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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2 An act relating to obsolete or outdated agency plans,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; amending s. 1001.42, F.S.; deleting
417 provisions that require each district school board to
418 reduce paperwork and data collection and report its
419 findings and potential solutions on reducing burdens
420 associated with such collection; amending s. 1008.31,
421 F.S.; requiring that the Commissioner of Education
422 monitor and review the collection of paperwork, data,
423 and reports by school districts; requiring that the
424 commissioner complete an annual review of such
425 collection by a specified date each year; requiring
426 that the commissioner prepare a report, by a specified
427 date each year, assisting the school districts with
428 eliminating or consolidating paperwork, data, and
429 reports by providing suggestions, technical
430 assistance, and guidance; providing an effective date.

431
432 Be It Enacted by the Legislature of the State of Florida:

433
434 Section 1. Section 14.25, Florida Statutes, is repealed.
435 Section 2. Subsection (3) of section 14.26, Florida

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436 Statutes, is amended to read:

437 14.26 Citizen's Assistance Office.—

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

440 (a) The number of complaints and investigations ~~and~~
441 ~~complaints made during the preceding quarter~~ and the disposition
442 of such investigations.

443 ~~(b) Recommendations in the form of suggested legislation or~~
444 ~~suggested procedures for the alleviation of problems disclosed~~
445 ~~by investigations.~~

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

449 (c) Recommendations for the alleviation of the cause of
450 complaints disclosed by investigations.

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

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 Section 14.27, Florida Statutes, is repealed.

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 Section 16.58, Florida Statutes, is repealed.

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

457 17.32 Annual report of trust funds; duties of Chief
458 Financial Officer.—

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

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- 465 (a) The fund code.
466 (b) The title.
467 (c) The fund type according to generally accepted
468 accounting principles.
469 (d) The statutory authority.
470 (e) The beginning cash balance.
471 (f) Direct revenues.
472 (g) Nonoperating revenues.
473 (h) Operating disbursements.
474 (i) Nonoperating disbursements.
475 (j) The ending cash balance.
476 (k) The department and budget entity in which the fund is
477 located.

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

480 17.325 Governmental efficiency hotline; duties of Chief
481 Financial Officer.—

482 (1) The Chief Financial Officer shall establish and operate
483 a statewide toll-free telephone hotline to receive information
484 or suggestions from the residents ~~citizens~~ of this state on how
485 to improve the operation of government, increase governmental
486 efficiency, and eliminate waste in government. ~~The Chief
487 Financial Officer shall report each month to the appropriations
488 committee of the House of Representatives and of the Senate the
489 information or suggestions received through the hotline and the
490 evaluations and determinations made by the affected agency, as
491 provided in subsection (3), with respect to such information or
492 suggestions.~~

493 Section 7. Section 20.057, Florida Statutes, is amended to

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494 read:

495 20.057 Interagency agreements to delete duplication of
496 inspections.—

497 (1) The Governor shall direct any department, the head of
498 which is an officer or board appointed by and serving at the
499 pleasure of the Governor, to enter into an interagency agreement
500 to ~~that will~~ eliminate duplication of inspections among ~~the~~
501 departments that inspect the same type of facility or structure.
502 Parties to the agreement may include departments ~~which are~~
503 headed by a Cabinet officer, the Governor and Cabinet, or a
504 collegial body. The agreement shall:

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

507 (b) Specify that agents of the department conducting the
508 inspection have all powers relative to the inspection as the
509 agents of the department on whose behalf the inspection is being
510 conducted.

511 (c) Require that agents of the department conducting the
512 inspection have sufficient knowledge of statutory and
513 administrative inspection requirements to conduct a proper
514 inspection.

515 (d) Specify that the departments entering ~~which have~~
516 ~~entered~~ into the agreement may not ~~neither~~ charge or ~~nor~~ accept
517 ~~any~~ funds with respect to duties performed under the agreement
518 which are in excess of the direct costs of conducting the ~~such~~
519 inspections.

520 (2) Before taking effect, an agreement entered into under
521 this section must be approved by the Governor. Inspections
522 conducted under an agreement are ~~shall be deemed~~ sufficient for

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523 enforcement purposes pursuant to the agreement or as otherwise
524 provided by law.

525 ~~(2) No later than 60 days prior to the beginning of the~~
526 ~~regular session, the Governor shall make an annual report to the~~
527 ~~President of the Senate and the Speaker of the House of~~
528 ~~Representatives regarding interagency agreements. The report~~
529 ~~shall identify each interagency agreement entered into under~~
530 ~~this section, and, for each agreement, shall describe the~~
531 ~~duplication eliminated, provide data that measures the~~
532 ~~effectiveness of inspections conducted under the interagency~~
533 ~~agreement, and estimate the cost savings that have resulted from~~
534 ~~the agreement. The report shall also describe obstacles~~
535 ~~encountered by any department in attempting to develop an~~
536 ~~interagency agreement and in performing duties resulting from an~~
537 ~~interagency agreement and shall recommend appropriate remedial~~
538 ~~legislative action.~~

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

541 Section 9. Paragraph (1) of subsection (1) of section
542 20.43, Florida Statutes, is amended to read:

543 20.43 Department of Health.—There is created a Department
544 of Health.

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

549 (1) Include in its long-range program ~~the department's~~
550 ~~strategie~~ plan developed under s. 186.021 an assessment of
551 current health programs, systems, and costs; projections of

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552 future problems and opportunities; and recommended changes that
553 are needed in the health care system to improve the public
554 health.

555 Section 10. Paragraph (h) of subsection (2) of section
556 39.4086, Florida Statutes, is amended to read:

557 39.4086 Pilot program for attorneys ad litem for dependent
558 children.—

559 (2) RESPONSIBILITIES.—

560 (h) The Office of the State Courts Administrator shall
561 conduct research and gather statistical information to evaluate
562 the establishment, operation, and impact of the pilot program in
563 meeting the legal needs of dependent children. In assessing the
564 effects of the pilot program, including achievement of outcomes
565 identified under paragraph (b), the evaluation must include a
566 comparison of children within the Ninth Judicial Circuit who are
567 appointed an attorney ad litem with those who are not. ~~The~~
568 ~~office shall submit a report to the Legislature and the Governor~~
569 ~~by October 1, 2001, and by October 1, 2002, regarding its~~
570 ~~findings. The office shall submit a final report by October 1,~~
571 ~~2003, which must include an evaluation of the pilot program;~~
572 ~~findings on the feasibility of a statewide program; and~~
573 ~~recommendations, if any, for locating, establishing, and~~
574 ~~operating a statewide program.~~

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

577 98.255 Voter education programs.—

578 (1) ~~By March 1, 2002,~~ The Department of State shall adopt
579 rules prescribing minimum standards for nonpartisan voter
580 education. ~~In developing the rules, the department shall review~~

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581 ~~current voter education programs within each county of the~~
582 ~~state. The standards shall, at a minimum, address, but are not~~
583 ~~limited to, the following subjects:~~

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

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

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

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

605 Section 12. Paragraph (a) of subsection (7) of section
606 110.1227, Florida Statutes, is amended to read:

607 110.1227 Florida Employee Long-Term-Care Plan Act.—

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

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610 (a) Upon implementation, prepare an annual report of the
611 plan, with the assistance of an actuarial consultant, to be
612 submitted to the ~~Speaker of the House of Representatives, the~~
613 ~~President of the Senate, the Governor,~~ and the Legislature the
614 ~~Minority Leaders of the Senate and the House of Representatives.~~

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

617 120.542 Variances and waivers.—

618 (9) Each agency shall maintain a record of the type and
619 disposition of each petition, including temporary or emergency
620 variances and waivers, filed pursuant to this section. ~~On~~
621 ~~October 1 of each year, each agency shall file a report with the~~
622 ~~Governor, the President of the Senate, and the Speaker of the~~
623 ~~House of Representatives listing the number of petitions filed~~
624 ~~requesting variances to each agency rule, the number of~~
625 ~~petitions filed requesting waivers to each agency rule, and the~~
626 ~~disposition of all petitions. Temporary or emergency variances~~
627 ~~and waivers, and the reasons for granting or denying temporary~~
628 ~~or emergency variances and waivers, shall be identified~~
629 ~~separately from other waivers and variances.~~

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

632 121.45 Interstate compacts relating to pension
633 portability.—

634 (3) ESTABLISHMENT OF COMPACTS.—

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

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

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

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

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

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

666 Section 16. Subsections (3) through (22) of section
667 161.053, Florida Statutes, are amended to read:

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668 161.053 Coastal construction and excavation; regulation on
669 county basis.-

670 ~~(3) It is the intent of the Legislature that any coastal~~
671 ~~construction control line that has not been updated since June~~
672 ~~30, 1980, shall be considered a critical priority for~~
673 ~~reestablishment by the department. In keeping with this intent,~~
674 ~~the department shall notify the Legislature if all such lines~~
675 ~~cannot be reestablished by December 31, 1997, so that the~~
676 ~~Legislature may subsequently consider interim lines of~~
677 ~~jurisdiction for the remaining counties.~~

678 (3) ~~(4)~~ A Any coastal county or coastal municipality may
679 establish coastal construction zoning and building codes in lieu
680 of the provisions of this section if, ~~provided~~ such zones and
681 codes are approved by the department as being adequate to
682 preserve and protect the beaches and coastal barrier dunes
683 adjacent to such beaches, which are under the jurisdiction of
684 the department, from imprudent construction that will jeopardize
685 the stability of the beach-dune system, accelerate erosion,
686 provide inadequate protection to upland structures, endanger
687 adjacent properties, or interfere with public beach access.
688 Exceptions to locally established coastal construction zoning
689 and building codes may ~~shall~~ not be granted unless previously
690 approved by the department. ~~It is~~ The intent of this subsection
691 is to provide for the local administration of established
692 coastal construction control lines through approved zoning and
693 building codes if ~~where~~ desired by local interests and where
694 such local interests have, in the judgment of the department,
695 sufficient funds and personnel to adequately administer the
696 program. Should the department determine at any time that the

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697 program is inadequately administered, the department may ~~shall~~
698 ~~have authority to~~ revoke the authority granted to the county or
699 municipality.

