 25 percent
2860 ownership interest; or
- 2861 f. Imposition of a moratorium pursuant to this part or part
2862 II of chapter 408 or initiation of injunctive proceedings.

2863 2. A facility that is ~~Facilities that are~~ licensed to
2864 provide extended congregate care services shall maintain a
2865 written progress report on each person who receives ~~such~~
2866 ~~services,~~ which ~~report~~ describes the type, amount, duration,
2867 scope, and outcome of services that are rendered and the general
2868 status of the resident's health. A registered nurse, or
2869 appropriate designee, representing the agency shall visit the
2870 facility ~~such facilities~~ at least quarterly to monitor residents
2871 who are receiving extended congregate care services and to

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2872 determine if the facility is in compliance with this part, part
2873 II of chapter 408, and relevant rules ~~that relate to extended~~
2874 ~~congregate care~~. One of the ~~these~~ visits may be in conjunction
2875 with the regular survey. The monitoring visits may be provided
2876 through contractual arrangements with appropriate community
2877 agencies. A registered nurse shall serve as part of the team
2878 that inspects the ~~such~~ facility. The agency may waive one of the
2879 required yearly monitoring visits for a facility that has been
2880 licensed for at least 24 months to provide extended congregate
2881 care services, if, during the inspection, the registered nurse
2882 determines that extended congregate care services are being
2883 provided appropriately, and if the facility has no class I or
2884 class II violations and no uncorrected class III violations.
2885 ~~Before such decision is made,~~ The agency must first ~~shall~~
2886 consult with the long-term care ombudsman council for the area
2887 in which the facility is located to determine if any complaints
2888 have been made and substantiated about the quality of services
2889 or care. The agency may not waive one of the required yearly
2890 monitoring visits if complaints have been made and
2891 substantiated.

2892 3. A facility ~~Facilities~~ that is ~~are~~ licensed to provide
2893 extended congregate care services must ~~shall~~:

2894 a. Demonstrate the capability to meet unanticipated
2895 resident service needs.

2896 b. Offer a physical environment that promotes a homelike
2897 setting, provides for resident privacy, promotes resident
2898 independence, and allows sufficient congregate space as defined
2899 by rule.

2900 c. Have sufficient staff available, taking into account the

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2901 physical plant and firesafety features of the building, to
2902 assist with the evacuation of residents in an emergency,~~as~~
2903 ~~necessary~~.

2904 d. Adopt and follow policies and procedures that maximize
2905 resident independence, dignity, choice, and decisionmaking to
2906 permit residents to age in place ~~to the extent possible~~, so that
2907 moves due to changes in functional status are minimized or
2908 avoided.

2909 e. Allow residents or, if applicable, a resident's
2910 representative, designee, surrogate, guardian, or attorney in
2911 fact to make a variety of personal choices, participate in
2912 developing service plans, and share responsibility in
2913 decisionmaking.

2914 f. Implement the concept of managed risk.

2915 g. Provide, ~~either~~ directly or through contract, the
2916 services of a person licensed under ~~pursuant to~~ part I of
2917 chapter 464.

2918 h. In addition to the training mandated in s. 429.52,
2919 provide specialized training as defined by rule for facility
2920 staff.

2921 4. A facility that is ~~Facilities~~ licensed to provide
2922 extended congregate care services is ~~are~~ exempt from the
2923 criteria for continued residency ~~as~~ set forth in rules adopted
2924 under s. 429.41. A licensed facility must ~~Facilities so licensed~~
2925 ~~shall~~ adopt its ~~their~~ own requirements within guidelines for
2926 continued residency set forth by rule. However, the facility
2927 ~~such facilities~~ may not serve residents who require 24-hour
2928 nursing supervision. A licensed facility that provides
2929 ~~Facilities licensed to provide~~ extended congregate care services

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2930 must also ~~shall~~ provide each resident with a written copy of
2931 facility policies governing admission and retention.

2932 5. The primary purpose of extended congregate care services
2933 is to allow residents, as they become more impaired, the option
2934 of remaining in a familiar setting from which they would
2935 otherwise be disqualified for continued residency. A facility
2936 licensed to provide extended congregate care services may also
2937 admit an individual who exceeds the admission criteria for a
2938 facility with a standard license, if the individual is
2939 determined appropriate for admission to the extended congregate
2940 care facility.

2941 6. Before the admission of an individual to a facility
2942 licensed to provide extended congregate care services, the
2943 individual must undergo a medical examination as provided in s.
2944 429.26(4) and the facility must develop a preliminary service
2945 plan for the individual.

2946 7. When a facility can no longer provide or arrange for
2947 services in accordance with the resident's service plan and
2948 needs and the facility's policy, the facility shall make
2949 arrangements for relocating the person in accordance with s.
2950 429.28(1)(k).

2951 8. Failure to provide extended congregate care services may
2952 result in denial of extended congregate care license renewal.

2953 ~~9. No later than January 1 of each year, the department, in
2954 consultation with the agency, shall prepare and submit to the
2955 Governor, the President of the Senate, the Speaker of the House
2956 of Representatives, and the chairs of appropriate legislative
2957 committees, a report on the status of, and recommendations
2958 related to, extended congregate care services. The status report~~

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2959 ~~must include, but need not be limited to, the following~~
2960 ~~information:~~

2961 ~~a. A description of the facilities licensed to provide such~~
2962 ~~services, including total number of beds licensed under this~~
2963 ~~part.~~

2964 ~~b. The number and characteristics of residents receiving~~
2965 ~~such services.~~

2966 ~~c. The types of services rendered that could not be~~
2967 ~~provided through a standard license.~~

2968 ~~d. An analysis of deficiencies cited during licensure~~
2969 ~~inspections.~~

2970 ~~e. The number of residents who required extended congregate~~
2971 ~~care services at admission and the source of admission.~~

2972 ~~f. Recommendations for statutory or regulatory changes.~~

2973 ~~g. The availability of extended congregate care to state~~
2974 ~~clients residing in facilities licensed under this part and in~~
2975 ~~need of additional services, and recommendations for~~
2976 ~~appropriations to subsidize extended congregate care services~~
2977 ~~for such persons.~~

2978 ~~h. Such other information as the department considers~~
2979 ~~appropriate.~~

2980 Section 123. Subsection (2) of section 429.08, Florida
2981 Statutes, is repealed.

2982 Section 124. Subsection (5) of section 429.41, Florida
2983 Statutes, is amended to read:

2984 429.41 Rules establishing standards.—

2985 (5) The agency may use an abbreviated biennial standard
2986 licensure inspection that consists of a review of key quality-
2987 of-care standards in lieu of a full inspection in a facility

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2988 that has ~~facilities which have~~ a good record of past
2989 performance. However, a full inspection must ~~shall~~ be conducted
2990 in a facility that has ~~facilities which have had~~ a history of
2991 class I or class II violations, uncorrected class III
2992 violations, confirmed ombudsman council complaints, or confirmed
2993 licensure complaints, within the previous licensure period
2994 immediately preceding the inspection or if ~~when~~ a potentially
2995 serious problem is identified during the abbreviated inspection.
2996 The agency, in consultation with the department, shall develop
2997 the key quality-of-care standards with input from the State
2998 Long-Term Care Ombudsman Council and representatives of provider
2999 groups for incorporation into its rules. ~~The department, in~~
3000 ~~consultation with the agency, shall report annually to the~~
3001 ~~Legislature concerning its implementation of this subsection.~~
3002 ~~The report shall include, at a minimum, the key quality-of-care~~
3003 ~~standards which have been developed; the number of facilities~~
3004 ~~identified as being eligible for the abbreviated inspection; the~~
3005 ~~number of facilities which have received the abbreviated~~
3006 ~~inspection and, of those, the number that were converted to full~~
3007 ~~inspection; the number and type of subsequent complaints~~
3008 ~~received by the agency or department on facilities which have~~
3009 ~~had abbreviated inspections; any recommendations for~~
3010 ~~modification to this subsection; any plans by the agency to~~
3011 ~~modify its implementation of this subsection; and any other~~
3012 ~~information which the department believes should be reported.~~

3013 Section 125. Subsections (3) through (17) of section
3014 430.04, Florida Statutes, are amended to read:

3015 430.04 Duties and responsibilities of the Department of
3016 Elderly Affairs.—The Department of Elderly Affairs shall:

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3017 ~~(3) Prepare and submit to the Governor, each Cabinet~~
3018 ~~member, the President of the Senate, the Speaker of the House of~~
3019 ~~Representatives, the minority leaders of the House and Senate,~~
3020 ~~and chairpersons of appropriate House and Senate committees a~~
3021 ~~master plan for policies and programs in the state related to~~
3022 ~~aging. The plan must identify and assess the needs of the~~
3023 ~~elderly population in the areas of housing, employment,~~
3024 ~~education and training, medical care, long-term care, preventive~~
3025 ~~care, protective services, social services, mental health,~~
3026 ~~transportation, and long term care insurance, and other areas~~
3027 ~~considered appropriate by the department. The plan must assess~~
3028 ~~the needs of particular subgroups of the population and evaluate~~
3029 ~~the capacity of existing programs, both public and private and~~
3030 ~~in state and local agencies, to respond effectively to~~
3031 ~~identified needs. If the plan recommends the transfer of any~~
3032 ~~program or service from the Department of Children and Family~~
3033 ~~Services to another state department, the plan must also include~~
3034 ~~recommendations that provide for an independent third-party~~
3035 ~~mechanism, as currently exists in the Florida advocacy councils~~
3036 ~~established in ss. 402.165 and 402.166, for protecting the~~
3037 ~~constitutional and human rights of recipients of departmental~~
3038 ~~services. The plan must include policy goals and program~~
3039 ~~strategies designed to respond efficiently to current and~~
3040 ~~projected needs. The plan must also include policy goals and~~
3041 ~~program strategies to promote intergenerational relationships~~
3042 ~~and activities. Public hearings and other appropriate processes~~
3043 ~~shall be utilized by the department to solicit input for the~~
3044 ~~development and updating of the master plan from parties~~
3045 ~~including, but not limited to, the following:~~

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- 3046 ~~(a) Elderly citizens and their families and caregivers.~~
- 3047 ~~(b) Local-level public and private service providers,~~
- 3048 ~~advocacy organizations, and other organizations relating to the~~
- 3049 ~~elderly.~~
- 3050 ~~(c) Local governments.~~
- 3051 ~~(d) All state agencies that provide services to the~~
- 3052 ~~elderly.~~
- 3053 ~~(e) University centers on aging.~~
- 3054 ~~(f) Area agency on aging and community care for the elderly~~
- 3055 ~~lead agencies.~~
- 3056 (3)~~(4)~~ Serve as an information clearinghouse at the state
- 3057 level, and assist local-level information and referral resources
- 3058 as a repository and means for the dissemination of information
- 3059 regarding all federal, state, and local resources for assistance
- 3060 to the elderly in the areas of, but not limited to, health,
- 3061 social welfare, long-term care, protective services, consumer
- 3062 protection, education and training, housing, employment,
- 3063 recreation, transportation, insurance, and retirement.
- 3064 (4)~~(5)~~ Recommend guidelines for the development of roles
- 3065 for state agencies that provide services for the aging, review
- 3066 plans of agencies that provide such services, and relay the
- 3067 ~~these~~ plans to the Governor and the Legislature, ~~each Cabinet~~
- 3068 ~~member, the President of the Senate, the Speaker of the House of~~
- 3069 ~~Representatives, the minority leaders of the House and Senate,~~
- 3070 ~~and chairpersons of appropriate House and Senate committees.~~
- 3071 (5)~~(6)~~ Recommend to the Governor and the Legislature, ~~each~~
- 3072 ~~Cabinet member, the President of the Senate, the Speaker of the~~
- 3073 ~~House of Representatives, the minority leaders of the House and~~
- 3074 ~~Senate, and chairpersons of appropriate House and Senate~~

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3075 ~~committees~~ an organizational framework for the planning,
3076 coordination, implementation, and evaluation of programs related
3077 to aging, with the purpose of expanding and improving programs
3078 and opportunities available to the state's elderly population
3079 and enhancing a continuum of long-term care. This framework must
3080 ensure ~~assure~~ that:

3081 (a) Performance objectives are established.

3082 (b) Program reviews are conducted statewide.

3083 (c) Each major program related to aging is reviewed every 3
3084 years.

3085 ~~(d) Agency budget requests reflect the results and~~
3086 ~~recommendations of such program reviews.~~

3087 (d)(e) Program decisions reinforce ~~lead to~~ the distinctive
3088 roles established for state agencies that provide aging
3089 services.

3090 (6)(7) Advise the Governor and the Legislature, ~~each~~
3091 ~~Cabinet member, the President of the Senate, the Speaker of the~~
3092 ~~House of Representatives, the minority leaders of the House and~~
3093 ~~Senate, and the chairpersons of appropriate House and Senate~~
3094 ~~committees~~ regarding the need for and location of programs
3095 related to aging.

3096 (7)(8) Review and coordinate aging research plans of all
3097 state agencies to ensure that ~~the conformance of~~ research
3098 objectives address ~~to~~ issues and needs of the state's elderly
3099 population ~~addressed in the master plan for policies and~~
3100 ~~programs related to aging~~. The research activities that must be
3101 reviewed and coordinated by the department include, but are not
3102 limited to, contracts with academic institutions, development of
3103 educational and training curriculums, Alzheimer's disease and

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3104 other medical research, studies of long-term care and other
3105 personal assistance needs, and design of adaptive or modified
3106 living environments.

3107 ~~(8)-(9)~~ Review budget requests for programs related to aging
3108 to ensure the most cost-effective use of state funding for the
3109 state's elderly population for compliance with the master plan
3110 for policies and programs related to aging before submission to
3111 the Governor and the Legislature.

3112 ~~(10)~~ Update the master plan for policies and programs
3113 related to aging every 3 years.

3114 ~~(11)~~ Review implementation of the master plan for programs
3115 and policies related to aging and annually report to the
3116 Governor, each Cabinet member, the President of the Senate, the
3117 Speaker of the House of Representatives, the minority leaders of
3118 the House and Senate, and the chairpersons of appropriate House
3119 and Senate committees the progress towards implementation of the
3120 plan.

3121 ~~(9)-(12)~~ Request other departments that administer programs
3122 affecting the state's elderly population to amend their plans,
3123 rules, policies, and research objectives as necessary to ensure
3124 that programs and other initiatives are coordinated and maximize
3125 the state's efforts to address the needs of the elderly conform
3126 with the master plan for policies and programs related to aging.

3127 ~~(10)-(13)~~ Hold public meetings regularly throughout the
3128 state to receive for purposes of receiving information and
3129 maximize maximizing the visibility of important issues relating
3130 to aging and the elderly.

3131 ~~(11)-(14)~~ Conduct policy analysis and program evaluation
3132 studies assigned by the Legislature.

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3133 (12)~~(15)~~ Assist the Governor, each Cabinet member, and
3134 members of the Legislature ~~the President of the Senate, the~~
3135 ~~Speaker of the House of Representatives, the minority leaders of~~
3136 ~~the House and Senate, and the chairpersons of appropriate House~~
3137 ~~and Senate committees in~~ conducting ~~the conduct of their~~
3138 ~~responsibilities in such capacities~~ as they consider
3139 appropriate.

3140 (13)~~(16)~~ Call upon appropriate agencies of state government
3141 for such assistance as is needed in the discharge of its duties.
3142 All agencies shall cooperate in assisting the department in
3143 carrying out its responsibilities as prescribed by this section.
3144 However, the ~~no provision of law regarding~~ with respect to
3145 confidentiality of information may not be violated.

3146 (14)~~(17)~~ Be designated as a state agency that is eligible
3147 to receive federal funds for adults who are eligible for
3148 assistance through the portion of the federal Child and Adult
3149 Care Food Program for adults, which is referred to as the Adult
3150 Care Food Program, and that is responsible for establishing and
3151 administering the program. The purpose of the Adult Care Food
3152 Program is to provide nutritious and wholesome meals and snacks
3153 for adults in nonresidential day care centers or residential
3154 treatment facilities. To ensure the quality and integrity of the
3155 program, the department shall develop standards and procedures
3156 that govern sponsoring organizations and adult day care centers.
3157 The department shall follow federal requirements and may adopt
3158 any rules necessary to administer ~~pursuant to ss. 120.536(1) and~~
3159 ~~120.54 for the implementation of the Adult Care Food program~~
3160 and. ~~With respect to the Adult Care Food Program, the department~~
3161 ~~shall adopt rules pursuant to ss. 120.536(1) and 120.54 that~~

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3162 implement relevant federal regulations, including 7 C.F.R. part
3163 226. The rules may address, at a minimum, the program
3164 requirements and procedures identified in this subsection.

3165 Section 126. Subsections (3) and (8) of section 430.502,
3166 Florida Statutes, are amended to read:

3167 430.502 Alzheimer's disease; memory disorder clinics and
3168 day care and respite care programs.—

3169 (3) The Alzheimer's Disease Advisory Committee shall ~~must~~
3170 evaluate and make recommendations to the department and the
3171 Legislature concerning the need for additional memory disorder
3172 clinics in the state. ~~The first report will be due by December~~
3173 ~~31, 1995.~~

3174 (8) The department shall ~~will~~ implement the waiver program
3175 specified in subsection (7). The agency and the department shall
3176 ensure that providers who ~~are selected that~~ have a history of
3177 successfully serving persons with Alzheimer's disease are
3178 selected. The department and the agency shall develop
3179 specialized standards for providers and services tailored to
3180 persons in the early, middle, and late stages of Alzheimer's
3181 disease and designate a level of care determination process and
3182 standard that is most appropriate to this population. The
3183 department and the agency shall include in the waiver services
3184 designed to assist the caregiver in continuing to provide in-
3185 home care. The department shall implement this waiver program
3186 subject to a specific appropriation or as provided in the
3187 General Appropriations Act. ~~The department and the agency shall~~
3188 ~~submit their program design to the President of the Senate and~~
3189 ~~the Speaker of the House of Representatives for consultation~~
3190 ~~during the development process.~~

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3191 Section 127. Subsection (1) and paragraph (a) of subsection
3192 (6) of section 445.006, Florida Statutes, are amended to read:

3193 445.006 Strategic and operational plans for workforce
3194 development.—

3195 (1) Workforce Florida, Inc., in conjunction with state and
3196 local partners in the workforce system, shall develop a
3197 strategic plan that produces ~~for workforce, with the goal of~~
3198 ~~producing~~ skilled employees for employers in the state. ~~The~~
3199 ~~strategic plan shall be submitted to the Governor, the President~~
3200 ~~of the Senate, and the Speaker of the House of Representatives~~
3201 ~~by February 1, 2001.~~ The strategic plan shall be updated or
3202 modified by January 1 of each year ~~thereafter~~. The plan must
3203 include, but need not be limited to, strategies for:

3204 (a) Fulfilling the workforce system goals and strategies
3205 prescribed in s. 445.004;

3206 (b) Aggregating, integrating, and leveraging workforce
3207 system resources;

3208 (c) Coordinating the activities of federal, state, and
3209 local workforce system partners;

3210 (d) Addressing the workforce needs of small businesses; and

3211 (e) Fostering the participation of rural communities and
3212 distressed urban cores in the workforce system.

3213 (6) (a) The operational plan must include strategies that
3214 are designed to prevent or reduce the need for a person to
3215 receive public assistance. The ~~These~~ strategies must include:

3216 1. A teen pregnancy prevention component that includes, but
3217 is not limited to, a plan for implementing the ~~Florida Education~~
3218 ~~Now and Babies Later (ENABL) program under s. 411.242 and the~~
3219 Teen Pregnancy Prevention Community Initiative within each

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3220 county of the services area in which the teen birth rate is
3221 higher than the state average;

3222 2. A component that encourages creation of community-based
3223 welfare prevention and reduction initiatives that increase
3224 support provided by noncustodial parents to their welfare-
3225 dependent children and are consistent with program and financial
3226 guidelines developed by Workforce Florida, Inc., and the
3227 Commission on Responsible Fatherhood. These initiatives may
3228 include, ~~but are not limited to,~~ improved paternity
3229 establishment, work activities for noncustodial parents,
3230 programs aimed at decreasing out-of-wedlock pregnancies,
3231 encouraging involvement of fathers with their children which
3232 includes ~~including~~ court-ordered supervised visitation, and
3233 increasing child support payments;

3234 3. A component that encourages formation and maintenance of
3235 two-parent families through, among other things, court-ordered
3236 supervised visitation;

3237 4. A component that fosters responsible fatherhood in
3238 families receiving assistance; and

3239 5. A component that fosters the provision of services that
3240 reduce the incidence and effects of domestic violence on women
3241 and children in families receiving assistance.

3242 Section 128. Section 455.204, Florida Statutes, is
3243 repealed.

3244 Section 129. Subsection (8) of section 455.2226, Florida
3245 Statutes, is repealed.

3246 Section 130. Subsection (6) of section 455.2228, Florida
3247 Statutes, is repealed.

3248 Section 131. Section 456.005, Florida Statutes, is amended

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3249 to read:

3250 456.005 Long-range policy planning; ~~plans, reports, and~~
3251 ~~recommendations.~~—To facilitate efficient and cost-effective
3252 regulation, the department and the board, if ~~where~~ appropriate,
3253 shall develop and implement a long-range policy planning and
3254 monitoring process that includes ~~to include~~ recommendations
3255 specific to each profession. The ~~Such~~ process shall include
3256 estimates of revenues, expenditures, cash balances, and
3257 performance statistics for each profession. The period covered
3258 may ~~shall~~ not be less than 5 years. The department, with input
3259 from the boards and licensees, shall develop and adopt the long-
3260 range plan ~~and must obtain the approval of the State Surgeon~~
3261 ~~General~~. The department shall monitor compliance with the
3262 ~~approved long-range~~ plan and, with input from the boards and
3263 licensees, shall annually update the plans ~~for approval by the~~
3264 ~~State Surgeon General~~. The department shall provide concise
3265 management reports to the boards quarterly. As part of the
3266 review process, the department shall evaluate:

3267 (1) Whether the department, including the boards and the
3268 various functions performed by the department, is operating
3269 efficiently and effectively and if there is a need for a board
3270 or council to assist in cost-effective regulation.

3271 (2) How and why the various professions are regulated.

3272 (3) Whether there is a need to continue regulation, and to
3273 what degree.

3274 (4) Whether or not consumer protection is adequate, and how
3275 it can be improved.

3276 (5) Whether there is consistency between the various
3277 practice acts.

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3278 (6) Whether unlicensed activity is adequately enforced.

3279

3280 The ~~Such~~ plans shall ~~should~~ include conclusions and
3281 recommendations on these and other issues as appropriate. ~~Such~~
3282 ~~plans shall be provided to the Governor and the Legislature by~~
3283 ~~November 1 of each year.~~

3284 Section 132. Subsection (9) of section 456.025, Florida
3285 Statutes, is amended to read:

3286 456.025 Fees; receipts; disposition.-

3287 (9) The department shall provide a ~~condensed~~ management
3288 report of revenues and expenditures ~~budgets, finances,~~
3289 performance measures ~~statistics,~~ and recommendations to each
3290 board at least once a quarter. ~~The department shall identify and~~
3291 ~~include in such presentations any changes, or projected changes,~~
3292 ~~made to the board's budget since the last presentation.~~

3293 Section 133. Subsection (6) of section 456.034, Florida
3294 Statutes, is repealed.

3295 Section 134. Subsections (3) and (4) of section 517.302,
3296 Florida Statutes, are amended to read:

3297 517.302 Criminal penalties; alternative fine; Anti-Fraud
3298 Trust Fund; time limitation for criminal prosecution.-

3299 (3) In lieu of a fine otherwise authorized by law, a person
3300 who has been convicted of or who has pleaded guilty or no
3301 contest to having engaged in conduct in violation of ~~the~~
3302 ~~provisions of~~ this chapter may be sentenced to pay a fine that
3303 does not exceed the greater of three times the gross value
3304 gained or three times the gross loss caused by such conduct,
3305 plus court costs and the costs of investigation and prosecution
3306 reasonably incurred.

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3307 (4)~~(a)~~ There is created within the office a trust fund to
3308 be known as the Anti-Fraud Trust Fund. Any amounts assessed as
3309 costs of investigation and prosecution under this subsection
3310 shall be deposited in the trust fund. Funds deposited in the
3311 ~~such~~ trust fund must ~~shall~~ be used, when authorized by
3312 appropriation, for investigation and prosecution of
3313 administrative, civil, and criminal actions arising under ~~the~~
3314 ~~provisions of~~ this chapter. Funds may also be used to improve
3315 the public's awareness and understanding of prudent investing.

3316 ~~(b) The office shall report to the Executive Office of the~~
3317 ~~Governor annually by November 15, the amounts deposited into the~~
3318 ~~Anti-Fraud Trust Fund during the previous fiscal year. The~~
3319 ~~Executive Office of the Governor shall distribute these reports~~
3320 ~~to the President of the Senate and the Speaker of the House of~~
3321 ~~Representatives.~~

3322 (5)~~(4)~~ Criminal prosecution for offenses under this chapter
3323 is subject to the time limitations in ~~of~~ s. 775.15.