700 (4)~~(5)~~ Except in those areas where local zoning and
701 building codes have been established pursuant to subsection (3)
702 ~~(4)~~, a permit to alter, excavate, or construct on property
703 seaward of established coastal construction control lines may be
704 granted by the department as follows:

705 (a) The department may authorize an excavation or erection
706 of a structure at any coastal location as described in
707 subsection (1) upon receipt of an application from a property or
708 ~~and/or~~ riparian owner and upon the consideration of facts and
709 circumstances, including:

710 1. Adequate engineering data concerning shoreline stability
711 and storm tides related to shoreline topography;

712 2. Design features of the proposed structures or
713 activities; and

714 3. Potential effects ~~impacts~~ of the location of the ~~such~~
715 structures or activities, including potential cumulative effects
716 of ~~any~~ proposed structures or activities upon the ~~such~~ beach-
717 dune system, which, in the opinion of the department, clearly
718 justify ~~such~~ a permit.

719 (b) If in the immediate contiguous or adjacent area a
720 number of existing structures have established a reasonably
721 continuous and uniform construction line closer to the line of
722 mean high water than the foregoing, and if the existing
723 structures have not been unduly affected by erosion, a proposed
724 structure may, ~~at the discretion of the department,~~ be permitted
725 along such line on written authorization from the department if

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726 ~~the such~~ structure is also approved by the department. However,
727 the department may ~~shall~~ not contravene setback requirements or
728 zoning or building codes established by a county or municipality
729 which are equal to, or more strict than, the ~~those~~ requirements
730 provided in this subsection ~~herein~~. This paragraph does not
731 prohibit the department from requiring structures to meet design
732 and siting criteria established in paragraph (a) or in
733 subsection (1) or subsection (2).

734 (c) The department may condition the nature, timing, and
735 sequence of construction of permitted activities to provide
736 protection to nesting sea turtles and hatchlings and their
737 habitat, pursuant to s. 379.2431, and to native salt-resistant
738 vegetation and endangered plant communities.

739 (d) The department may require ~~such~~ engineer certifications
740 as necessary to ensure ~~assure~~ the adequacy of the design and
741 construction of permitted projects.

742 (e) The department shall limit the construction of
743 structures that ~~which~~ interfere with public access along the
744 beach. However, the department may require, as a condition of ~~to~~
745 granting permits, the provision of alternative access if ~~when~~
746 interference with public access along the beach is unavoidable.
747 The width of the ~~such~~ alternate access may not be required to
748 exceed the width of the access that will be obstructed ~~as a~~
749 ~~result of the permit being granted~~.

750 (f) The department may, as a condition of ~~to~~ the granting
751 ~~of a permit under this section~~, require mitigation, financial,
752 or other assurances acceptable to the department ~~as may be~~
753 ~~necessary~~ to ensure ~~assure~~ performance of conditions of a permit
754 or enter into contractual agreements to best assure compliance

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755 with any permit conditions. The department may also require
756 notice of the permit conditions required and the contractual
757 agreements entered into ~~pursuant to the provisions of this~~
758 ~~subsection~~ to be filed in the public records of the county in
759 which the permitted activity is located.

760 (5) ~~(6)~~ (a) As used in this subsection, the term:

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

765 2. "Seasonal high-water line" means the line formed by the
766 intersection of the rising shore and the elevation of 150
767 percent of the local mean tidal range above local mean high
768 water.

769 (b) After October 1, 1985, and Notwithstanding any other
770 provision of this part, the department, or a local government to
771 which the department has delegated permitting authority pursuant
772 to subsections (3) ~~(4)~~ and (15) ~~(16)~~, may ~~shall~~ not issue a ~~any~~
773 permit for any structure, other than a coastal or shore
774 protection structure, minor structure, or pier, meeting the
775 requirements of this part, or other than intake and discharge
776 structures for a facility sited pursuant to part II of chapter
777 403, which is proposed for a location that ~~which~~, based on the
778 department's projections of erosion in the area, will be seaward
779 of the seasonal high-water line within 30 years after the date
780 of application for the ~~such~~ permit. The procedures for
781 determining such erosion shall be established by rule. In
782 determining the area that ~~which~~ will be seaward of the seasonal
783 high-water line in 30 years, the department may ~~shall~~ not

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784 include any areas landward of a coastal construction control
785 line.

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

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

793 2. The owner of the parcel ~~for which the single-family~~
794 ~~dwelling is proposed~~ does not own another parcel immediately
795 adjacent to and landward of the parcel for which the dwelling is
796 proposed;

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

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

802 (d) In determining the land areas that ~~which~~ will be below
803 the seasonal high-water line within 30 years after the permit
804 application date, the department shall consider the effect
805 ~~impact~~ on the erosion rates of an existing beach nourishment or
806 restoration project or of a beach nourishment or restoration
807 project for which all funding arrangements have been made and
808 all permits have been issued at the time the application is
809 submitted. The department shall consider each year there is sand
810 seaward of the erosion control line whether ~~that~~ ~~no~~ erosion took
811 place that year. However, the seaward extent of the beach
812 nourishment or restoration project beyond the erosion control

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813 line may ~~shall~~ not be considered in determining the applicable
814 erosion rates. ~~Nothing in~~ This subsection does not ~~shall~~
815 prohibit the department from requiring structures to meet the
816 criteria established in subsection (1), subsection (2), or
817 subsection (4) ~~(5)~~ or to be further landward than required by
818 this subsection based on the criteria established in subsection
819 (1), subsection (2), or subsection (4) ~~(5)~~.

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

824 (6) ~~(7)~~ Any coastal structure erected, or excavation
825 created, in violation of ~~the provisions of~~ this section is
826 ~~hereby~~ declared to be a public nuisance, and such structure
827 shall be ~~forthwith~~ removed or such excavation shall be ~~forthwith~~
828 refilled after written notice by the department directing such
829 removal or filling. If ~~In the event~~ the structure is not removed
830 or the excavation refilled within a reasonable time as directed,
831 the department may remove such structure or fill such excavation
832 at its own expense, and the costs thereof shall become a lien on
833 ~~upon~~ the property of the upland owner upon which the ~~such~~
834 unauthorized structure or excavation is located.

835 (7) ~~(8)~~ Any person, firm, corporation, or agent thereof who
836 violates this section commits ~~is guilty of~~ a misdemeanor of the
837 first degree, punishable as provided in s. 775.082 or s.
838 775.083, ~~+~~ except that a person driving a ~~any~~ vehicle on, over,
839 or across a ~~any~~ sand dune and damaging or causing to be damaged
840 such sand dune or the vegetation growing thereon in violation of
841 this section commits ~~is guilty of~~ a misdemeanor of the second

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842 degree, punishable as provided in s. 775.082 or s. 775.083. A
843 person, firm, corporation, or agent thereof commits ~~shall be~~
844 ~~deemed guilty of~~ a separate offense for each day during any
845 portion of which a ~~any~~ violation of this section is committed or
846 continued.

847 ~~(8)-(9)~~ ~~The provisions of~~ This section does ~~de~~ not apply to
848 structures intended for shore protection purposes which are
849 regulated by s. 161.041 or to structures existing or under
850 construction before ~~prior to~~ the establishment of the coastal
851 construction control line if the ~~as provided herein, provided~~
852 ~~such~~ structures are ~~may not be~~ materially altered except as
853 provided in subsection (4) ~~(5)~~. Except for structures that have
854 been materially altered, structures ~~determined to be~~ under
855 construction at the time of the establishment or reestablishment
856 of the coastal construction control line are ~~shall be~~ exempt
857 from the provisions of this section. However, unless such an
858 exemption has been judicially confirmed to exist before ~~prior to~~
859 April 10, 1992, the exemption shall last only for a period of 3
860 years from ~~either~~ the date of the determination of the exemption
861 or April 10, 1992, whichever occurs later. The department may
862 extend the exemption period for structures that require longer
863 periods for completion if ~~of their construction, provided that~~
864 construction during the initial exemption period is ~~has been~~
865 continuous. For purposes of this subsection, the term
866 "continuous" means following a reasonable sequence of
867 construction without significant or unreasonable periods of work
868 stoppage.

869 ~~(9)-(10)~~ The department may ~~by regulation~~ exempt
870 specifically described portions of the coastline from the

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871 provisions of this section if, when in its judgment, such
872 portions of coastline because of their nature are not subject to
873 erosion of a substantially damaging effect to the public.

874 (10)~~(11)~~ Pending the establishment of coastal construction
875 control lines as provided herein, the provisions of s. 161.052
876 shall remain in force. However, upon the establishment of
877 coastal construction control lines, or the establishment of
878 coastal construction zoning and building codes as provided in
879 subsection (3) ~~(4)~~, the provisions of s. 161.052 shall be
880 superseded by the provisions of this section.

881 (11)~~(12)~~ (a) The coastal construction control requirements
882 defined in subsection (1) and the requirements of the erosion
883 projections in pursuant to subsection (5) ~~(6)~~ do not apply to
884 any modification, maintenance, or repair of ~~to~~ any existing
885 structure within the limits of the existing foundation which
886 does not require, involve, or include any additions to, or
887 repair or modification of, the existing foundation of that
888 structure. Specifically excluded from this exemption are
889 seawalls or other rigid coastal or shore protection structures
890 and any additions or enclosures added, constructed, or installed
891 below the first dwelling floor or lowest deck of the existing
892 structure.