3324 Section 135. Subsection (3) of section 531.415, Florida
3325 Statutes, is repealed.

3326 Section 136. Subsection (3) of section 570.0705, Florida
3327 Statutes, is repealed.

3328 Section 137. Subsection (5) of section 570.0725, Florida
3329 Statutes, is repealed.

3330 Section 138. Subsection (3) of section 570.543, Florida
3331 Statutes, is repealed.

3332 Section 139. Section 603.204, Florida Statutes, is amended
3333 to read:

3334 603.204 South Florida Tropical Fruit Plan.—

3335 ~~(1)~~ The Commissioner of Agriculture, in consultation with

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3336 the Tropical Fruit Advisory Council, shall develop and update,
3337 ~~at least 90 days prior to the 1991 legislative session, submit~~
3338 ~~to the President of the Senate, the Speaker of the House of~~
3339 ~~Representatives, and the chairs of appropriate Senate and House~~
3340 ~~of Representatives committees,~~ a South Florida Tropical Fruit
3341 Plan, which shall identify problems and constraints of the
3342 tropical fruit industry, propose possible solutions to such
3343 problems, and develop planning mechanisms for orderly growth of
3344 the industry, including:

3345 (1) ~~(a)~~ Criteria for tropical fruit research, service, and
3346 management priorities.

3347 (2) ~~(b)~~ ~~Additional~~ Proposed legislation that ~~which~~ may be
3348 required.

3349 (3) ~~(c)~~ Plans relating to other tropical fruit programs and
3350 related disciplines in the State University System.

3351 (4) ~~(d)~~ Potential tropical fruit products in terms of market
3352 and needs for development.

3353 (5) ~~(e)~~ Evaluation of production and fresh fruit policy
3354 alternatives, including, but not limited to, setting minimum
3355 grades and standards, promotion and advertising, development of
3356 production and marketing strategies, and setting minimum
3357 standards on types and quality of nursery plants.

3358 (6) ~~(f)~~ Evaluation of policy alternatives for processed
3359 tropical fruit products, including, but not limited to, setting
3360 minimum quality standards and development of production and
3361 marketing strategies.

3362 (7) ~~(g)~~ Research and service priorities for further
3363 development of the tropical fruit industry.

3364 (8) ~~(h)~~ Identification of state agencies and public and

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3365 private institutions concerned with research, education,
3366 extension, services, planning, promotion, and marketing
3367 functions related to tropical fruit development, and delineation
3368 of contributions and responsibilities. The recommendations in
3369 the ~~South Florida Tropical Fruit~~ plan relating to education or
3370 research shall be submitted to the Institute of Food and
3371 Agricultural Sciences. ~~The recommendations relating to~~
3372 ~~regulation or marketing shall be submitted to the Department of~~
3373 ~~Agriculture and Consumer Services.~~

3374 (9) ~~(i)~~ Business planning, investment potential, financial
3375 risks, and economics of production and use utilization.

3376 ~~(2) A revision and update of the South Florida Tropical~~
3377 ~~Fruit Plan shall be submitted biennially, and a progress report~~
3378 ~~and budget request shall be submitted annually, to the officials~~
3379 ~~specified in subsection (1).~~

3380 Section 140. Subsection (6) of section 627.64872, Florida
3381 Statutes, is amended to read:

3382 627.64872 Florida Health Insurance Plan.—

3383 (6) ~~INTERIM REPORT;~~ ANNUAL REPORT.—

3384 ~~(a) By no later than December 1, 2004, the board shall~~
3385 ~~report to the Governor, the President of the Senate, and the~~
3386 ~~Speaker of the House of Representatives the results of an~~
3387 ~~actuarial study conducted by the board to determine, including,~~
3388 ~~but not limited to:~~

3389 1. ~~The impact the creation of the plan will have on the~~
3390 ~~small group insurance market and the individual market on~~
3391 ~~premiums paid by insureds. This shall include an estimate of the~~
3392 ~~total anticipated aggregate savings for all small employers in~~
3393 ~~the state.~~

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3394 ~~2. The number of individuals the pool could reasonably~~
3395 ~~cover at various funding levels, specifically, the number of~~
3396 ~~people the pool may cover at each of those funding levels.~~

3397 ~~3. A recommendation as to the best source of funding for~~
3398 ~~the anticipated deficits of the pool.~~

3399 ~~4. The effect on the individual and small group market by~~
3400 ~~including in the Florida Health Insurance Plan persons eligible~~
3401 ~~for coverage under s. 627.6487, as well as the cost of including~~
3402 ~~these individuals.~~

3403
3404 ~~The board shall take no action to implement the Florida Health~~
3405 ~~Insurance Plan, other than the completion of the actuarial study~~
3406 ~~authorized in this paragraph, until funds are appropriated for~~
3407 ~~startup cost and any projected deficits.~~

3408 ~~(b) No later than December 1, 2005, and annually~~
3409 ~~thereafter, The board shall annually submit to the Governor, the~~
3410 ~~President of the Senate, and the Speaker of the House of~~
3411 ~~Representatives, and the substantive legislative committees of~~
3412 ~~the Legislature a report that ~~which~~ includes an independent~~
3413 ~~actuarial study to determine, without limitation, the following~~
3414 ~~including, but not be limited to:~~

3415 ~~(a)1. The effect ~~impact~~ the creation of the plan has on the~~
3416 ~~small group and individual insurance market, specifically on the~~
3417 ~~premiums paid by insureds, including. This shall include an~~
3418 ~~estimate of the total anticipated aggregate savings for all~~
3419 ~~small employers in the state.~~

3420 ~~(b)2. The actual number of individuals covered at the~~
3421 ~~current funding and benefit level, the projected number of~~
3422 ~~individuals that may seek coverage in the forthcoming fiscal~~

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3423 year, and the projected funding needed to cover anticipated
3424 increase or decrease in plan participation.

3425 ~~(c)3.~~ A recommendation as to the best source of funding for
3426 the anticipated deficits of the pool.

3427 ~~(d)4.~~ A summary ~~summarization~~ of the activities of the plan
3428 in the preceding calendar year, including the net written and
3429 earned premiums, plan enrollment, the expense of administration,
3430 and the paid and incurred losses.

3431 ~~(e)5.~~ A review of the operation of the plan as to whether
3432 the plan has met the intent of this section.

3433

3434 The board may not implement the Florida Health Insurance Plan
3435 until funds are appropriated for startup costs and any projected
3436 deficits; however, the board may complete the actuarial study
3437 authorized in this subsection.

3438 Section 141. Subsections (5) and (7) of section 744.708,
3439 Florida Statutes, are amended to read:

3440 744.708 Reports and standards.—

3441 (5) (a) Each office of public guardian shall undergo an
3442 independent audit by a qualified certified public accountant at
3443 least once every 2 years. A copy of the audit report shall be
3444 submitted to the Statewide Public Guardianship Office.

3445 (b) In addition to regular monitoring activities, the
3446 Statewide Public Guardianship Office shall conduct an
3447 investigation into the practices of each office of public
3448 guardian related to the managing of each ward's personal affairs
3449 and property. ~~If~~ When feasible, the investigation ~~required under~~
3450 ~~this paragraph~~ shall be conducted in conjunction with the
3451 financial audit of each office of public guardian under

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3452 paragraph (a).

3453 ~~(c) In addition, each office of public guardian shall be~~
3454 ~~subject to audits or examinations by the Auditor General and the~~
3455 ~~Office of Program Policy Analysis and Government Accountability~~
3456 ~~pursuant to law.~~

3457 (7) The ratio for professional staff to wards shall be 1
3458 professional to 40 wards. The Statewide Public Guardianship
3459 Office may increase or decrease the ratio after consultation
3460 with the local public guardian and the chief judge of the
3461 circuit court. The basis for ~~of~~ the decision to increase or
3462 decrease the prescribed ratio must ~~shall~~ be included ~~reported~~ in
3463 the annual report to the secretary ~~of Elderly Affairs, the~~
3464 ~~Governor, the President of the Senate, the Speaker of the House~~
3465 ~~of Representatives, and the Chief Justice of the Supreme Court.~~

3466 Section 142. Subsection (6) of section 768.295, Florida
3467 Statutes, is amended to read:

3468 768.295 Strategic Lawsuits Against Public Participation
3469 (SLAPP) suits by governmental entities prohibited.—

3470 (6) In any case filed by a governmental entity which is
3471 found by a court to be in violation of this section, the
3472 governmental entity shall report such finding and provide a copy
3473 of the court's order to the Attorney General no later than 30
3474 days after the ~~such~~ order is final. The Attorney General shall
3475 maintain a record of the court orders ~~report any violation of~~
3476 ~~this section by a governmental entity to the Cabinet, the~~
3477 ~~President of the Senate, and the Speaker of the House of~~
3478 ~~Representatives. A copy of such report shall be provided to the~~
3479 ~~affected governmental entity.~~

3480 Section 143. Paragraph (c) of subsection (3) of section

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3481 775.084, Florida Statutes, is amended to read:

3482 775.084 Violent career criminals; habitual felony offenders
3483 and habitual violent felony offenders; three-time violent felony
3484 offenders; definitions; procedure; enhanced penalties or
3485 mandatory minimum prison terms.—

3486 (3)

3487 (c) In a separate proceeding, the court shall determine
3488 whether the defendant is a violent career criminal with respect
3489 to a primary offense committed on or after October 1, 1995. The
3490 procedure shall be as follows:

3491 1. Written notice shall be served on the defendant and the
3492 defendant's attorney a sufficient time before ~~prior to~~ the entry
3493 of a plea or before ~~prior to~~ the imposition of sentence ~~in order~~
3494 to allow for the preparation of a submission on behalf of the
3495 defendant.

3496 2. All evidence ~~presented~~ shall be presented in open court
3497 with full rights of confrontation, cross-examination, and
3498 representation by counsel.

3499 3. Each of the findings required as the basis for such
3500 sentence shall be found to exist by a preponderance of the
3501 evidence and shall be appealable only as provided in paragraph
3502 (d).

3503 4. For the purpose of identification, the court shall
3504 fingerprint the defendant pursuant to s. 921.241.

3505 ~~5. For an offense committed on or after October 1, 1995, if~~
3506 ~~the state attorney pursues a violent career criminal sanction~~
3507 ~~against the defendant and the court, in a separate proceeding~~
3508 ~~pursuant to this paragraph, determines that the defendant meets~~
3509 ~~the criteria under subsection (1) for imposing such sanction,~~

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3510 ~~the court must sentence the defendant as a violent career~~
3511 ~~criminal, subject to imprisonment pursuant to this section~~
3512 ~~unless the court finds that such sentence is not necessary for~~
3513 ~~the protection of the public. If the court finds that it is not~~
3514 ~~necessary for the protection of the public to sentence the~~
3515 ~~defendant as a violent career criminal, the court shall provide~~
3516 ~~written reasons; a written transcript of orally stated reasons~~
3517 ~~is permissible, if filed by the court within 7 days after the~~
3518 ~~date of sentencing. Each month, the court shall submit to the~~
3519 ~~Office of Economic and Demographic Research of the Legislature~~
3520 ~~the written reasons or transcripts in each case in which the~~
3521 ~~court determines not to sentence a defendant as a violent career~~
3522 ~~criminal as provided in this subparagraph.~~

3523 Section 144. Subsection (8) of section 790.22, Florida
3524 Statutes, is amended to read:

3525 790.22 Use of BB guns, air or gas-operated guns, or
3526 electric weapons or devices by minor under 16; limitation;
3527 possession of firearms by minor under 18 prohibited; penalties.-

3528 (8) Notwithstanding s. 985.24 or s. 985.25(1), if a minor
3529 ~~under 18 years of age~~ is charged with an offense that involves
3530 the use or possession of a firearm, ~~as defined in s. 790.001,~~
3531 including a violation of subsection (3), or is charged for any
3532 offense during the commission of which the minor possessed a
3533 firearm, the minor shall be detained in secure detention, unless
3534 the state attorney authorizes the release of the minor, and
3535 shall be given a hearing within 24 hours after being taken into
3536 custody. At the hearing, the court may order that the minor
3537 continue to be held in secure detention in accordance with the
3538 applicable time periods specified in s. 985.26(1)-(5), if the

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3539 court finds that the minor meets the criteria specified in s.
3540 985.255, or if the court finds by clear and convincing evidence
3541 that the minor is a clear and present danger to himself or
3542 herself or the community. The Department of Juvenile Justice
3543 shall prepare a form for all minors charged under this
3544 subsection which ~~that~~ states the period of detention and the
3545 relevant demographic information, including, but not limited to,
3546 the gender ~~sex~~, age, and race of the minor; whether or not the
3547 minor was represented by private counsel or a public defender;
3548 the current offense; and the minor's complete prior record,
3549 including any pending cases. The form shall be provided to the
3550 judge for ~~to be considered when~~ determining whether the minor
3551 should be continued in secure detention under this subsection.
3552 An order placing a minor in secure detention because the minor
3553 is a clear and present danger to himself or herself or the
3554 community must be in writing, must specify the need for
3555 detention and the benefits derived by the minor or the community
3556 by placing the minor in secure detention, and must include a
3557 copy of the form provided by the department. ~~The Department of~~
3558 ~~Juvenile Justice must send the form, including a copy of any~~
3559 ~~order, without client-identifying information, to the Office of~~
3560 ~~Economic and Demographic Research.~~

3561 Section 145. Section 943.125, Florida Statutes, is amended
3562 to read:

3563 943.125 Law enforcement agency accreditation; intent.—

3564 ~~(1) LEGISLATIVE INTENT.—~~

3565 (1) ~~(a)~~ It is the intent of the Legislature that law
3566 enforcement agencies in the state be upgraded and strengthened
3567 through the adoption of meaningful standards of operation for

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3568 those agencies.

3569 (2)~~(b)~~ It is the further intent of the Legislature that law
3570 enforcement agencies voluntarily adopt standards designed to
3571 promote equal and fair law enforcement, to maximize the
3572 capability of law enforcement agencies to prevent and control
3573 criminal activities, and to increase interagency cooperation
3574 throughout the state.

3575 (3)~~(c)~~ It is further the intent of the Legislature to
3576 encourage the Florida Sheriffs Association and the Florida
3577 Police Chiefs Association to develop, either jointly or
3578 separately, a law enforcement agency accreditation program. The
3579 ~~Such~~ program must ~~shall~~ be independent of any law enforcement
3580 agency, the Florida Sheriffs Association, or the Florida Police
3581 Chiefs Association. The ~~Any such law enforcement agency~~
3582 ~~accreditation~~ program must ~~should~~ address, at a minimum, the
3583 following aspects of law enforcement:

3584 (a)~~1.~~ Vehicle pursuits.

3585 (b)~~2.~~ Seizure and forfeiture of contraband articles.

3586 (c)~~3.~~ Recording and processing citizens' complaints.

3587 (d)~~4.~~ Use of force.

3588 (e)~~5.~~ Traffic stops.

3589 (f)~~6.~~ Handling natural and manmade disasters.

3590 (g)~~7.~~ Special operations.

3591 (h)~~8.~~ Prisoner transfer.

3592 (i)~~9.~~ Collection and preservation of evidence.

3593 (j)~~10.~~ Recruitment and selection.

3594 (k)~~11.~~ Officer training.

3595 (l)~~12.~~ Performance evaluations.

3596 (m)~~13.~~ Law enforcement disciplinary procedures and rights.

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3597 (n)14. Use of criminal investigative funds.

3598 ~~(2) FEASIBILITY AND STATUS REPORT. The Florida Sheriffs~~
3599 ~~Association and the Florida Police Chiefs Association, either~~
3600 ~~jointly or separately, shall report to the Speaker of the House~~
3601 ~~of Representatives and the President of the Senate regarding the~~
3602 ~~feasibility of a law enforcement agency accreditation program~~
3603 ~~and the status of the efforts of the Florida Sheriffs~~
3604 ~~Association and the Florida Police Chiefs Association to develop~~
3605 ~~a law enforcement agency accreditation program as provided in~~
3606 ~~this section.~~

3607 Section 146. Subsection (9) of section 943.68, Florida
3608 Statutes, is amended to read:

3609 943.68 Transportation and protective services.—

3610 (9) The department shall submit a report each July 15 to
3611 ~~the President of the Senate, Speaker of the House of~~
3612 ~~Representatives, Governor, the Legislature, and members of the~~
3613 ~~Cabinet, detailing all transportation and protective services~~
3614 ~~provided under subsections (1), (5), and (6) within the~~
3615 ~~preceding fiscal year. Each report shall include a detailed~~
3616 ~~accounting of the cost of such transportation and protective~~
3617 ~~services, including the names of persons provided such services~~
3618 ~~and the nature of state business performed.~~

3619 Section 147. Section 944.023, Florida Statutes, is amended
3620 to read:

3621 944.023 Institutional capacity ~~Comprehensive correctional~~
3622 ~~master plan.~~—

3623 (1) As used in this section and s. 944.0231, the term:

3624 (a) "Criminal Justice Estimating Conference" means the
3625 Criminal Justice Estimating Conference referred to in s.

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3626 216.136(5).

3627 (b) "Total capacity" of the state correctional system means
3628 the total design capacity of all institutions and facilities in
3629 the state correctional system, which may include those
3630 facilities authorized and funded under chapter 957, increased by
3631 one-half, with the following exceptions:

3632 1. Medical and mental health beds must remain at design
3633 capacity.

3634 2. Community-based contracted beds must remain at design
3635 capacity.

3636 3. The one-inmate-per-cell requirement at the Florida State
3637 Prison and other maximum security facilities must be maintained
3638 pursuant to paragraph (7) (a).

3639 4. Community correctional centers and drug treatment
3640 centers must be increased by one-third.

3641 5. A housing unit may not exceed its maximum capacity
3642 pursuant to paragraphs (7) (a) and (b).

3643 6. A number of beds equal to 5 percent of total capacity
3644 shall be deducted for management beds at institutions.

3645 (c) "State correctional system" means the correctional
3646 system as defined in s. 944.02.

3647 (2) The department shall develop a comprehensive
3648 correctional master plan. The master plan shall project the
3649 needs for the state correctional system for the coming 5-year
3650 period and shall be updated annually and submitted to the
3651 Governor's office and the Legislature at the same time the
3652 department submits its legislative budget request as provided in
3653 chapter 216.

3654 (3) The purposes of the comprehensive correctional master

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3655 plan shall be:

3656 (a) To ensure that the penalties of the criminal justice
3657 system are completely and effectively administered to the
3658 convicted criminals and, to the maximum extent possible, that
3659 the criminal is provided opportunities for self-improvement and
3660 returned to freedom as a productive member of society.

3661 (b) To the extent possible, to protect the public safety
3662 and the law-abiding citizens of this state and to carry out the
3663 laws protecting the rights of the victims of convicted
3664 criminals.

3665 (c) To develop and maintain a humane system of punishment
3666 providing prison inmates with proper housing, nourishment, and
3667 medical attention.

3668 (d) To provide fair and adequate compensation and benefits
3669 to the employees of the state correctional system.

3670 (e) To the extent possible, to maximize the effective and
3671 efficient use of the principles used in private business.

3672 (f) To provide that convicted criminals not be incarcerated
3673 for any longer period of time or in any more secure facility
3674 than is necessary to ensure adequate sanctions, rehabilitation
3675 of offenders, and protection of public safety.

3676 (4) The comprehensive correctional master plan shall use
3677 the estimates of the Criminal Justice Estimating Conference and
3678 shall include:

3679 (a) A plan for the decentralization of reception and
3680 classification facilities for the implementation of a systemwide
3681 diagnosis-and-evaluation capability for adult offenders. The
3682 plan shall provide for a system of psychological testing and
3683 evaluation as well as medical screening through department

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3684 resources or with other public or private agencies through a
3685 purchase-of-services agreement.

3686 (b) A plan developed by the department for the
3687 comprehensive vocational and educational training of, and
3688 treatment programs for, offenders and their evaluation within
3689 each institution, program, or facility of the department, based
3690 upon the identified needs of the offender and the requirements
3691 of the employment market.

3692 (c) A plan contracting with local facilities and programs
3693 as short-term confinement resources of the department for
3694 offenders who are sentenced to 3 years or less, or who are
3695 within 3 years or less of their anticipated release date, and
3696 integration of detention services which have community-based
3697 programs. The plan shall designate such facilities and programs
3698 by region of the state and identify, by county, the capability
3699 for local incarceration.

3700 (d) A detailed analysis of methods to implement diversified
3701 alternatives to institutionalization when such alternatives can
3702 be safely employed. The analysis shall include an assessment of
3703 current pretrial intervention, probation, and community control
3704 alternatives and their cost-effectiveness with regard to
3705 restitution to victims, reimbursements for cost of supervision,
3706 and subsequent violations resulting in commitments to the
3707 department. Such analysis shall also include an assessment of
3708 current use of electronic surveillance of offenders and
3709 projected potential for diverting additional categories of
3710 offenders from incarceration within the department.

3711 (e) A detailed analysis of current incarceration rates of
3712 both the state and county correctional systems with the

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3713 calculation by the department of the current and projected
3714 ratios of inmates in the correctional system, as defined in s.
3715 945.01, to the general population of the state which will serve
3716 as a basis for projecting construction needs.

3717 (f) A plan for community-based facilities and programs for
3718 the reintegration of offenders into society whereby inmates who
3719 are being released shall receive assistance. Such assistance may
3720 be through work-release, transition assistance, release
3721 assistance stipend, contract release, postrelease special
3722 services, temporary housing, or job placement programs.

3723 (g) A plan reflecting parity of pay or comparable economic
3724 benefits for correctional officers with that of law enforcement
3725 officers in this state, and an assessment of projected impacts
3726 on turnover rates within the department.

3727 (h) A plan containing habitability criteria which defines
3728 when beds are available and functional for use by inmates, and
3729 containing factors which define when institutions and facilities
3730 may be added to the inventory of the state correctional system.

3731 (5) The comprehensive correctional master plan shall
3732 project by year the total operating and capital outlay costs
3733 necessary for constructing a sufficient number of prison beds to
3734 avoid a deficiency in prison beds. Included in the master plan
3735 which projects operating and capital outlay costs shall be a
3736 siting plan which shall assess, rank, and designate appropriate
3737 sites pursuant to s. 944.095(2)(a)-(k). The master plan shall
3738 include an assessment of the department's current capability for
3739 providing the degree of security necessary to ensure public
3740 safety and should reflect the levels of security needed for the
3741 forecasted admissions of various types of offenders based upon

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3742 sentence lengths and severity of offenses. The plan shall also
3743 provide construction options for targeting violent and habitual
3744 offenders for incarceration while providing specific
3745 alternatives for the various categories of lesser offenders.

3746 (6) Institutions within the state correctional system shall
3747 have the following design capacity factors:

3748 (a) Rooms and prison cells between 40 square feet and 90
3749 square feet, inclusive: one inmate per room or prison cell.

3750 (b) Dormitory-style rooms and other rooms exceeding 90
3751 square feet: one inmate per 55 square feet.

3752 (c) At institutions with rooms or cells, except to the
3753 extent that separate confinement cells have been constructed, a
3754 number of rooms or prison cells equal to 3 percent of total
3755 design capacity must be deducted from design capacity and set
3756 aside for confinement purposes.

3757 (d) Bed count calculations used to determine design
3758 capacity shall only include beds that ~~which~~ are functional and
3759 available for use by inmates.

3760 (7) Institutions within the state correctional system shall
3761 have the following maximum capacity factors:

3762 (a) Rooms and prison cells between 40 square feet and 60
3763 square feet, inclusive: one inmate per room or cell. If the room
3764 or prison cell is between 60 square feet and 90 square feet,
3765 inclusive, two inmates are allowed in each room, except that one
3766 inmate per room or prison cell is allowed at the Florida State
3767 Prison or any other maximum security institution or facility
3768 that ~~which~~ may be constructed.

3769 (b) Dormitory-style rooms and other rooms exceeding 90
3770 square feet: one inmate per 37.5 square feet. Double-bunking is

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3771 generally allowed only along the outer walls of a dormitory.

3772 (c) At institutions with rooms or cells, except to the
3773 extent that separate confinement cells have been constructed, a
3774 number of rooms or prison cells equal to 3 percent of total
3775 maximum capacity are not available for maximum capacity, and
3776 must be set aside for confinement purposes, thereby reducing
3777 maximum capacity by 6 percent since these rooms would otherwise
3778 house two inmates.

3779 (d) A number of beds equal to 5 percent of total maximum
3780 capacity must be deducted for management at institutions.

3781 Section 148. Paragraph (f) of subsection (3) of section
3782 944.801, Florida Statutes, is amended to read:

3783 944.801 Education for state prisoners.—

3784 (3) The responsibilities of the Correctional Education
3785 Program shall be to:

3786 (f) Report annual activities to the Secretary of
3787 Corrections, ~~the Commissioner of Education, the Governor, and~~
3788 ~~the Legislature.~~

3789 Section 149. Subsection (10) of section 945.35, Florida
3790 Statutes, is repealed.

3791 Section 150. Subsection (9) of section 958.045, Florida
3792 Statutes, is repealed.

3793 Section 151. Paragraph (c) of subsection (1) of section
3794 960.045, Florida Statutes, is amended to read:

3795 960.045 Department of Legal Affairs; powers and duties.—It
3796 shall be the duty of the department to assist persons who are
3797 victims of crime.