893 (b) Activities seaward of the coastal construction control
894 line which are determined by the department not to cause a
895 measurable interference with the natural functioning of the
896 coastal system are exempt from the requirements of ~~in~~ subsection
897 (4) ~~(5)~~.

898 (c) The department may establish exemptions from the
899 requirements of this section for minor activities determined by

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900 the department not to have an adverse effect ~~impacts~~ on the
901 coastal system. Examples of such activities include, but are not
902 limited to:

903 1. Boat moorings;

904 2. Maintenance of existing beach-dune ~~beach/dune~~
905 vegetation;

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

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

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

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

915 7. Construction of a ~~any~~ new roof overhang extending no
916 more than 4 feet beyond the confines of the existing foundation
917 during modification, renovation, or reconstruction of a
918 habitable structure within the confines of the existing
919 foundation of that structure which does not include any
920 additions to or modification of the existing foundation of that
921 structure;

922 8. Minor and temporary excavation for the purpose of
923 repairs to existing subgrade residential service utilities
924 (e.g., water and sewer lines, septic tanks and drainfields,
925 electrical and telephone cables, and gas lines), if provided
926 ~~that~~ there is minimal disturbance and the ~~that~~ grade is restored
927 with fill compatible in both coloration and grain size to the
928 onsite material and any damaged or destroyed vegetation is

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929 restored using similar vegetation; and

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

932 (12)~~(13)~~(a) Notwithstanding the coastal construction
933 control requirements defined in subsection (1) or the erosion
934 projection determined pursuant to subsection (5) ~~(6)~~, the
935 department may, ~~at its discretion~~, issue a permit for the repair
936 or rebuilding within the confines of the original foundation of
937 a major structure pursuant to ~~the provisions of~~ subsection (4)
938 ~~(5)~~. Alternatively, the department may also, ~~at its discretion~~,
939 issue a permit for a more landward relocation or rebuilding of a
940 damaged or existing structure if such relocation or rebuilding
941 would not cause further harm to the beach-dune system, and if,
942 in the case of rebuilding, the ~~such~~ rebuilding complies with ~~the~~
943 ~~provisions of~~ subsection (4) ~~(5)~~, and otherwise complies with
944 ~~the provisions of~~ this subsection.

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

949 (c) In reviewing applications for relocation or rebuilding,
950 the department shall specifically consider changes in shoreline
951 conditions, the availability of other relocation or rebuilding
952 options, and the design adequacy of the project sought to be
953 rebuilt.

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

957 (13)~~(14)~~ Concurrent with the establishment of a coastal

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958 construction control line and the ongoing administration of this
959 chapter, the secretary of the department shall make
960 recommendations to the Board of Trustees of the Internal
961 Improvement Trust Fund concerning the purchase of the fee or any
962 lesser interest in any lands seaward of the control line
963 pursuant to the state's Save Our Coast, Conservation and
964 Recreation Lands, or Outdoor Recreation Land acquisition
965 programs; and, with respect to those control lines established
966 pursuant to this section before ~~prior to~~ June 14, 1978, the
967 secretary may make such recommendations.

968 (14) ~~(15)~~ A coastal county or municipality fronting on the
969 Gulf of Mexico, the Atlantic Ocean, or the Straits of Florida
970 shall advise the department within 5 days after receipt of any
971 permit application for construction or other activities proposed
972 to be located seaward of the line established by the department
973 pursuant to ~~the provisions of~~ this section. Within 5 days after
974 receipt of such application, the county or municipality shall
975 notify the applicant of the requirements for state permits.

976 (15) ~~(16)~~ In keeping with the intent of subsection (3) ~~(4)~~,
977 ~~and at the discretion of the department,~~ authority for
978 permitting certain types of activities that ~~which~~ have been
979 defined by the department may be delegated by the department to
980 a coastal county or coastal municipality. Such partial
981 delegation shall be narrowly construed to those particular
982 activities specifically named in the delegation and agreed to by
983 the affected county or municipality. ~~and~~ The delegation may be
984 revoked by the department at any time if it is determined that
985 the delegation is improperly or inadequately administered.

986 (16) ~~(17)~~ The department may, at the request of a property

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987 owner, contract with the ~~such~~ property owner for an agreement,
988 or modify an existing contractual agreement regulating
989 development activities landward of a coastal construction
990 control line, if ~~provided that nothing within~~ the contractual
991 agreement is consistent ~~shall be inconsistent~~ with the design
992 and siting provisions of this section. ~~In no case shall~~ The
993 contractual agreement may not bind either party for a period
994 longer than 5 years following ~~from~~ its date of execution. Before
995 ~~Prior to~~ beginning a ~~any~~ construction activity covered by the
996 agreement, the property owner must ~~shall~~ obtain the necessary
997 authorization required by the agreement. The agreement may ~~shall~~
998 not authorize construction for:

999 (a) Major habitable structures that ~~which would~~ require
1000 construction beyond the expiration of the agreement, unless such
1001 construction is above the completed foundation; or

1002 (b) Nonhabitable major structures or minor structures,
1003 unless such construction is ~~was~~ authorized at the same time as
1004 the habitable major structure.

1005 ~~(17)-(18)~~ The department may ~~is authorized to~~ grant areawide
1006 permits to local governments, other governmental agencies, and
1007 utility companies for special classes of activities in areas
1008 under their general jurisdiction or responsibility if, ~~so long~~
1009 ~~as~~ these activities, due to the type, size, or temporary nature
1010 of the activity, will not cause measurable interference with the
1011 natural functioning of the beach-dune ~~beach-dune~~ system or with
1012 marine turtles or their nesting sites. Such activities ~~shall~~
1013 include, but are not ~~be~~ limited to: road repairs, not including
1014 new construction; utility repairs and replacements, or other
1015 minor activities necessary to provide utility services; beach

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1016 cleaning; and emergency response. The department may adopt rules
1017 to establish criteria and guidelines for ~~use by~~ permit
1018 applicants. The department must ~~shall~~ require notice provisions
1019 appropriate to the type and nature of the activities for which
1020 the areawide permits are sought.

1021 ~~(18)(19)~~ The department may ~~is authorized to~~ grant general
1022 permits for projects, including dune walkovers, decks, fences,
1023 landscaping, sidewalks, driveways, pool resurfacing, minor pool
1024 repairs, and other nonhabitable structures, if the ~~so long as~~
1025 ~~these~~ projects, due to their ~~the~~ type, size, or temporary nature
1026 ~~of the project~~, will not cause a measurable interference with
1027 the natural functioning of the beach-dune ~~beach-dune~~ system or
1028 with marine turtles or their nesting sites. ~~In no event shall~~
1029 Multifamily habitable structures do not qualify for general
1030 permits. However, single-family habitable structures that ~~which~~
1031 do not advance the line of existing construction and satisfy all
1032 siting and design requirements of this section may be eligible
1033 for a general permit ~~pursuant to this subsection~~. The department
1034 may adopt rules to establish criteria and guidelines for ~~use by~~
1035 permit applicants.

1036 (a) Persons wishing to use the general permits must ~~set~~
1037 ~~forth in this subsection shall~~, at least 30 days before
1038 beginning any work, notify the department in writing on forms
1039 adopted by the department. The notice must ~~shall~~ include a
1040 description of the proposed project and supporting documents
1041 depicting the proposed project, its location, and other
1042 pertinent information as required by rule, to demonstrate that
1043 the proposed project qualifies for the requested general permit.
1044 Persons who undertake projects without proof of notice to the

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1045 department, but whose projects would otherwise qualify for
1046 general permits, shall be considered to have ~~as being~~ undertaken
1047 a project without a permit and are ~~shall be~~ subject to
1048 enforcement pursuant to s. 161.121.

1049 (b) Persons wishing to use a general permit must provide
1050 notice as required by the applicable local building code where
1051 the project will be located. If a building code requires no
1052 notice, any person wishing to use a general permit must, at a
1053 minimum, post on the property at least 5 days before commencing
1054 ~~prior to the commencement of~~ construction a sign no smaller than
1055 88 square inches, with letters no smaller than one-quarter inch,
1056 describing the project.

1057 ~~(19)-(20)~~(a) The department may suspend or revoke the use of
1058 a general or areawide permit for good cause, including:
1059 submission of false or inaccurate information in the
1060 notification for use of a general or areawide permit; violation
1061 of law, department orders, or rules relating to permit
1062 conditions; deviation from the specified activity or project
1063 indicated or the conditions for undertaking the activity or
1064 project; refusal of lawful inspection; or any other act by ~~on~~
1065 the permittee ~~permittee's part in using the general or areawide~~
1066 ~~permit~~ which results or may result in harm or injury to human
1067 health or welfare, or which causes harm or injury to animal,
1068 plant, or aquatic life or to property.

1069 (b) The department shall have access to the permitted
1070 activity or project at reasonable times to inspect and determine
1071 compliance with the permit and department rules.

1072 ~~(20)-(21)~~ The department may ~~is authorized to~~ adopt rules
1073 related to the ~~following provisions of this section:~~

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1074 establishment of coastal construction control lines; activities
1075 seaward of the coastal construction control line; exemptions;
1076 property owner agreements; delegation of the program; permitting
1077 programs; and violations and penalties.

1078 (21)~~(22)~~ In accordance with ss. 553.73 and 553.79, and upon
1079 the effective date of the Florida Building Code, the provisions
1080 of this section which pertain to and govern the design,
1081 construction, erection, alteration, modification, repair, and
1082 demolition of public and private buildings, structures, and
1083 facilities shall be incorporated into the Florida Building Code.
1084 The Florida Building Commission may ~~shall have the authority to~~
1085 adopt rules pursuant to ss. 120.536 and 120.54 ~~in order~~ to
1086 administer ~~implement~~ those provisions. This subsection does not
1087 limit or abrogate the right and authority of the department to
1088 require permits or to adopt and enforce environmental standards,
1089 including, but not limited to, standards for ensuring the
1090 protection of the beach-dune system, proposed or existing
1091 structures, adjacent properties, marine turtles, native salt-
1092 resistant vegetation, endangered plant communities, and the
1093 preservation of public beach access.