3798 (1) The department shall:

3799 (c) Prepare an annual ~~Render, prior to January 1 of each~~

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3800 ~~year, to the presiding officers of the Senate and House of~~
3801 ~~Representatives~~ a written report of the activities of the Crime
3802 Victims' Services Office, which shall be available on the
3803 department's Internet website.

3804 Section 152. Paragraph (c) of subsection (8) of section
3805 985.02, Florida Statutes, is repealed.

3806 Section 153. Subsections (3), (4), and (5) of section
3807 985.047, Florida Statutes, are amended to read:

3808 985.047 Information systems.—

3809 ~~(3) In order to assist in the integration of the~~
3810 ~~information to be shared, the sharing of information obtained,~~
3811 ~~the joint planning on diversion and early intervention~~
3812 ~~strategies for juveniles at risk of becoming serious habitual~~
3813 ~~juvenile offenders, and the intervention strategies for serious~~
3814 ~~habitual juvenile offenders, a multiagency task force should be~~
3815 ~~organized and utilized by the law enforcement agency or county~~
3816 ~~in conjunction with the initiation of the information system~~
3817 ~~described in subsections (1) and (2). The multiagency task force~~
3818 ~~shall be composed of representatives of those agencies and~~
3819 ~~persons providing information for the central identification~~
3820 ~~file and the multiagency information sheet.~~

3821 ~~(4) This multiagency task force shall develop a plan for~~
3822 ~~the information system that includes measures which identify and~~
3823 ~~address any disproportionate representation of ethnic or racial~~
3824 ~~minorities in the information systems and shall develop~~
3825 ~~strategies that address the protection of individual~~
3826 ~~constitutional rights.~~

3827 (3)(5) A Any law enforcement agency, or county that ~~which~~
3828 implements a juvenile offender information system ~~and the~~

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3829 ~~multiagency task force which maintain the information system~~
3830 must annually provide ~~any~~ information gathered during the
3831 previous year to the delinquency and gang prevention council of
3832 the judicial circuit in which the county is located. This
3833 information must ~~shall~~ include the number, types, and patterns
3834 of delinquency tracked by the juvenile offender information
3835 system.

3836 Section 154. Paragraph (a) of subsection (8) of section
3837 985.47, Florida Statutes, is amended to read:

3838 985.47 Serious or habitual juvenile offender.—

3839 (8) ASSESSMENT AND TREATMENT SERVICES.—Pursuant to this
3840 chapter and the establishment of appropriate program guidelines
3841 and standards, contractual instruments, which shall include
3842 safeguards of all constitutional rights, shall be developed as
3843 follows:

3844 (a) The department shall provide for:

3845 1. ~~The~~ Oversight of the implementation of assessment and
3846 treatment approaches.

3847 2. ~~The~~ Identification and prequalification of appropriate
3848 individuals or not-for-profit organizations, including minority
3849 individuals or organizations when possible, to provide
3850 assessment and treatment services to serious or habitual
3851 delinquent children.

3852 3. ~~The~~ Monitoring and evaluation of assessment and
3853 treatment services for compliance with this chapter and all
3854 applicable rules and guidelines pursuant thereto.

3855 ~~4. The development of an annual report on the performance~~
3856 ~~of assessment and treatment to be presented to the Governor, the~~
3857 ~~Attorney General, the President of the Senate, the Speaker of~~

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3858 ~~the House of Representatives, and the Auditor General no later~~
3859 ~~than January 1 of each year.~~

3860 Section 155. Paragraph (a) of subsection (8) of section
3861 985.483, Florida Statutes, is amended to read:

3862 985.483 Intensive residential treatment program for
3863 offenders less than 13 years of age.—

3864 (8) ASSESSMENT AND TREATMENT SERVICES.—Pursuant to this
3865 chapter and the establishment of appropriate program guidelines
3866 and standards, contractual instruments, which shall include
3867 safeguards of all constitutional rights, shall be developed for
3868 intensive residential treatment programs for offenders less than
3869 13 years of age as follows:

3870 (a) The department shall provide for:

3871 1. ~~The~~ Oversight of the implementation of assessment and
3872 treatment approaches.

3873 2. ~~The~~ Identification and prequalification of appropriate
3874 individuals or not-for-profit organizations, including minority
3875 individuals or organizations when possible, to provide
3876 assessment and treatment services to intensive offenders less
3877 than 13 years of age.

3878 3. ~~The~~ Monitoring and evaluation of assessment and
3879 treatment services for compliance with this chapter and all
3880 applicable rules and guidelines pursuant thereto.

3881 ~~4. The development of an annual report on the performance~~
3882 ~~of assessment and treatment to be presented to the Governor, the~~
3883 ~~Attorney General, the President of the Senate, the Speaker of~~
3884 ~~the House of Representatives, the Auditor General, and the~~
3885 ~~Office of Program Policy Analysis and Government Accountability~~
3886 ~~no later than January 1 of each year.~~

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3887 Section 156. Subsection (5) of section 985.61, Florida
3888 Statutes, is repealed.

3889 Section 157. Subsection (1) of section 985.622, Florida
3890 Statutes, is amended to read:

3891 985.622 Multiagency plan for vocational education.—

3892 (1) The Department of Juvenile Justice and the Department
3893 of Education shall, in consultation with the statewide Workforce
3894 Development Youth Council, school districts, providers, and
3895 others, jointly develop a multiagency plan for vocational
3896 education that establishes the curriculum, goals, and outcome
3897 measures for vocational programs in juvenile commitment
3898 facilities. The plan must include:

3899 (a) Provisions for maximizing appropriate state and federal
3900 funding sources, including funds under the Workforce Investment
3901 Act and the Perkins Act;

3902 (b) The responsibilities of both departments and all other
3903 appropriate entities; and

3904 (c) A detailed implementation schedule.

3905

3906 ~~The plan must be submitted to the Governor, the President of the~~
3907 ~~Senate, and the Speaker of the House of Representatives by May~~
3908 ~~1, 2001.~~

3909 Section 158. Subsection (7) of section 985.632, Florida
3910 Statutes, is repealed.

3911 Section 159. Subsection (19) of section 1002.34, Florida
3912 Statutes, is repealed.

3913 Section 160. Subsection (4) of section 1003.61, Florida
3914 Statutes, is repealed.

3915 Section 161. Subsections (5) through (13) of section

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3916 1004.22, Florida Statutes, are amended to read:

3917 1004.22 Divisions of sponsored research at state
3918 universities.-

3919 (5) Moneys deposited in the permanent sponsored research
3920 development fund of a university shall be disbursed in
3921 accordance with the terms of the contract, grant, or donation
3922 under which they are received. Moneys received for overhead or
3923 indirect costs and other moneys not required for the payment of
3924 direct costs shall be applied to the cost of operating the
3925 division of sponsored research. Any surplus moneys shall be used
3926 to support other research or sponsored training programs in any
3927 area of the university. Transportation and per diem expense
3928 allowances are ~~shall be~~ the same as those provided ~~by law~~ in s.
3929 112.061, except that personnel performing travel under a
3930 sponsored research subcontract may be reimbursed for travel
3931 expenses in accordance with ~~the provisions of~~ the applicable
3932 prime contract or grant and the travel allowances established by
3933 the subcontractor, subject to the requirements of subsection (6)
3934 ~~(7)~~, or except as provided in subsection (10) ~~(11)~~.

3935 ~~(6)(a) Each university shall submit to the Board of~~
3936 ~~Governors a report of the activities of each division of~~
3937 ~~sponsored research together with an estimated budget for the~~
3938 ~~next fiscal year.~~

3939 ~~(b) Not less than 90 days prior to the convening of each~~
3940 ~~regular session of the Legislature in which an appropriation~~
3941 ~~shall be made, the Board of Governors shall submit to the chair~~
3942 ~~of the appropriations committee of each house of the Legislature~~
3943 ~~a compiled report, together with a compiled estimated budget for~~
3944 ~~the next fiscal year. A copy of such report and estimated budget~~

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3945 ~~shall be furnished to the Governor, as the chief budget officer~~
3946 ~~of the state.~~

3947 (6)~~(7)~~ All purchases of a division of sponsored research
3948 shall be made in accordance with the policies and procedures of
3949 the university pursuant to guidelines of the Board of Governors;
3950 however, upon certification addressed to the university
3951 president that it is necessary for the efficient or expeditious
3952 prosecution of a research project, the president may exempt the
3953 purchase of material, supplies, equipment, or services for
3954 research purposes from the general purchasing requirement of
3955 state law ~~the Florida Statutes.~~

3956 (7)~~(8)~~ The university may authorize the construction,
3957 alteration, or remodeling of buildings if ~~when~~ the funds used
3958 are derived entirely from the sponsored research development
3959 fund of a university or from that fund in combination with other
3960 nonstate sources and if, ~~provided that~~ such construction,
3961 alteration, or remodeling is for use exclusively in the area of
3962 research. The university may, ~~it also may~~ authorize the
3963 acquisition of real property if ~~when~~ the cost is entirely from
3964 the said funds. Title to all real property purchased before
3965 ~~prior to~~ January 7, 2003, or with funds appropriated by the
3966 Legislature shall vest in the Board of Trustees of the Internal
3967 Improvement Trust Fund and may ~~shall only~~ be transferred or
3968 conveyed only by it.

3969 (8)~~(9)~~ The sponsored research programs of the Institute of
3970 Food and Agricultural Sciences, the University of Florida Health
3971 Science Center, and the engineering and industrial experiment
3972 station shall continue to be centered at the University of
3973 Florida as ~~heretofore~~ provided by law. Indirect cost

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3974 reimbursements of all grants deposited in the Division of
3975 Sponsored Research shall be distributed directly to the above
3976 units in direct proportion to the amounts earned by each unit.

3977 (9)~~(10)~~ The operation of the divisions of sponsored
3978 research and the conduct of the sponsored research program are
3979 exempt ~~expressly exempted~~ from ~~the provisions of any law other~~
3980 ~~laws or portions of laws~~ in conflict with this subsection
3981 ~~herewith~~ and are, subject to the requirements of subsection (6)
3982 ~~(7)~~, exempt ~~exempted~~ from the provisions of chapters 215, 216,
3983 and 283.

3984 (10)~~(11)~~ The divisions of sponsored research may pay, by
3985 advancement or reimbursement, or a combination thereof, the
3986 costs of per diem of university employees and of other
3987 authorized persons, as defined in s. 112.061(2)(e), for foreign
3988 travel up to the current rates as stated in the grant and
3989 contract ~~terms~~ and may also pay incidental expenses as
3990 authorized by s. 112.061(8). This subsection applies to any
3991 university employee traveling in foreign countries for sponsored
3992 programs of the university, if such travel expenses are approved
3993 in ~~the terms of~~ the contract or grant. The provisions of s.
3994 112.061, other than those relating to per diem, apply to the
3995 travel described in this subsection. As used in this subsection,
3996 the term "foreign travel" means any travel outside the United
3997 States and its territories and possessions and Canada. Persons
3998 traveling in foreign countries pursuant to this section are
3999 ~~shall not be~~ entitled to reimbursements or advancements pursuant
4000 to s. 112.061(6)(a)2. for such travel.

4001 (11)~~(12)~~ Each division of sponsored research may is
4002 ~~authorized to~~ advance funds to any principal investigator who,

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4003 under the contract or grant ~~terms~~, will be performing a portion
4004 of his or her research at a site that is remote from the
4005 university. Funds may ~~shall~~ be advanced only to employees who
4006 have executed a proper power of attorney with the university to
4007 ensure the proper collection of the ~~such~~ advanced funds if it
4008 becomes necessary. As used in this subsection, the term "remote"
4009 means so far removed from the university as to render normal
4010 purchasing and payroll functions ineffective.

4011 (12) ~~(13)~~ Each university board of trustees may ~~is~~
4012 ~~authorized to~~ adopt rules, as necessary, to administer this
4013 section.

4014 Section 162. Subsection (6) of section 1004.50, Florida
4015 Statutes, is repealed.

4016 Section 163. Subsections (2) and (4) of section 1004.94,
4017 Florida Statutes, are repealed.

4018 Section 164. Subsection (4) of section 1004.95, Florida
4019 Statutes, is amended to read:

4020 1004.95 Adult literacy centers.—

4021 (4) The State Board of Education shall develop rules for
4022 implementing this section, ~~including criteria for evaluating the~~
4023 ~~performance of the centers, and shall submit an evaluation~~
4024 ~~report of the centers to the Legislature on or before February 1~~
4025 ~~of each year.~~

4026 Section 165. Section 1006.0605, Florida Statutes, is
4027 repealed.

4028 Section 166. Section 1006.67, Florida Statutes, is
4029 repealed.

4030 Section 167. Subsection (8) of section 1009.70, Florida
4031 Statutes, is amended to read:

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4032 1009.70 Florida Education Fund.—

4033 (8) There is created a legal education component of the
4034 Florida Education Fund to provide the opportunity for minorities
4035 to attain representation within the legal profession
4036 proportionate to their representation within the general
4037 population. The legal education component of the Florida
4038 Education Fund includes a law school program and a pre-law
4039 program.

4040 (a) The law school scholarship program of the Florida
4041 Education Fund is to be administered by the Board of Directors
4042 of the Florida Education Fund for the purpose of increasing ~~by~~
4043 ~~200~~ the number of minority students enrolled in law schools in
4044 this state by 200. Implementation of this program is to be
4045 phased in over a 3-year period.

4046 1. The board of directors shall provide financial,
4047 academic, and other support to students selected for
4048 participation in this program from funds appropriated by the
4049 Legislature.

4050 2. Student selection must be made in accordance with rules
4051 adopted by the board of directors for that purpose and must be
4052 based, at least in part, on an assessment of potential for
4053 success, merit, and financial need.

4054 3. Support must be made available to students who enroll in
4055 private, as well as public, law schools in this state which are
4056 accredited by the American Bar Association.

4057 4. Scholarships must be paid directly to the participating
4058 students.

4059 5. Students who participate in this program must agree in
4060 writing to sit for The Florida Bar examination and, upon

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4061 successful admission to The Florida Bar, to either practice law
4062 in the state for a period of time equal to the amount of time
4063 for which the student received aid, up to 3 years, or repay the
4064 amount of aid received.

4065 ~~6. Annually, the board of directors shall compile a report~~
4066 ~~that includes a description of the selection process, an~~
4067 ~~analysis of the academic progress of all scholarship recipients,~~
4068 ~~and an analysis of expenditures. This report must be submitted~~
4069 ~~to the President of the Senate, the Speaker of the House of~~
4070 ~~Representatives, and the Governor.~~

4071 (b) The minority pre-law scholarship loan program of the
4072 Florida Education Fund is to be administered by the Board of
4073 Directors of the Florida Education Fund for the purpose of
4074 increasing the opportunity of minority students to prepare for
4075 law school.

4076 1. From funds appropriated by the Legislature, the board of
4077 directors shall provide for student fees, room, board, books,
4078 supplies, and academic and other support to selected minority
4079 undergraduate students matriculating at eligible public and
4080 independent colleges and universities in Florida.

4081 2. Student selection must be made in accordance with rules
4082 adopted by the board of directors for that purpose and must be
4083 based, at least in part, on an assessment of potential for
4084 success, merit, and financial need.

4085 3. To be eligible, a student must make a written agreement
4086 to enter or be accepted to enter a law school in this state
4087 within 2 years after graduation or repay the scholarship loan
4088 amount plus interest at the prevailing rate.

4089 4. Recipients who fail to gain admission to a law school

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4090 within the specified period ~~of time~~, may, upon admission to law
4091 school, be eligible to have their loans canceled.

4092 5. Minority pre-law scholarship loans shall be provided to
4093 34 minority students per year for up to 4 years each, for a
4094 total of 136 scholarship loans. To continue receiving ~~receipt of~~
4095 scholarship loans, recipients must maintain a 2.75 grade point
4096 average for the freshman year and a 3.25 grade point average
4097 thereafter. Participants must also take specialized courses to
4098 enhance competencies in English and logic.

4099 6. The board of directors shall maintain records on all
4100 scholarship loan recipients. Participating institutions shall
4101 submit academic progress reports to the board of directors
4102 following each academic term. ~~Annually, the board of directors~~
4103 ~~shall compile a report that includes a description of the~~
4104 ~~selection process, an analysis of the academic progress of all~~
4105 ~~scholarship loan recipients, and an analysis of expenditures.~~
4106 ~~This report must be submitted to the President of the Senate,~~
4107 ~~the Speaker of the House of Representatives, and the Governor.~~

4108 Section 168. Subsection (8) of section 1011.32, Florida
4109 Statutes, is amended to read:

4110 1011.32 Community College Facility Enhancement Challenge
4111 Grant Program.—

4112 (8) By September 1 of each year, the State Board of
4113 Education shall transmit to the Governor and the Legislature a
4114 list of projects that ~~which~~ meet all eligibility requirements to
4115 participate in the Community College Facility Enhancement
4116 Challenge Grant Program and a budget request that ~~which~~ includes
4117 the recommended schedule necessary to complete each project.

4118 Section 169. Paragraph (r) of subsection (1) of section

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4119 1011.62, Florida Statutes, is amended to read:

4120 1011.62 Funds for operation of schools.—If the annual
4121 allocation from the Florida Education Finance Program to each
4122 district for operation of schools is not determined in the
4123 annual appropriations act or the substantive bill implementing
4124 the annual appropriations act, it shall be determined as
4125 follows:

4126 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
4127 OPERATION.—The following procedure shall be followed in
4128 determining the annual allocation to each district for
4129 operation:

4130 (r) *Extended-school-year program*.—It is the intent of the
4131 Legislature that students be provided additional instruction by
4132 extending the school year to 210 days or more. Districts may
4133 apply to the Commissioner of Education for funds to be used in
4134 planning and implementing an extended-school-year program. ~~The~~
4135 ~~Department of Education shall recommend to the Legislature the~~
4136 ~~policies necessary for full implementation of an extended school~~
4137 ~~year.~~

4138 Section 170. Paragraph (1) of subsection (2) of section
4139 1012.05, Florida Statutes, is repealed.

4140 Section 171. Subsection (1) of section 1012.42, Florida
4141 Statutes, is amended to read:

4142 1012.42 Teacher teaching out-of-field.—

4143 (1) ASSISTANCE.—Each district school board shall adopt and
4144 implement a plan to assist any teacher teaching out-of-field,
4145 and priority consideration in professional development
4146 activities shall be given to a teacher ~~teachers~~ who is ~~are~~
4147 teaching out-of-field. The district school board shall require

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4148 that the teacher ~~such teachers~~ participate in a certification or
4149 staff development program designed to provide the teacher with
4150 the competencies required for the assigned duties. The board-
4151 approved assistance plan must include duties of administrative
4152 personnel and other instructional personnel to provide students
4153 with instructional services. ~~Each district school board shall~~
4154 ~~contact its regional workforce board, created pursuant to s.~~
4155 ~~445.007, to identify resources that may assist teachers who are~~
4156 ~~teaching out-of-field and who are pursuing certification.~~

4157 Section 172. Section 1013.11, Florida Statutes, is amended
4158 to read:

4159 1013.11 Postsecondary institutions assessment of physical
4160 plant safety.—The president of each postsecondary institution
4161 shall conduct or cause to be conducted an annual assessment of
4162 physical plant safety. An annual report shall incorporate the
4163 assessment findings ~~obtained through such assessment~~ and
4164 recommendations for the improvement of safety on each campus.
4165 The annual report shall be submitted to the respective governing
4166 or licensing board of jurisdiction no later than January 1 of
4167 each year. Each board shall compile the individual institutional
4168 reports and convey the aggregate institutional reports to the
4169 Commissioner of Education or the Chancellor of the State
4170 University System, as appropriate. ~~The Commissioner of Education~~
4171 ~~and the Chancellor of the State University System shall convey~~
4172 ~~these reports and the reports required in s. 1006.67 to the~~
4173 ~~President of the Senate and the Speaker of the House of~~
4174 ~~Representatives no later than March 1 of each year.~~

4175 Section 173. Subsection (3) of section 161.142, Florida
4176 Statutes, is amended to read:

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4177 161.142 Declaration of public policy relating to improved
4178 navigation inlets.—The Legislature recognizes the need for
4179 maintaining navigation inlets to promote commercial and
4180 recreational uses of our coastal waters and their resources. The
4181 Legislature further recognizes that inlets interrupt or alter
4182 the natural drift of beach-quality sand resources, which often
4183 results in these sand resources being deposited in nearshore
4184 areas or in the inlet channel, or in the inland waterway
4185 adjacent to the inlet, instead of providing natural nourishment
4186 to the adjacent eroding beaches. Accordingly, the Legislature
4187 finds it is in the public interest to replicate the natural
4188 drift of sand which is interrupted or altered by inlets to be
4189 replaced and for each level of government to undertake all
4190 reasonable efforts to maximize inlet sand bypassing to ensure
4191 that beach-quality sand is placed on adjacent eroding beaches.
4192 Such activities cannot make up for the historical sand deficits
4193 caused by inlets but shall be designed to balance the sediment
4194 budget of the inlet and adjacent beaches and extend the life of
4195 proximate beach-restoration projects so that periodic
4196 nourishment is needed less frequently. Therefore, in furtherance
4197 of this declaration of public policy and the Legislature's
4198 intent to redirect and recommit the state's comprehensive beach
4199 management efforts to address the beach erosion caused by
4200 inlets, the department shall ensure that:

4201 (3) Construction waterward of the coastal construction
4202 control line on downdrift coastal areas, on islands
4203 substantially created by the deposit of spoil, located within 1
4204 mile of the centerline of navigation channels or inlets,
4205 providing access to ports listed in s. 403.021(9) (b), which

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4206 suffers or has suffered erosion caused by such navigation
4207 channel maintenance or construction shall be exempt from the
4208 permitting requirements and prohibitions of s. 161.053(4)~~(5)~~ or
4209 ~~(5)~~~~(6)~~; however, such construction shall comply with the
4210 applicable Florida Building Code adopted pursuant to s. 553.73.
4211 The timing and sequence of any construction activities
4212 associated with inlet management projects shall provide
4213 protection to nesting sea turtles and their hatchlings and
4214 habitats, to nesting shorebirds, and to native salt-resistant
4215 vegetation and endangered plant communities. Beach-quality sand
4216 placed on the beach as part of an inlet management project must
4217 be suitable for marine turtle nesting.

4218 Section 174. Paragraph (a) of subsection (4) of section
4219 163.065, Florida Statutes, is amended to read:

4220 163.065 Miami River Improvement Act.—

4221 (4) PLAN.—The Miami River Commission, working with the City
4222 of Miami and Miami-Dade County, shall consider the merits of the
4223 following:

4224 (a) Development and adoption of an urban infill and
4225 redevelopment plan, under ss. 163.2511-163.2523 ~~ss. 163.2511-~~
4226 ~~163.2526~~, which ~~and~~ participating state and regional agencies
4227 shall review ~~the proposed plan~~ for the purposes of determining
4228 consistency with applicable law.

4229 Section 175. Subsection (1) of section 163.2511, Florida
4230 Statutes, is amended to read:

4231 163.2511 Urban infill and redevelopment.—

4232 (1) Sections 163.2511-163.2523 ~~163.2511-163.2526~~ may be
4233 cited as the "Growth Policy Act."

4234 Section 176. Section 163.2514, Florida Statutes, is amended

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4235 to read:

4236 163.2514 Growth Policy Act; definitions.—As used in ss.
4237 163.2511-163.2523, the term ~~ss. 163.2511-163.2526~~:

4238 (1) "Local government" means any county or municipality.

4239 (2) "Urban infill and redevelopment area" means an area or
4240 areas designated by a local government where:

4241 (a) Public services such as water and wastewater,
4242 transportation, schools, and recreation are already available or
4243 are scheduled to be provided in an adopted 5-year schedule of
4244 capital improvements;

4245 (b) The area, or one or more neighborhoods within the area,
4246 suffers from pervasive poverty, unemployment, and general
4247 distress as defined by s. 290.0058;

4248 (c) The area exhibits a proportion of properties that are
4249 substandard, overcrowded, dilapidated, vacant or abandoned, or
4250 functionally obsolete which is higher than the average for the
4251 local government;

4252 (d) More than 50 percent of the area is within 1/4 mile of
4253 a transit stop, or a sufficient number of ~~such~~ transit stops
4254 will be made available concurrent with the designation; and

4255 (e) The area includes or is adjacent to community
4256 redevelopment areas, brownfields, enterprise zones, or Main
4257 Street programs, or has been designated by the state or Federal
4258 Government as an urban redevelopment, revitalization, or infill
4259 area under empowerment zone, enterprise community, or brownfield
4260 showcase community programs or similar programs.