1094 Section 17. Subsection (2) of section 161.161, Florida
1095 Statutes, is amended to read:

1096 161.161 Procedure for approval of projects.—

1097 (2) Annually ~~Upon approval of the beach management plan,~~
1098 the secretary shall present to the Legislature ~~President of the~~
1099 ~~Senate, the Speaker of the House of Representatives, and the~~
1100 ~~chairs of the legislative appropriations committees~~
1101 recommendations for funding ~~of~~ beach erosion control projects
1102 prioritized according to the. ~~Such recommendations shall be~~

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1103 ~~presented to such members of the Legislature in the priority~~
1104 ~~order specified in the plan and established pursuant to criteria~~
1105 ~~established contained in s. 161.101(14).~~

1106 Section 18. Section 163.2526, Florida Statutes, is
1107 repealed.

1108 Section 19. Subsection (2) of section 163.3167, Florida
1109 Statutes, is amended to read:

1110 163.3167 Scope of act.—

1111 (2) Each local government shall prepare a comprehensive
1112 plan of the type and in the manner set out in this part ~~act~~ or
1113 ~~shall~~ prepare amendments to its existing comprehensive plan to
1114 conform it to the requirements of this part and in the manner
1115 set out in this part. Each local government, in accordance with
1116 ~~the procedures in s. 163.3184,~~ shall submit its complete
1117 proposed comprehensive plan or its complete comprehensive plan
1118 as proposed to be amended to the state land planning agency ~~by~~
1119 ~~the date specified in the rule adopted by the state land~~
1120 ~~planning agency pursuant to this subsection. The state land~~
1121 ~~planning agency shall, prior to October 1, 1987, adopt a~~
1122 ~~schedule of local governments required to submit complete~~
1123 ~~proposed comprehensive plans or comprehensive plans as proposed~~
1124 ~~to be amended. Such schedule shall specify the exact date of~~
1125 ~~submission for each local government, shall establish equal,~~
1126 ~~staggered submission dates, and shall be consistent with the~~
1127 ~~following time periods:~~

1128 ~~(a) Beginning on July 1, 1988, and on or before July 1,~~
1129 ~~1990, each county that is required to include a coastal~~
1130 ~~management element in its comprehensive plan and each~~
1131 ~~municipality in such a county; and~~

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1132 ~~(b) Beginning on July 1, 1989, and on or before July 1,~~
1133 ~~1991, all other counties or municipalities.~~

1134
1135 ~~Nothing herein shall preclude the state land planning agency~~
1136 ~~from permitting by rule a county together with each municipality~~
1137 ~~in the county from submitting a proposed comprehensive plan~~
1138 ~~earlier than the dates established in paragraphs (a) and (b).~~
1139 ~~Any county or municipality that fails to meet the schedule set~~
1140 ~~for submission of its proposed comprehensive plan by more than~~
1141 ~~90 days shall be subject to the sanctions described in s.~~
1142 ~~163.3184(11) (a) imposed by the Administration Commission.~~
1143 ~~Notwithstanding the time periods established in this subsection,~~
1144 ~~the state land planning agency may establish later deadlines for~~
1145 ~~the submission of proposed comprehensive plans or comprehensive~~
1146 ~~plans as proposed to be amended for a county or municipality~~
1147 ~~which has all or a part of a designated area of critical state~~
1148 ~~concern within its boundaries; however, such deadlines shall not~~
1149 ~~be extended to a date later than July 1, 1991, or the time of~~
1150 ~~de-designation, whichever is earlier.~~

1151 Section 20. Paragraph (h) of subsection (6) and paragraph
1152 (k) of subsection (10) of section 163.3177, Florida Statutes,
1153 are amended to read:

1154 163.3177 Required and optional elements of comprehensive
1155 plan; studies and surveys.—

1156 (6) In addition to the requirements of subsections (1)-(5)
1157 and (12), the comprehensive plan shall include the following
1158 elements:

1159 (h)1. An intergovernmental coordination element showing
1160 relationships and stating principles and guidelines to be used

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1161 in coordinating ~~the accomplishment of coordination~~ of the
1162 adopted comprehensive plan with the plans of school boards,
1163 regional water supply authorities, and other units of local
1164 government providing services but not having regulatory
1165 authority over the use of land, with the comprehensive plans of
1166 adjacent municipalities, the county, adjacent counties, or the
1167 region, with the state comprehensive plan and with the
1168 applicable regional water supply plan approved pursuant to s.
1169 373.0361, as the case may require and as such adopted plans or
1170 plans in preparation may exist. This element of the local
1171 comprehensive plan must ~~shall~~ demonstrate consideration of the
1172 particular effects of the local plan, when adopted, upon the
1173 development of adjacent municipalities, the county, adjacent
1174 counties, or the region, or upon the state comprehensive plan,
1175 as the case may require.

1176 a. The intergovernmental coordination element must ~~shall~~
1177 provide ~~for~~ procedures for identifying and implementing ~~to~~
1178 ~~identify and implement~~ joint planning areas, especially for the
1179 purpose of annexation, municipal incorporation, and joint
1180 infrastructure service areas.

1181 b. The intergovernmental coordination element must ~~shall~~
1182 provide for recognition of campus master plans prepared pursuant
1183 to s. 1013.30.

1184 c. The intergovernmental coordination element may provide
1185 for a voluntary dispute resolution process, as established
1186 pursuant to s. 186.509, for bringing to closure in a timely
1187 ~~manner~~ intergovernmental disputes to closure in a timely manner.
1188 A local government may also develop and use an alternative local
1189 dispute resolution process for this purpose.

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1190 2. The intergovernmental coordination element shall also
1191 ~~further~~ state principles and guidelines to be used in
1192 coordinating ~~the accomplishment of coordination of~~ the adopted
1193 comprehensive plan with the plans of school boards and other
1194 units of local government providing facilities and services but
1195 not having regulatory authority over the use of land. In
1196 addition, the intergovernmental coordination element must ~~shall~~
1197 describe joint processes for collaborative planning and
1198 decisionmaking on population projections and public school
1199 siting, the location and extension of public facilities subject
1200 to concurrency, and siting facilities with countywide
1201 significance, including locally unwanted land uses whose nature
1202 and identity are established in an agreement. Within 1 year
1203 after ~~of~~ adopting their intergovernmental coordination elements,
1204 each county, all the municipalities within that county, the
1205 district school board, and any unit of local government service
1206 providers in that county shall establish by interlocal or other
1207 formal agreement executed by all affected entities, the joint
1208 processes described in this subparagraph consistent with their
1209 adopted intergovernmental coordination elements.

1210 3. To foster coordination between special districts and
1211 local general-purpose governments as local general-purpose
1212 governments implement local comprehensive plans, each
1213 independent special district must submit a public facilities
1214 report to the appropriate local government as required by s.
1215 189.415.

1216 4. ~~a.~~ Local governments must execute an interlocal agreement
1217 with the district school board, the county, and nonexempt
1218 municipalities pursuant to s. 163.31777. The local government

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1219 shall amend the intergovernmental coordination element to ensure
1220 ~~provide~~ that coordination between the local government and
1221 school board is pursuant to the agreement and shall state the
1222 obligations of the local government under the agreement.

1223 ~~b.~~ Plan amendments that comply with this subparagraph are
1224 exempt from the provisions of s. 163.3187(1).

1225 ~~5. The state land planning agency shall establish a~~
1226 ~~schedule for phased completion and transmittal of plan~~
1227 ~~amendments to implement subparagraphs 1., 2., and 3. from all~~
1228 ~~jurisdictions so as to accomplish their adoption by December 31,~~
1229 ~~1999. A local government may complete and transmit its plan~~
1230 ~~amendments to carry out these provisions prior to the scheduled~~
1231 ~~date established by the state land planning agency. The plan~~
1232 ~~amendments are exempt from the provisions of s. 163.3187(1).~~

1233 ~~5.6.~~ By January 1, 2004, any county having a population
1234 greater than 100,000, and the municipalities and special
1235 districts within that county, shall submit a report to the
1236 Department of Community Affairs which identifies:

1237 a. ~~Identifies~~ All existing or proposed interlocal service
1238 delivery agreements relating to ~~regarding the following~~:
1239 education; sanitary sewer; public safety; solid waste; drainage;
1240 potable water; parks and recreation; and transportation
1241 facilities.

1242 b. ~~Identifies~~ Any deficits or duplication in the provision
1243 of services within its jurisdiction, whether capital or
1244 operational. Upon request, the Department of Community Affairs
1245 shall provide technical assistance to the local governments in
1246 identifying deficits or duplication.

1247 ~~6.7.~~ Within 6 months after submission of the report, the

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1248 Department of Community Affairs shall, through the appropriate
1249 regional planning council, coordinate a meeting of all local
1250 governments within the regional planning area to discuss the
1251 reports and potential strategies to remedy any identified
1252 deficiencies or duplications.

1253 ~~7.8.~~ Each local government shall update its
1254 intergovernmental coordination element based upon the findings
1255 in the report submitted pursuant to subparagraph ~~5. 6.~~ The
1256 report may be used as supporting data and analysis for the
1257 intergovernmental coordination element.

1258 (10) The Legislature recognizes the importance and
1259 significance of chapter 9J-5, Florida Administrative Code, the
1260 Minimum Criteria for Review of Local Government Comprehensive
1261 Plans and Determination of Compliance of the Department of
1262 Community Affairs that will be used to determine compliance of
1263 local comprehensive plans. The Legislature reserved unto itself
1264 the right to review chapter 9J-5, Florida Administrative Code,
1265 and to reject, modify, or take no action relative to this rule.
1266 Therefore, pursuant to subsection (9), the Legislature hereby
1267 has reviewed chapter 9J-5, Florida Administrative Code, and
1268 expresses the following legislative intent:

1269 (k) In order for ~~So that~~ local governments ~~are able~~ to
1270 prepare and adopt comprehensive plans with knowledge of the
1271 rules that are ~~will be~~ applied to determine consistency of the
1272 plans with ~~provisions of~~ this part, ~~it is the intent of the~~
1273 ~~Legislature that~~ there should be no doubt as to the legal
1274 standing of chapter 9J-5, Florida Administrative Code, at the
1275 close of the 1986 legislative session. Therefore, the
1276 Legislature declares that changes made to chapter 9J-5 before

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1277 ~~Florida Administrative Code, prior to October 1, 1986, are shall~~
1278 ~~not be~~ subject to rule challenges under s. 120.56(2), or to
1279 drawout proceedings under s. 120.54(3)(c)2. The entire chapter
1280 9J-5, Florida Administrative Code, as amended, is ~~shall be~~
1281 subject to rule challenges under s. 120.56(3), as nothing herein
1282 indicates ~~shall be construed to indicate~~ approval or disapproval
1283 of any portion of chapter 9J-5, ~~Florida Administrative Code,~~ not
1284 specifically addressed herein. ~~No challenge pursuant to s.~~
1285 ~~120.56(3) may be filed from July 1, 1987, through April 1, 1993.~~
1286 ~~Any amendments to chapter 9J-5, Florida Administrative Code,~~
1287 ~~exclusive of the amendments adopted prior to October 1, 1986,~~
1288 ~~pursuant to this act, shall be subject to the full chapter 120~~
1289 ~~process. All amendments shall have effective dates as provided~~
1290 ~~in chapter 120 and submission to the President of the Senate and~~
1291 ~~Speaker of the House of Representatives shall not be required.~~

1292 Section 21. Subsection (6) of section 163.3178, Florida
1293 Statutes, is amended to read:

1294 163.3178 Coastal management.—

1295 (6) Local governments are encouraged to adopt countywide
1296 marina siting plans to designate sites for existing and future
1297 marinas. The Coastal Resources Interagency Management Committee,
1298 at the direction of the Legislature, shall identify incentives
1299 to encourage local governments to adopt such siting plans and
1300 uniform criteria and standards to be used by local governments
1301 to implement state goals, objectives, and policies relating to
1302 marina siting. These criteria must ensure that priority is given
1303 to water-dependent land uses. ~~The Coastal Resources Interagency~~
1304 ~~Management Committee shall submit its recommendations regarding~~
1305 ~~local government incentives to the Legislature by December 1,~~

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1306 ~~1993.~~ Countywide marina siting plans must be consistent with
1307 state and regional environmental planning policies and
1308 standards. Each local government in the coastal area which
1309 participates in the adoption of a countywide marina siting plan
1310 shall incorporate the plan into the coastal management element
1311 of its local comprehensive plan.

1312 Section 22. Subsection (12) of section 163.519, Florida
1313 Statutes, is repealed.

1314 Section 23. Subsection (9) of section 186.007, Florida
1315 Statutes, is repealed.

1316 Section 24. Subsection (5) of section 189.4035, Florida
1317 Statutes, is amended to read:

1318 189.4035 Preparation of official list of special
1319 districts.—

1320 (5) The official list of special districts shall be
1321 available on the department's website ~~distributed by the~~
1322 ~~department on October 1 of each year to the President of the~~
1323 ~~Senate, the Speaker of the House of Representatives, the Auditor~~
1324 ~~General, the Department of Revenue, the Department of Financial~~
1325 ~~Services, the Department of Management Services, the State Board~~
1326 ~~of Administration, counties, municipalities, county property~~
1327 ~~appraisers, tax collectors, and supervisors of elections and to~~
1328 ~~all interested parties who request the list.~~

1329 Section 25. Subsection (2) of section 189.412, Florida
1330 Statutes, is amended to read:

1331 189.412 Special District Information Program; duties and
1332 responsibilities.—The Special District Information Program of
1333 the Department of Community Affairs is created and has the
1334 following special duties:

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1335 (2) The maintenance of a master list of independent and
1336 dependent special districts which shall be available on the
1337 department's website ~~annually updated and distributed to the~~
1338 ~~appropriate officials in state and local governments.~~

1339 Section 26. Subsection (2) of section 194.034, Florida
1340 Statutes, is amended to read:

1341 194.034 Hearing procedures; rules.—

1342 (2) ~~If In each case, Except when~~ a complaint is withdrawn
1343 by the petitioner or is acknowledged as correct by the property
1344 appraiser, the value adjustment board shall render a written
1345 decision in each case. All ~~such~~ decisions shall be issued within
1346 20 calendar days after ~~of~~ the last day the board is in session
1347 under s. 194.032. The decision of the board must ~~shall~~ contain
1348 findings of fact and conclusions of law and must ~~shall~~ include
1349 reasons for upholding or overturning the determination of the
1350 property appraiser. ~~If When~~ a special magistrate has been
1351 appointed, the recommendations of the special magistrate shall
1352 be considered by the board. ~~The clerk,~~ Upon issuance of the
1353 board's decision ~~decisions~~, the clerk shall, on a form provided
1354 by the Department of Revenue, notify by first-class mail each
1355 taxpayer and, ~~the property appraiser, and the department~~ of the
1356 decision of the board.

1357 Section 27. Paragraph (b) of subsection (1) of section
1358 206.606, Florida Statutes, is amended to read:

1359 206.606 Distribution of certain proceeds.—

1360 (1) Moneys collected pursuant to ss. 206.41(1)(g) and
1361 206.87(1)(e) shall be deposited in the Fuel Tax Collection Trust
1362 Fund. Such moneys, after deducting the service charges imposed
1363 by s. 215.20, the refunds granted pursuant to s. 206.41, and the

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1364 administrative costs incurred by the department in collecting,
1365 administering, enforcing, and distributing the tax, which
1366 administrative costs may not exceed 2 percent of collections,
1367 shall be distributed monthly to the State Transportation Trust
1368 Fund, except that:

1369 (b) Annually, \$2.5 million shall be transferred to the
1370 State Game Trust Fund in the Fish and Wildlife Conservation
1371 Commission ~~in each fiscal year~~ and used for recreational boating
1372 activities, and freshwater fisheries management and research.
1373 The transfers must be made in equal monthly amounts beginning on
1374 July 1 of each fiscal year. The commission shall annually
1375 determine where unmet needs exist for boating-related
1376 activities, and may fund such activities in counties where, due
1377 to the number of vessel registrations, sufficient financial
1378 resources are unavailable.

1379 1. A minimum of \$1.25 million shall be used to fund local
1380 projects to provide recreational channel marking and other
1381 uniform waterway markers, public boat ramps, lifts, and hoists,
1382 marine railways, and other public launching facilities, derelict
1383 vessel removal, and other local boating-related activities. In
1384 funding the projects, the commission shall give priority
1385 consideration to as follows:

1386 a. Unmet needs in counties having ~~with~~ populations of
1387 100,000 or fewer ~~less~~.

1388 b. Unmet needs in coastal counties having ~~with~~ a high level
1389 of boating-related activities from individuals residing in other
1390 counties.

1391 2. The remaining \$1.25 million may be used for recreational
1392 boating activities and freshwater fisheries management and

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1393 research.

1394 3. The commission may ~~is authorized to~~ adopt rules pursuant
1395 ~~to ss. 120.536(1) and 120.54~~ to administer ~~implement~~ a Florida
1396 Boating Improvement Program.

1397

1398 ~~On February 1 of each year,~~ The commission shall prepare and
1399 make available on its Internet website ~~file~~ an annual report
1400 ~~with the President of the Senate and the Speaker of the House of~~
1401 ~~Representatives~~ outlining the status of its Florida Boating
1402 Improvement Program, including the projects funded, and a list
1403 of counties whose needs are unmet due to insufficient financial
1404 resources from vessel registration fees.

1405 Section 28. Paragraph (b) of subsection (4) of section
1406 212.054, Florida Statutes, is amended to read:

1407 212.054 Discretionary sales surtax; limitations,
1408 administration, and collection.—

1409 (4)

1410 (b) The proceeds of a discretionary sales surtax collected
1411 by the selling dealer located in a county imposing ~~which imposes~~
1412 the surtax shall be returned, less the cost of administration,
1413 to the county where the selling dealer is located. The proceeds
1414 shall be transferred to the Discretionary Sales Surtax Clearing
1415 Trust Fund. A separate account shall be established in the ~~such~~
1416 trust fund for each county imposing a discretionary surtax. The
1417 amount deducted for the costs of administration may ~~shall~~ not
1418 exceed 3 percent of the total revenue generated for all counties
1419 levying a surtax authorized in s. 212.055. The amount deducted
1420 for the costs of administration may ~~shall~~ be used only for ~~those~~
1421 costs that ~~which~~ are solely and directly attributable to the

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1422 surtax. The total cost of administration shall be prorated among
1423 those counties levying the surtax on the basis of the amount
1424 collected for a particular county to the total amount collected
1425 for all counties. ~~No later than March 1 of each year, the~~
1426 ~~department shall submit a written report which details the~~
1427 ~~expenses and amounts deducted for the costs of administration to~~
1428 ~~the President of the Senate, the Speaker of the House of~~
1429 ~~Representatives, and the governing authority of each county~~
1430 ~~levying a surtax.~~ The department shall distribute the moneys in
1431 the trust fund ~~each month~~ to the appropriate counties each
1432 month, unless otherwise provided in s. 212.055.