4261 Section 177. Subsection (2) of section 163.3202, Florida
4262 Statutes, is amended to read:

4263 163.3202 Land development regulations.—

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4264 (2) Local land development regulations shall contain
4265 specific and detailed provisions necessary or desirable to
4266 implement the adopted comprehensive plan and shall at ~~as~~ a
4267 minimum:

4268 (a) Regulate the subdivision of land.†

4269 (b) Regulate the use of land and water for those land use
4270 categories included in the land use element and ensure the
4271 compatibility of adjacent uses and provide for open space.†

4272 (c) Provide for protection of potable water wellfields.†

4273 (d) Regulate areas subject to seasonal and periodic
4274 flooding and provide for drainage and stormwater management.†

4275 (e) Ensure the protection of environmentally sensitive
4276 lands designated in the comprehensive plan.†

4277 (f) Regulate signage.†

4278 (g) Provide that public facilities and services meet or
4279 exceed the standards established in the capital improvements
4280 element required by s. 163.3177 and are available when needed
4281 for the development, or that development orders and permits are
4282 conditioned on the availability of these public facilities and
4283 services necessary to serve the proposed development. ~~Not later~~
4284 ~~than 1 year after its due date established by the state land~~
4285 ~~planning agency's rule for submission of local comprehensive~~
4286 ~~plans pursuant to s. 163.3167(2),~~ A local government may ~~shall~~
4287 not issue a development order or permit that ~~which~~ results in a
4288 reduction in the level of services for the affected public
4289 facilities below the level of services provided in the local
4290 government's comprehensive plan ~~of the local government.~~

4291 (h) Ensure safe and convenient onsite traffic flow,
4292 considering needed vehicle parking.

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4293 Section 178. Paragraph (b) of subsection (11) of section
4294 259.041, Florida Statutes, is amended to read:

4295 259.041 Acquisition of state-owned lands for preservation,
4296 conservation, and recreation purposes.—

4297 (11)

4298 (b) All project applications shall identify, within their
4299 acquisition plans, ~~those~~ projects that ~~which~~ require a full fee
4300 simple interest to achieve the public policy goals, together
4301 with the reasons full title is determined to be necessary. The
4302 state agencies and the water management districts may use
4303 alternatives to fee simple acquisition to bring the remaining
4304 projects in their acquisition plans under public protection. For
4305 the purposes of this subsection, the term "alternatives to fee
4306 simple acquisition" includes, but is not limited to: purchase of
4307 development rights; obtaining conservation easements; obtaining
4308 flowage easements; purchase of timber rights, mineral rights, or
4309 hunting rights; purchase of agricultural interests or
4310 silvicultural interests; entering into land protection
4311 agreements as defined in s. 380.0677(3) ~~s. 380.0677(4)~~; fee
4312 simple acquisitions with reservations; creating life estates; or
4313 any other acquisition technique that ~~which~~ achieves the public
4314 policy goals listed in paragraph (a). It is presumed that a
4315 private landowner retains the full range of uses for all the
4316 rights or interests in the landowner's land which are not
4317 specifically acquired by the public agency. The lands upon which
4318 hunting rights are specifically acquired pursuant to this
4319 paragraph shall be available for hunting in accordance with the
4320 management plan or hunting regulations adopted by the Florida
4321 Fish and Wildlife Conservation Commission, unless the hunting

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4322 rights are purchased specifically to protect activities on
4323 adjacent lands.

4324 Section 179. Paragraph (c) of subsection (3) of section
4325 259.101, Florida Statutes, is amended to read:

4326 259.101 Florida Preservation 2000 Act.—

4327 (3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.—Less the costs
4328 of issuance, the costs of funding reserve accounts, and other
4329 costs with respect to the bonds, the proceeds of bonds issued
4330 pursuant to this act shall be deposited into the Florida
4331 Preservation 2000 Trust Fund created by s. 375.045. In fiscal
4332 year 2000-2001, for each Florida Preservation 2000 program
4333 described in paragraphs (a)-(g), that portion of each program's
4334 total remaining cash balance which, as of June 30, 2000, is in
4335 excess of that program's total remaining appropriation balances
4336 shall be redistributed by the department and deposited into the
4337 Save Our Everglades Trust Fund for land acquisition. For
4338 purposes of calculating the total remaining cash balances for
4339 this redistribution, the Florida Preservation 2000 Series 2000
4340 bond proceeds, including interest thereon, and the fiscal year
4341 1999-2000 General Appropriations Act amounts shall be deducted
4342 from the remaining cash and appropriation balances,
4343 respectively. The remaining proceeds shall be distributed by the
4344 Department of Environmental Protection in the following manner:

4345 (c) Ten percent to the Department of Community Affairs to
4346 provide land acquisition grants and loans to local governments
4347 through the Florida Communities Trust pursuant to part III of
4348 chapter 380. From funds allocated to the trust, \$3 million
4349 annually shall be used by the Division of State Lands within the
4350 Department of Environmental Protection to implement the Green

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4351 Swamp Land Protection Initiative specifically for the purchase
4352 of conservation easements, as defined in s. 380.0677(3) ~~s.~~
4353 ~~380.0677(4)~~, of lands, or severable interests or rights in
4354 lands, in the Green Swamp Area of Critical State Concern. From
4355 funds allocated to the trust, \$3 million annually shall be used
4356 by the Monroe County Comprehensive Plan Land Authority
4357 specifically for the purchase of a ~~any~~ real property interest in
4358 ~~either~~ those lands subject to the Rate of Growth Ordinances
4359 adopted by local governments in Monroe County or those lands
4360 within the boundary of an approved Conservation and Recreation
4361 Lands project located within the Florida Keys or Key West Areas
4362 of Critical State Concern; however, title to lands acquired
4363 within the boundary of an approved Conservation and Recreation
4364 Lands project may, in accordance with an approved joint
4365 acquisition agreement, vest in the Board of Trustees of the
4366 Internal Improvement Trust Fund. Of the remaining funds
4367 ~~allocated to the trust after the above transfers occur~~, one-half
4368 shall be matched by local governments on a dollar-for-dollar
4369 basis. To the extent allowed by federal requirements for the use
4370 of bond proceeds, the trust shall expend Preservation 2000 funds
4371 to carry out the purposes of part III of chapter 380.

4372

4373 Local governments may use federal grants or loans, private
4374 donations, or environmental mitigation funds, including
4375 environmental mitigation funds required pursuant to s. 338.250,
4376 for any part or all of any local match required for the purposes
4377 described in this subsection. Bond proceeds allocated pursuant
4378 to paragraph (c) may be used to purchase lands on the priority
4379 lists developed pursuant to s. 259.035. Title to lands purchased

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4380 pursuant to paragraphs (a), (d), (e), (f), and (g) shall be
4381 vested in the Board of Trustees of the Internal Improvement
4382 Trust Fund. Title to lands purchased pursuant to paragraph (c)
4383 may be vested in the Board of Trustees of the Internal
4384 Improvement Trust Fund. The board of trustees shall hold title
4385 to land protection agreements and conservation easements that
4386 were or will be acquired pursuant to s. 380.0677, and the
4387 Southwest Florida Water Management District and the St. Johns
4388 River Water Management District shall monitor such agreements
4389 and easements within their respective districts until the state
4390 assumes this responsibility.

4391 Section 180. Subsections (1) and (5) of section 369.305,
4392 Florida Statutes, are amended to read:

4393 369.305 Review of local comprehensive plans, land
4394 development regulations, Wekiva River development permits, and
4395 amendments.—

4396 ~~(1) It is the intent of the Legislature that comprehensive~~
4397 ~~plans and land development regulations of Orange, Lake, and~~
4398 ~~Seminole Counties be revised to protect the Wekiva River~~
4399 ~~Protection Area prior to the due dates established in ss.~~
4400 ~~163.3167(2) and 163.3202 and chapter 9J-12, Florida~~
4401 ~~Administrative Code. It is also the intent of the Legislature~~
4402 ~~that Orange, Lake, and Seminole the Counties emphasize the~~
4403 ~~Wekiva River Protection Area this important state resource in~~
4404 ~~their planning and regulation efforts. Therefore, each county's~~
4405 ~~county shall, by April 1, 1989, review and amend those portions~~
4406 ~~of its local comprehensive plan and its land development~~
4407 ~~regulations applicable to the Wekiva River Protection Area must,~~
4408 ~~and, if necessary, adopt additional land development regulations~~

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4409 ~~which are applicable to the Wekiva River Protection Area to meet~~
4410 the following criteria:

4411 (a) Each county's local comprehensive plan must ~~shall~~
4412 contain goals, policies, and objectives that ~~which~~ result in the
4413 protection of the:

4414 1. Water quantity, water quality, and hydrology of the
4415 Wekiva River System;

4416 2. Wetlands associated with the Wekiva River System;

4417 3. Aquatic and wetland-dependent wildlife species
4418 associated with the Wekiva River System;

4419 4. Habitat within the Wekiva River Protection Area of
4420 species designated pursuant to rules 39-27.003, 39-27.004, and
4421 39-27.005, Florida Administrative Code; and

4422 5. Native vegetation within the Wekiva River Protection
4423 Area.

4424 (b) The various land uses and densities and intensities of
4425 development permitted by the local comprehensive plan shall
4426 protect the resources enumerated in paragraph (a) and the rural
4427 character of the Wekiva River Protection Area. The plan must
4428 ~~shall~~ also include:

4429 1. Provisions that ~~to~~ ensure the preservation of sufficient
4430 habitat for feeding, nesting, roosting, and resting so as to
4431 maintain viable populations of species designated pursuant to
4432 rules 39-27.003, 39-27.004, and 39-27.005, Florida
4433 Administrative Code, within the Wekiva River Protection Area.

4434 2. Restrictions on the clearing of native vegetation within
4435 the 100-year flood plain.

4436 3. Prohibition of development that is not low-density
4437 residential in nature, unless the ~~that~~ development has less

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4438 effect ~~impacts~~ on natural resources than low-density residential
4439 development.

4440 4. Provisions for setbacks along the Wekiva River for areas
4441 that do not fall within the protection zones established
4442 pursuant to s. 373.415.

4443 5. Restrictions on intensity of development adjacent to
4444 publicly owned lands to prevent adverse impacts to such lands.

4445 6. Restrictions on filling and alteration of wetlands in
4446 the Wekiva River Protection Area.

4447 7. Provisions encouraging clustering of residential
4448 development if ~~when~~ it promotes protection of environmentally
4449 sensitive areas, and ensures ~~ensuring~~ that residential
4450 development in the aggregate are ~~shall be of a~~ rural in density
4451 and character.

4452 (c) The local comprehensive plan must ~~shall~~ require that
4453 the density or intensity of development permitted on parcels of
4454 property adjacent to the Wekiva River System be concentrated on
4455 those portions of the parcels which are the farthest from the
4456 surface waters and wetlands of the Wekiva River System.

4457 (d) The local comprehensive plan must ~~shall~~ require that
4458 parcels of land adjacent to the surface waters and watercourses
4459 of the Wekiva River System not be subdivided so as to interfere
4460 with the implementation of protection zones as established
4461 pursuant to s. 373.415, any applicable setbacks from the surface
4462 waters in the Wekiva River System which are established by local
4463 governments, or the policy established in paragraph (c) of
4464 concentrating development in the Wekiva River Protection Area as
4465 far from the surface waters and wetlands of the Wekiva River
4466 System as practicable.

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4467 (e) The local land development regulations must ~~shall~~
4468 implement the provisions of paragraphs (a), (b), (c), and (d)
4469 and must ~~shall also~~ include restrictions on the location of
4470 septic tanks and drainfields in the 100-year flood plain and
4471 discharges of stormwater to the Wekiva River System.

4472 ~~(5) During the period of time between the effective date of~~
4473 ~~this act and the due date of a county's revised local government~~
4474 ~~comprehensive plan as established by s. 163.3167(2) and chapter~~
4475 ~~9J-12, Florida Administrative Code, any local comprehensive plan~~
4476 ~~amendment or amendment to a land development regulation, adopted~~
4477 ~~or issued by a county, which applies to the Wekiva River~~
4478 ~~Protection Area, or any Wekiva River development permit adopted~~
4479 ~~by a county, solely within protection zones established pursuant~~
4480 ~~to s. 373.415, shall be sent to the department within 10 days~~
4481 ~~after its adoption or issuance by the local governing body but~~
4482 ~~shall not become effective until certified by the department as~~
4483 ~~being in compliance with purposes described in subsection (1).~~
4484 ~~The department shall make its decision on certification within~~
4485 ~~60 days after receipt of the amendment or development permit~~
4486 ~~solely within protection zones established pursuant to s.~~
4487 ~~373.415. The department's decision on certification shall be~~
4488 ~~final agency action. This subsection shall not apply to any~~
4489 ~~amendments or new land development regulations adopted pursuant~~
4490 ~~to subsections (1)-(4) or to any development order approving,~~
4491 ~~approving with conditions, or denying a development of regional~~
4492 ~~impact.~~

4493 Section 181. Paragraph (g) of subsection (1) of section
4494 379.2431, Florida Statutes, is amended to read:

4495 379.2431 Marine animals; regulation.-

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4496 (1) PROTECTION OF MARINE TURTLES.—

4497 (g) The Department of Environmental Protection may
 4498 condition the nature, timing, and sequence of construction of
 4499 permitted activities to provide protection to nesting marine
 4500 turtles and hatchlings and their habitat pursuant to s.
 4501 161.053(4) ~~the provisions of s. 161.053(5)~~. If ~~When~~ the
 4502 department is considering a permit for a beach restoration,
 4503 beach renourishment, or inlet sand transfer project and the
 4504 applicant has had an active marine turtle nest relocation
 4505 program or the applicant has agreed to and has the ability to
 4506 administer a program, the department may ~~must~~ not restrict the
 4507 timing of the project. If ~~Where~~ appropriate, the department, in
 4508 accordance with the applicable rules of the Fish and Wildlife
 4509 Conservation Commission, shall require as a condition of the
 4510 permit that the applicant relocate and monitor all turtle nests
 4511 that would be affected by the beach restoration, beach
 4512 renourishment, or sand transfer activities. Such relocation and
 4513 monitoring activities shall be conducted in a manner that
 4514 ensures successful hatching. This limitation on the department's
 4515 authority applies only on the Atlantic coast of Florida.