1433 Section 29. Paragraph (j) of subsection (5) of section
1434 212.08, Florida Statutes, is amended to read:

1435 212.08 Sales, rental, use, consumption, distribution, and
1436 storage tax; specified exemptions.—The sale at retail, the
1437 rental, the use, the consumption, the distribution, and the
1438 storage to be used or consumed in this state of the following
1439 are hereby specifically exempt from the tax imposed by this
1440 chapter.

1441 (5) EXEMPTIONS; ACCOUNT OF USE.—

1442 (j) *Machinery and equipment used in semiconductor, defense,*
1443 *or space technology production.—*

1444 1.a. Industrial machinery and equipment used in
1445 semiconductor technology facilities certified under subparagraph
1446 5. to manufacture, process, compound, or produce semiconductor
1447 technology products for sale or for use by these facilities are
1448 exempt from the tax imposed by this chapter. For purposes of
1449 this paragraph, industrial machinery and equipment includes
1450 molds, dies, machine tooling, other appurtenances or accessories

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1451 to machinery and equipment, testing equipment, test beds,
1452 computers, and software, whether purchased or self-fabricated,
1453 and, if self-fabricated, includes materials and labor for
1454 design, fabrication, and assembly.

1455 b. Industrial machinery and equipment used in defense or
1456 space technology facilities certified under subparagraph 5. to
1457 design, manufacture, assemble, process, compound, or produce
1458 defense technology products or space technology products for
1459 sale or for use by these facilities are exempt from the tax
1460 imposed by this chapter.

1461 2. Building materials purchased for use in manufacturing or
1462 expanding clean rooms in semiconductor-manufacturing facilities
1463 are exempt from the tax imposed by this chapter.

1464 3. In addition to meeting the criteria mandated by
1465 subparagraph 1. or subparagraph 2., a business must be certified
1466 by the Office of Tourism, Trade, and Economic Development ~~as~~
1467 ~~authorized in this paragraph~~ in order to qualify for exemption
1468 under this paragraph.

1469 4. For items purchased tax-exempt pursuant to this
1470 paragraph, possession of a written certification from the
1471 purchaser, certifying the purchaser's entitlement to the
1472 exemption ~~pursuant to this paragraph~~, relieves the seller of the
1473 responsibility of collecting the tax on the sale of such items,
1474 and the department shall look solely to the purchaser for
1475 recovery of the tax if it determines that the purchaser was not
1476 entitled to the exemption.

1477 5.a. To be eligible to receive the exemption provided by
1478 subparagraph 1. or subparagraph 2., a qualifying business entity
1479 shall ~~apply~~ initially apply to Enterprise Florida, Inc. The

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1480 original certification is ~~shall be~~ valid for a period of 2
1481 years. In lieu of submitting a new application, the original
1482 certification may be renewed biennially by submitting to the
1483 Office of Tourism, Trade, and Economic Development a statement,
1484 certified under oath, that there has been no material change in
1485 the conditions or circumstances entitling the business entity to
1486 the original certification. The initial application and the
1487 certification renewal statement shall be developed by the Office
1488 of Tourism, Trade, and Economic Development in consultation with
1489 Enterprise Florida, Inc.

1490 b. Enterprise Florida, Inc., shall review each submitted
1491 initial application ~~and information~~ and determine whether or not
1492 the application is complete within 5 working days. Once ~~an~~
1493 ~~application is~~ complete, Enterprise Florida, Inc., shall, within
1494 10 working days, evaluate the application and recommend approval
1495 or disapproval ~~of the application~~ to the Office of Tourism,
1496 Trade, and Economic Development.

1497 c. Upon receipt of the initial application and
1498 recommendation from Enterprise Florida, Inc., or upon receipt of
1499 a certification renewal statement, the Office of Tourism, Trade,
1500 and Economic Development shall certify within 5 working days
1501 those applicants who are found to meet the requirements of this
1502 section and notify the applicant, Enterprise Florida, Inc., and
1503 the department of the original certification or certification
1504 renewal. If the Office of Tourism, Trade, and Economic
1505 Development finds that the applicant does not meet the
1506 requirements ~~of this section~~, it shall notify the applicant and
1507 Enterprise Florida, Inc., within 10 working days that the
1508 application for certification has been denied and the reasons

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1509 for denial. The Office of Tourism, Trade, and Economic
1510 Development has final approval authority for certification under
1511 this section.

1512 d. The initial application and certification renewal
1513 statement must indicate, for program evaluation purposes only,
1514 the average number of full-time equivalent employees at the
1515 facility over the preceding calendar year, the average wage and
1516 benefits paid to those employees over the preceding calendar
1517 year, the total investment made in real and tangible personal
1518 property over the preceding calendar year, and the total value
1519 of tax-exempt purchases and taxes exempted during the previous
1520 year. The department shall assist the Office of Tourism, Trade,
1521 and Economic Development in evaluating and verifying information
1522 provided in the application for exemption.

1523 e. The Office of Tourism, Trade, and Economic Development
1524 may use the information reported on the initial application and
1525 certification renewal statement for evaluation purposes only ~~and~~
1526 ~~shall prepare an annual report on the exemption program and its~~
1527 ~~cost and impact. The annual report for the preceding fiscal year~~
1528 ~~shall be submitted to the Governor, the President of the Senate,~~
1529 ~~and the Speaker of the House of Representatives by September 30~~
1530 ~~of each fiscal year.~~

1531 6. A business certified to receive this exemption may elect
1532 to designate one or more state universities or community
1533 colleges as recipients of up to 100 percent of the amount of the
1534 exemption ~~for which they may qualify~~. To receive these funds,
1535 the institution must agree to match the funds ~~so earned~~ with
1536 equivalent cash, programs, services, or other in-kind support on
1537 a one-to-one basis for ~~in the pursuit of~~ research and

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1538 development projects ~~as~~ requested by the certified business. The
1539 rights to any patents, royalties, or real or intellectual
1540 property must be vested in the business unless otherwise agreed
1541 to by the business and the university or community college.

1542 7. As used in this paragraph, the term:

1543 a. "Semiconductor technology products" means raw
1544 semiconductor wafers or semiconductor thin films that are
1545 transformed into semiconductor memory or logic wafers, including
1546 wafers containing mixed memory and logic circuits; related
1547 assembly and test operations; active-matrix flat panel displays;
1548 semiconductor chips; semiconductor lasers; optoelectronic
1549 elements; and related semiconductor technology products as
1550 determined by the Office of Tourism, Trade, and Economic
1551 Development.

1552 b. "Clean rooms" means manufacturing facilities enclosed in
1553 a manner that meets the clean manufacturing requirements
1554 necessary for high-technology semiconductor-manufacturing
1555 environments.

1556 c. "Defense technology products" means products that have a
1557 military application, including, but not limited to, weapons,
1558 weapons systems, guidance systems, surveillance systems,
1559 communications or information systems, munitions, aircraft,
1560 vessels, or boats, or components thereof, which are intended for
1561 military use and manufactured in performance of a contract with
1562 the United States Department of Defense or the military branch
1563 of a recognized foreign government or a subcontract thereunder
1564 which relates to matters of national defense.

1565 d. "Space technology products" means products that are
1566 specifically designed or manufactured for application in space

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1567 activities, including, but not limited to, space launch
1568 vehicles, space flight vehicles, missiles, satellites or
1569 research payloads, avionics, and associated control systems and
1570 processing systems and components of any of the foregoing. The
1571 term does not include products that are designed or manufactured
1572 for general commercial aviation or other uses even though those
1573 products may also serve an incidental use in space applications.

1574 Section 30. Section 213.0452, Florida Statutes, is
1575 repealed.

1576 Section 31. Section 213.054, Florida Statutes, is repealed.

1577 Section 32. Subsection (3) of section 215.70, Florida
1578 Statutes, is amended to read:

1579 215.70 State Board of Administration to act in case of
1580 defaults.—

1581 (3) ~~It shall be the duty of~~ The State Board of
1582 Administration shall ~~to~~ monitor the debt service accounts for
1583 bonds issued pursuant to this act. The board shall advise the
1584 Governor and Legislature of any projected need to appropriate
1585 funds to honor the pledge of full faith and credit of the state.
1586 The report must ~~shall~~ include the estimated amount of
1587 appropriations needed, the estimated maximum amount of
1588 appropriations needed, and a contingency appropriation request
1589 for each bond issue.

1590 Section 33. Paragraph (z) of subsection (1) of section
1591 216.011, Florida Statutes, is amended to read:

1592 216.011 Definitions.—

1593 (1) For the purpose of fiscal affairs of the state,
1594 appropriations acts, legislative budgets, and approved budgets,
1595 each of the following terms has the meaning indicated:

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1596 (z) "Long-range program plan" means a plan developed
1597 pursuant to s. 216.013 ~~on an annual basis by each state agency~~
1598 ~~that is policy based, priority driven, accountable, and~~
1599 ~~developed through careful examination and justification of all~~
1600 ~~programs and their associated costs. Each plan is developed by~~
1601 ~~examining the needs of agency customers and clients and~~
1602 ~~proposing programs and associated costs to address those needs~~
1603 ~~based on state priorities as established by law, the agency~~
1604 ~~mission, and legislative authorization. The plan provides the~~
1605 ~~framework and context for preparing the legislative budget~~
1606 ~~request and includes performance indicators for evaluating the~~
1607 ~~impact of programs and agency performance.~~

1608 Section 34. Paragraph (c) of subsection (10) of section
1609 216.181, Florida Statutes, is repealed.

1610 Section 35. Subsection (5) of section 252.55, Florida
1611 Statutes, is amended to read:

1612 252.55 Civil Air Patrol, Florida Wing.—

1613 (5) The wing commander of the Florida Wing of the Civil Air
1614 Patrol shall biennially furnish the Bureau of Emergency
1615 Management a 2-year ~~an annual~~ projection of the goals and
1616 objectives of the Civil Air Patrol which shall ~~for the following~~
1617 ~~year. These will~~ be reported ~~to the Governor~~ in the division's
1618 biennial ~~annual~~ report submitted pursuant to s. 252.35 ~~of the~~
1619 ~~division on February 1 of each year.~~

1620 Section 36. Subsection (1) of section 253.7825, Florida
1621 Statutes, is amended to read:

1622 253.7825 Recreational uses.—

1623 (1) The Cross Florida Greenways State Recreation and
1624 Conservation Area must be managed as a multiple-use area

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1625 pursuant to s. 253.034(2)(a), and as ~~further~~ provided in this
1626 section herein. ~~The University of Florida Management Plan~~
1627 ~~provides a conceptual recreational plan that may ultimately be~~
1628 ~~developed at various locations throughout the greenways~~
1629 ~~corridor. The plan proposes to locate a number of the larger,~~
1630 ~~more comprehensive and complex recreational facilities in~~
1631 ~~sensitive, natural resource areas.~~ Future site-specific studies
1632 and investigations must be conducted by the department to
1633 determine compatibility with, and potential for adverse impact
1634 to, existing natural resources, need for the facility, the
1635 availability of other alternative locations with reduced adverse
1636 impacts to existing natural resources, and the proper specific
1637 sites and locations for the more comprehensive and complex
1638 facilities. Furthermore, it is appropriate, with the approval of
1639 the department, to allow more fishing docks, boat launches, and
1640 other user-oriented facilities to be developed and maintained by
1641 local governments.

1642 Section 37. Section 253.7826, Florida Statutes, is
1643 repealed.

1644 Section 38. Section 253.7829, Florida Statutes, is
1645 repealed.

1646 Section 39. Subsection (4) of section 259.037, Florida
1647 Statutes, is amended to read:

1648 259.037 Land Management Uniform Accounting Council.—

1649 (4) The council shall provide a report of the agencies'
1650 expenditures pursuant to the adopted categories ~~to the President~~
1651 ~~of the Senate and the Speaker of the House of Representatives~~
1652 ~~annually, beginning July 1, 2001. The council shall also provide~~
1653 ~~this report~~ to the Acquisition and Restoration Council and the

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1654 division for inclusion in its annual report required pursuant to
1655 s. 259.036.

1656 Section 40. Subsection (4) of section 267.074, Florida
1657 Statutes, is repealed.

1658 Section 41. Subsection (3) of section 284.50, Florida
1659 Statutes, is repealed.

1660 Section 42. Subsection (11) of section 287.045, Florida
1661 Statutes, is repealed.

1662 Section 43. Subsection (15) of section 287.059, Florida
1663 Statutes, is amended to read:

1664 287.059 Private attorney services.—

1665 (15) The Attorney General's office may, ~~by rule,~~ adopt
1666 standard fee schedules for court reporting services for each
1667 judicial circuit by rule, in consultation with the Florida Court
1668 Reporters Association. ~~Agencies,~~ When contracting for court
1669 reporting services, an agency shall ~~must~~ use the standard fee
1670 schedule ~~for court reporting services~~ established pursuant to
1671 this section unless a, ~~provided no~~ state contract is not
1672 applicable or unless the head of the agency or his or her
1673 designee waives use of the schedule and sets forth the reasons
1674 for deviating from the schedule in writing to the Attorney
1675 General. The ~~Such~~ waiver must demonstrate necessity based upon
1676 criteria for deviation from the schedule which the Attorney
1677 General shall establish by rule. ~~Any proposed fee schedule under~~
1678 ~~this section shall be submitted to the Governor, the Speaker of~~
1679 ~~the House of Representatives, the President of the Senate, and~~
1680 ~~the Chief Justice of the Florida Supreme Court at least 60 days~~
1681 ~~prior to publication of the notice to adopt the rule.~~

1682 Section 44. Subsection (7) of section 288.108, Florida

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1683 Statutes, is repealed.

1684 Section 45. Section 288.1185, Florida Statutes, is
1685 repealed.

1686 Section 46. Paragraph (e) of subsection (8) of section
1687 288.1229, Florida Statutes, is amended to read:

1688 288.1229 Promotion and development of sports-related
1689 industries and amateur athletics; direct-support organization;
1690 powers and duties.—

1691 (8) To promote amateur sports and physical fitness, the
1692 direct-support organization shall:

1693 (e) Promote Florida as a host for national and
1694 international amateur athletic competitions. ~~As part of this~~
1695 ~~effort, the direct-support organization shall:~~

1696 ~~1. Assist and support Florida cities or communities bidding~~
1697 ~~or seeking to host the Summer Olympics or Pan American Games.~~

1698 ~~2. Annually report to the Governor, the President of the~~
1699 ~~Senate, and the Speaker of the House of Representatives on the~~
1700 ~~status of the efforts of cities or communities bidding to host~~
1701 ~~the Summer Olympics or Pan American Games, including, but not~~
1702 ~~limited to, current financial and infrastructure status,~~
1703 ~~projected financial and infrastructure needs, and~~
1704 ~~recommendations for satisfying the unmet needs and fulfilling~~
1705 ~~the requirements for a successful bid in any year that the~~
1706 ~~Summer Olympics or Pan American Games are held in this state.~~

1707 Section 47. Subsection (4) of section 288.7015, Florida
1708 Statutes, is repealed.

1709 Section 48. Section 288.7771, Florida Statutes, is amended
1710 to read:

1711 288.7771 Annual report of Florida Export Finance

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1712 Corporation. ~~By March 31 of each year,~~ The corporation shall
1713 annually prepare and submit to Enterprise Florida, Inc., for
1714 inclusion in its annual report required by s. 288.095 ~~the~~
1715 ~~Governor, the President of the Senate, the Speaker of the House~~
1716 ~~of Representatives, the Senate Minority Leader, and the House~~
1717 ~~Minority Leader~~ a complete and detailed report setting forth:

1718 (1) The report required in s. 288.776(3).

1719 (2) Its assets and liabilities at the end of its most
1720 recent fiscal year.

1721 Section 49. Subsections (8), (10), and (11) of section
1722 288.8175, Florida Statutes, are repealed.

1723 Section 50. Subsection (5) of section 288.853, Florida
1724 Statutes, is repealed.

1725 Section 51. Subsection (5) of section 288.95155, Florida
1726 Statutes, is amended to read:

1727 288.95155 Florida Small Business Technology Growth
1728 Program.—

1729 (5) ~~By January 1 of each year,~~ Enterprise Florida, Inc.,
1730 shall prepare and include in its annual report required by s.
1731 288.095 a report on the financial status of the program ~~and the~~
1732 ~~account and shall submit a copy of the report to the board of~~
1733 ~~directors of Enterprise Florida, Inc., the appropriate~~
1734 ~~legislative committees responsible for economic development~~
1735 ~~oversight, and the appropriate legislative appropriations~~
1736 ~~subcommittees.~~ The report must ~~shall~~ specify the assets and
1737 liabilities of the account within the current fiscal year and
1738 must ~~shall~~ include a portfolio update that lists all of the
1739 businesses assisted, the private dollars leveraged by each
1740 business assisted, and the growth in sales and in employment of

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1741 each business assisted.

1742 Section 52. Paragraph (c) of subsection (4) of section
1743 288.9604, Florida Statutes, is amended to read:

1744 288.9604 Creation of the authority.—

1745 (4)

1746 (c) The directors of the corporation shall annually elect
1747 one of their members as chair and one as vice chair. The
1748 corporation may employ a president, technical experts, and such
1749 other agents and employees, permanent and temporary, as it
1750 requires and determine their qualifications, duties, and
1751 compensation. For such legal services as it requires, the
1752 corporation may employ or retain its own counsel and legal
1753 staff. ~~The corporation shall file with the governing body of~~
1754 ~~each public agency with which it has entered into an interlocal~~
1755 ~~agreement and with the Governor, the Speaker of the House of~~
1756 ~~Representatives, the President of the Senate, the Minority~~
1757 ~~Leaders of the Senate and House of Representatives, and the~~
1758 ~~Auditor General, on or before 90 days after the close of the~~
1759 ~~fiscal year of the corporation, a report of its activities for~~
1760 ~~the preceding fiscal year, which report shall include a complete~~
1761 ~~financial statement setting forth its assets, liabilities,~~
1762 ~~income, and operating expenses as of the end of such fiscal~~
1763 ~~year.~~

1764 Section 53. Section 288.9610, Florida Statutes, is amended
1765 to read:

1766 288.9610 Annual reports of Florida Development Finance
1767 Corporation.—On or before 90 days after the close of ~~By December~~
1768 ~~1 of each year,~~ the Florida Development Finance Corporation's
1769 fiscal year, the corporation shall submit to the Governor, the

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1770 ~~Legislature~~ ~~President of the Senate, the Speaker of the House of~~
1771 ~~Representatives, the Senate Minority Leader, the House Minority~~
1772 ~~Leader, the Auditor General, and the governing body of each~~
1773 ~~public entity with which it has entered into an interlocal~~
1774 ~~agreement city or county activating the Florida Development~~
1775 ~~Finance Corporation~~ a complete and detailed report setting
1776 forth:

1777 (1) The results of any audit conducted pursuant to s. 11.45
1778 ~~evaluation required in s. 11.45(3)(j).~~

1779 (2) The activities, operations, and accomplishments of the
1780 Florida Development Finance Corporation, including the number of
1781 businesses assisted by the corporation.

1782 (3) Its assets, and liabilities, income, and operating
1783 expenses at the end of its most recent fiscal year, including a
1784 description of all of its outstanding revenue bonds.