4516 Section 182. Section 381.732, Florida Statutes, is amended
 4517 to read:

4518 381.732 Short title; Healthy Communities, Healthy People
 4519 Act.—Sections 381.732-381.734 ~~381.731-381.734~~ may be cited as
 4520 the "Healthy Communities, Healthy People Act."

4521 Section 183. Section 381.733, Florida Statutes, is amended
 4522 to read:

4523 381.733 Definitions relating to Healthy Communities,
 4524 Healthy People Act.—As used in ss. 381.732-381.734 ~~ss. 381.731-~~

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4525 ~~381.734~~, the term:

4526 (1) "Department" means the Department of Health.

4527 (2) "Primary prevention" means interventions directed
4528 toward healthy populations with a focus on avoiding disease
4529 before it occurs ~~prior to its occurrence~~.

4530 (3) "Secondary prevention" means interventions designed to
4531 promote the early detection and treatment of diseases and to
4532 reduce the risks experienced by at-risk populations.

4533 (4) "Tertiary prevention" means interventions directed at
4534 rehabilitating and minimizing the effects of disease in a
4535 chronically ill population.

4536 Section 184. Paragraph (d) of subsection (5) of section
4537 411.01, Florida Statutes, is amended to read:

4538 411.01 School readiness programs; early learning
4539 coalitions.-

4540 (5) CREATION OF EARLY LEARNING COALITIONS.-

4541 (d) *Implementation*.-

4542 1. An early learning coalition may not implement the school
4543 readiness program until ~~the coalition is authorized through~~
4544 ~~approval of~~ the coalition's school readiness plan is approved by
4545 the Agency for Workforce Innovation.

4546 2. Each early learning coalition shall develop a plan for
4547 implementing the school readiness program to meet the
4548 requirements of this section and the performance standards and
4549 outcome measures adopted by the Agency for Workforce Innovation.
4550 The plan must demonstrate how the program will ensure that each
4551 3-year-old and 4-year-old child in a publicly funded school
4552 readiness program receives scheduled activities and instruction
4553 designed to enhance the age-appropriate progress of the children

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4554 in attaining the performance standards adopted by the agency ~~for~~
4555 ~~Workforce Innovation~~ under subparagraph (4) (d)8. Before
4556 implementing the school readiness program, the early learning
4557 coalition must submit the plan to the agency ~~for Workforce~~
4558 ~~Innovation~~ for approval. The agency ~~for Workforce Innovation~~ may
4559 approve the plan, reject the plan, or approve the plan with
4560 conditions. The agency ~~for Workforce Innovation~~ shall review
4561 school readiness plans at least annually.

4562 3. If the Agency for Workforce Innovation determines during
4563 the annual review of school readiness plans, or through
4564 monitoring and performance evaluations conducted under paragraph
4565 (4) (1), that an early learning coalition has not substantially
4566 implemented its plan, has not substantially met the performance
4567 standards and outcome measures adopted by the agency, or has not
4568 effectively administered the school readiness program or
4569 Voluntary Prekindergarten Education Program, the agency ~~for~~
4570 ~~Workforce Innovation~~ may dissolve the coalition and temporarily
4571 contract with a qualified entity to continue school readiness
4572 and prekindergarten services in the coalition's county or
4573 multicounty region until the coalition is reestablished through
4574 resubmission of a school readiness plan and approval by the
4575 agency.

4576 4. The Agency for Workforce Innovation shall adopt criteria
4577 for the approval of school readiness plans. The criteria must be
4578 consistent with the performance standards and outcome measures
4579 adopted by the agency and must require each approved plan to
4580 include the following minimum standards ~~and provisions~~:

4581 a. A sliding fee scale establishing a copayment for parents
4582 based upon their ability to pay, which is the same for all

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4583 program providers, to be implemented and reflected in each
4584 program's budget.

4585 b. A choice of settings and locations in licensed,
4586 registered, religious-exempt, or school-based programs to be
4587 provided to parents.

4588 c. Instructional staff who have completed the training
4589 course as required in s. 402.305(2)(d)1., as well as staff who
4590 have additional training or credentials as required by the
4591 Agency for Workforce Innovation. The plan must provide a method
4592 for assuring the qualifications of all personnel in all program
4593 settings.

4594 d. Specific eligibility priorities for children within the
4595 early learning coalition's county or multicounty region in
4596 accordance with subsection (6).

4597 e. Performance standards and outcome measures adopted by
4598 the agency ~~for Workforce Innovation~~.

4599 f. Payment rates adopted by the early learning coalition
4600 and approved by the agency ~~for Workforce Innovation~~. Payment
4601 rates may not have the effect of limiting parental choice or
4602 creating standards or levels of services that have not been
4603 authorized by the Legislature.

4604 g. Systems support services, including a central agency,
4605 child care resource and referral, eligibility determinations,
4606 training of providers, and parent support and involvement.

4607 h. Direct enhancement services to families and children.
4608 System support and direct enhancement services shall be in
4609 addition to payments for the placement of children in school
4610 readiness programs.

4611 i. The business organization of the early learning

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4612 coalition, which must include the coalition's articles of
4613 incorporation and bylaws if the coalition is organized as a
4614 corporation. If the coalition is not organized as a corporation
4615 or other business entity, the plan must include the contract
4616 with a fiscal agent. An early learning coalition may contract
4617 with other coalitions to achieve efficiency in multicounty
4618 services, and these contracts may be part of the coalition's
4619 school readiness plan.

4620 j. Strategies to meet the needs of unique populations, such
4621 as migrant workers.

4622
4623 As part of the school readiness plan, the early learning
4624 coalition may request the Governor to apply for a waiver to
4625 allow the coalition to administer the Head Start Program to
4626 accomplish the purposes of the school readiness program. If a
4627 school readiness plan demonstrates that specific statutory goals
4628 can be achieved more effectively by modifying ~~using procedures~~
4629 ~~that require modification of~~ existing rules, policies, or
4630 procedures, a request for a waiver to the Agency for Workforce
4631 Innovation may be submitted as part of the plan. Upon review,
4632 the agency ~~for Workforce Innovation~~ may grant the proposed
4633 modification.

4634 5. Persons with an early childhood teaching certificate may
4635 provide support and supervision to other staff in the school
4636 readiness program.

4637 6. An early learning coalition may not implement its school
4638 readiness plan until it submits the plan to and receives
4639 approval from the Agency for Workforce Innovation. Once the plan
4640 is approved, the plan and the services provided under the plan

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4641 shall be controlled by the early learning coalition. The plan
4642 shall be reviewed and revised as necessary, but at least
4643 biennially. An early learning coalition may not implement the
4644 revisions until the coalition submits the revised plan to and
4645 receives approval from the agency ~~for Workforce Innovation~~. If
4646 the agency ~~for Workforce Innovation~~ rejects a revised plan, the
4647 coalition must continue to operate under its prior approved
4648 plan.

4649 7. Sections 125.901(2)(a)3., ~~411.221~~, and 411.232 do not
4650 apply to an early learning coalition with an approved school
4651 readiness plan. To facilitate innovative practices and to allow
4652 the regional establishment of school readiness programs, an
4653 early learning coalition may apply to the Governor and Cabinet
4654 for a waiver of, and the Governor and Cabinet may waive, any of
4655 the provisions of ss. 411.223, 411.232, and 1003.54, if the
4656 waiver is necessary for implementation of the coalition's school
4657 readiness plan.

4658 8. Two or more counties may join for purposes of planning
4659 and implementing a school readiness program.

4660 9. An early learning coalition may, subject to approval by
4661 the Agency for Workforce Innovation as part of the coalition's
4662 school readiness plan, receive subsidized child care funds for
4663 all children eligible for any federal subsidized child care
4664 program.

4665 10. An early learning coalition may enter into multiparty
4666 contracts with multicounty service providers in order to meet
4667 the needs of unique populations such as migrant workers.

4668 Section 185. Paragraph (a) of subsection (3) of section
4669 411.232, Florida Statutes, is amended to read:

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4670 411.232 Children's Early Investment Program.—

4671 (3) ESSENTIAL ELEMENTS.—

4672 (a) Initially, the program shall be directed to geographic
4673 areas where at-risk young children and their families are in
4674 greatest need because of an unfavorable combination of economic,
4675 social, environmental, and health factors, including, without
4676 limitation, extensive poverty, high crime rate, great incidence
4677 of low birthweight babies, high incidence of alcohol and drug
4678 abuse, and high rates of teenage pregnancy. The selection of a
4679 geographic site must ~~shall~~ also consider the incidence of young
4680 children within these at-risk geographic areas who are cocaine
4681 babies, children of single mothers who receive temporary cash
4682 assistance, children of teenage parents, low birthweight babies,
4683 and very young foster children. To receive funding under this
4684 section, an agency, board, council, or provider must
4685 demonstrate:

4686 1. Its capacity to administer and coordinate the programs
4687 and services in a comprehensive manner and provide a flexible
4688 range of services;

4689 2. Its capacity to identify and serve those children least
4690 able to access existing programs and case management services;

4691 3. Its capacity to administer and coordinate the programs
4692 and services in an intensive and continuous manner;

4693 4. The proximity of its facilities to young children,
4694 parents, and other family members to be served by the program,
4695 or its ability to provide offsite services;

4696 5. Its ability to use existing federal, state, and local
4697 governmental programs and services in implementing the
4698 investment program;

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4699 6. Its ability to coordinate activities and services with
4700 existing public and private, state and local agencies and
4701 programs such as those responsible for health, education, social
4702 support, mental health, child care, respite care, housing,
4703 transportation, alcohol and drug abuse treatment and prevention,
4704 income assistance, employment training and placement, nutrition,
4705 and other relevant services, all the foregoing intended to
4706 assist children and families at risk;

4707 7. How its plan will involve project participants and
4708 community representatives in the planning and operation of the
4709 investment program; and

4710 8. Its ability to participate in the evaluation component
4711 required in this section. ~~;~~ and

4712 ~~9. Its consistency with the strategic plan pursuant to s.~~
4713 ~~411.221.~~

4714 Section 186. Paragraph (a) of subsection (6) of section
4715 445.006, Florida Statutes, is amended to read:

4716 445.006 Strategic and operational plans for workforce
4717 development.—

4718 (6) (a) The operational plan must include strategies that
4719 are designed to prevent or reduce the need for a person to
4720 receive public assistance, including. ~~These strategies must~~
4721 ~~include:~~

4722 1. A teen pregnancy prevention component that includes, but
4723 is not limited to, a plan for implementing ~~the Florida Education~~
4724 ~~Now and Babies Later (ENABL) program under s. 411.242 and the~~
4725 Teen Pregnancy Prevention Community Initiative within each
4726 county of the services area in which the teen birth rate is
4727 higher than the state average;

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4728 2. A component that encourages ~~ereation-of~~ community-based
4729 welfare prevention and reduction initiatives that increase
4730 support provided by noncustodial parents to their welfare-
4731 dependent children and are consistent with program and financial
4732 guidelines developed by Workforce Florida, Inc., and the
4733 Commission on Responsible Fatherhood. These initiatives may
4734 include, but are not limited to, improved paternity
4735 establishment, work activities for noncustodial parents,
4736 programs aimed at decreasing out-of-wedlock pregnancies,
4737 encouraging involvement of fathers with their children including
4738 court-ordered supervised visitation, and increasing child
4739 support payments;

4740 3. A component that encourages formation and maintenance of
4741 two-parent families through, among other things, court-ordered
4742 supervised visitation;

4743 4. A component that fosters responsible fatherhood in
4744 families receiving assistance; and

4745 5. A component that fosters provision of services that
4746 reduce the incidence and effects of domestic violence on women
4747 and children in families receiving assistance.

4748 Section 187. This act shall take effect upon becoming a
4749 law.