1785 Section 54. Subsection (6) of section 292.05, Florida
1786 Statutes, is amended to read:

1787 292.05 Duties of Department of Veterans' Affairs.—

1788 (6) The department shall, by ~~on~~ December 31 of each year,
1789 submit ~~make~~ an annual written report to the Governor, the
1790 Cabinet, and the Legislature which describes: ~~of the state, the~~
1791 ~~Speaker of the House of Representatives, and the President of~~
1792 ~~the Senate, which report shall show~~

1793 (a) The expenses incurred in veteran service work in the
1794 state; the number, nature, and kind of cases handled by the
1795 department and by county and city veteran service officers of
1796 the state; the amounts of benefits obtained for veterans; the
1797 names and addresses of all certified veteran service officers,
1798 including county and city veteran service officers. The report

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1799 ~~must shall~~ also describe the actions taken by the department in
1800 implementing subsections (4), (5), and (7) and include shall
1801 ~~contain such~~ other information and recommendations as ~~may appear~~
1802 ~~to~~ the department requires to be right and proper.

1803 (b) The current status of the department's domiciliary and
1804 nursing homes established pursuant to chapter 296, including all
1805 receipts and expenditures, the condition of the homes, the
1806 number of residents received and discharged during the preceding
1807 year, occupancy rates, staffing, and any other information
1808 necessary to provide an understanding of the management,
1809 conduct, and operation of the homes.

1810 Section 55. Section 296.16, Florida Statutes, is repealed.

1811 Section 56. Section 296.39, Florida Statutes, is repealed.

1812 Section 57. Paragraph (c) of subsection (12) of section
1813 315.03, Florida Statutes, is repealed.

1814 Section 58. Subsection (2) of section 319.324, Florida
1815 Statutes, is amended to read:

1816 319.324 Odometer fraud prevention and detection; funding.—

1817 (2) Moneys deposited into the Highway Safety Operating
1818 Trust Fund under this section shall be used to implement and
1819 maintain efforts by the department to prevent and detect
1820 odometer fraud, including the prompt investigation of alleged
1821 instances of odometer mileage discrepancies reported by licensed
1822 motor vehicle dealers, auctions, or purchasers of motor
1823 vehicles. ~~Such moneys shall also be used to fund an annual~~
1824 ~~report to the Legislature by the Department of Highway Safety~~
1825 ~~and Motor Vehicles, summarizing the department's investigations~~
1826 ~~and findings.~~ In addition, moneys deposited into the fund may be
1827 used by the department for general operations.

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1828 Section 59. Section 322.181, Florida Statutes, is repealed.

1829 Section 60. Paragraph (c) of subsection (7) of section
1830 322.251, Florida Statutes, is repealed.

1831 Section 61. Sections 341.8201-341.842, Florida Statutes,
1832 are repealed.

1833 Section 62. Section 373.0391, Florida Statutes, is amended
1834 to read:

1835 373.0391 Technical assistance to local governments.—

1836 ~~(1) The water management districts shall assist local~~
1837 ~~governments in the development and future revision of local~~
1838 ~~government comprehensive plan elements or public facilities~~
1839 ~~report as required by s. 189.415, related to water resource~~
1840 ~~issues.~~

1841 ~~(2) By July 1, 1991, each water management district shall~~
1842 ~~prepare and provide information and data to assist local~~
1843 ~~governments in the preparation and implementation of their local~~
1844 ~~government comprehensive plans or public facilities report as~~
1845 ~~required by s. 189.415, whichever is applicable. Such~~
1846 ~~information and data shall include, but not be limited to:~~

1847 ~~(a) All information and data required in a public~~
1848 ~~facilities report pursuant to s. 189.415.~~

1849 ~~(b) A description of regulations, programs, and schedules~~
1850 ~~implemented by the district.~~

1851 ~~(c) Identification of regulations, programs, and schedules~~
1852 ~~undertaken or proposed by the district to further the State~~
1853 ~~Comprehensive Plan.~~

1854 ~~(d) A description of surface water basins, including~~
1855 ~~regulatory jurisdictions, flood-prone areas, existing and~~
1856 ~~projected water quality in water management district operated~~

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1857 ~~facilities, as well as surface water runoff characteristics and~~
1858 ~~topography regarding flood plains, wetlands, and recharge areas.~~

1859 ~~(e) A description of groundwater characteristics, including~~
1860 ~~existing and planned wellfield sites, existing and anticipated~~
1861 ~~cones of influence, highly productive groundwater areas, aquifer~~
1862 ~~recharge areas, deep well injection zones, contaminated areas,~~
1863 ~~an assessment of regional water resource needs and sources for~~
1864 ~~the next 20 years, and water quality.~~

1865 ~~(f) The identification of existing and potential water~~
1866 ~~management district land acquisitions.~~

1867 ~~(g) Information reflecting the minimum flows for surface~~
1868 ~~watercourses to avoid harm to water resources or the ecosystem~~
1869 ~~and information reflecting the minimum water levels for aquifers~~
1870 ~~to avoid harm to water resources or the ecosystem.~~

1871 Section 63. Subsection (4) of section 373.046, Florida
1872 Statutes, is amended to read:

1873 373.046 Interagency agreements.—

1874 (4) The Legislature recognizes and affirms the division of
1875 responsibilities between the department and the water management
1876 districts as set forth in ss. III. and X. of each of the
1877 operating agreements codified as rules 17-101.040(12)(a)3., 4.,
1878 and 5., Florida Administrative Code. Section IV.A.2.a. of each
1879 operating agreement regarding individual permit oversight is
1880 rescinded. The department is ~~shall be~~ responsible for permitting
1881 those activities under part IV of this chapter which, because of
1882 their complexity and magnitude, need to be economically and
1883 efficiently evaluated at the state level, including, but not
1884 limited to, mining, hazardous waste management facilities, and
1885 solid waste management facilities that do not qualify for a

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1886 general permit under chapter 403. With regard to
1887 postcertification information submittals for activities
1888 authorized under chapters 341 and 403 siting act certifications,
1889 the department, after consultation with the appropriate water
1890 management district and other agencies having applicable
1891 regulatory jurisdiction, shall determine ~~be responsible for~~
1892 ~~determining~~ the permittee's compliance with conditions of
1893 certification which are ~~were~~ based upon the nonprocedural
1894 requirements of part IV of this chapter. ~~The Legislature~~
1895 ~~authorizes~~ The water management districts and the department may
1896 ~~to~~ modify the division of responsibilities referenced in this
1897 section and enter into further interagency agreements by
1898 rulemaking, including incorporation by reference, pursuant to
1899 chapter 120, to provide for greater efficiency and to avoid
1900 duplication in the administration of part IV of this chapter by
1901 designating ~~certain~~ activities that ~~which~~ will be regulated by
1902 either the water management districts or the department. In
1903 developing such interagency agreements, the water management
1904 districts and the department shall consider ~~should take into~~
1905 ~~consideration~~ the technical and fiscal ability of each water
1906 management district to implement all or some of the provisions
1907 of part IV of this chapter. This subsection does not rescind or
1908 restrict ~~Nothing herein rescinds or restricts~~ the authority of
1909 the districts to regulate silviculture and agriculture pursuant
1910 to part IV of this chapter or s. 403.927. ~~By December 10, 1993,~~
1911 ~~the secretary of the department shall submit a report to the~~
1912 ~~President of the Senate and the Speaker of the House of~~
1913 ~~Representatives regarding the efficiency of the procedures and~~
1914 ~~the division of responsibilities contemplated by this subsection~~

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1915 ~~and regarding progress toward the execution of further~~
1916 ~~interagency agreements and the integration of permitting with~~
1917 ~~sovereignty lands approval. The report also will consider the~~
1918 ~~feasibility of improving the protection of the environment~~
1919 ~~through comprehensive criteria for protection of natural~~
1920 ~~systems.~~

1921 Section 64. Subsection (14) of section 376.121, Florida
1922 Statutes, is repealed.

1923 Section 65. Section 376.17, Florida Statutes, is repealed.

1924 Section 66. Subsection (5) of section 376.30713, Florida
1925 Statutes, is repealed.

1926 Section 67. Subsection (2) of section 379.2211, Florida
1927 Statutes, is amended to read:

1928 379.2211 Florida waterfowl permit revenues.—

1929 (2) The intent of this section is to expand waterfowl
1930 research and management and increase waterfowl populations in
1931 the state without detracting from other programs. The commission
1932 shall prepare and make available on its Internet website an
1933 annual report documenting the use of funds generated under ~~the~~
1934 ~~provisions of this section, to be submitted to the Governor, the~~
1935 ~~Speaker of the House of Representatives, and the President of~~
1936 ~~the Senate on or before September 1 of each year.~~

1937 Section 68. Subsection (2) of section 379.2212, Florida
1938 Statutes, is amended to read:

1939 379.2212 Florida wild turkey permit revenues.—

1940 (2) The intent of this section is to expand wild turkey
1941 research and management and to increase wild turkey populations
1942 in the state without detracting from other programs. The
1943 commission shall prepare and make available on its Internet

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1944 website an annual report documenting the use of funds generated
1945 ~~under the provisions of this section, to be submitted to the~~
1946 ~~Governor, the Speaker of the House of Representatives, and the~~
1947 ~~President of the Senate on or before September 1 of each year.~~

1948 Section 69. Subsection (8) of section 379.2523, Florida
1949 Statutes, is repealed.

1950 Section 70. Paragraph (a) of subsection (2) of section
1951 380.06, Florida Statutes, is amended to read:

1952 380.06 Developments of regional impact.—

1953 (2) STATEWIDE GUIDELINES AND STANDARDS.—

1954 (a) The state land planning agency shall recommend to the
1955 Administration Commission specific statewide guidelines and
1956 standards for adoption pursuant to this subsection. The
1957 Administration Commission shall by rule adopt statewide
1958 guidelines and standards to be used in determining whether
1959 particular developments shall undergo development-of-regional-
1960 impact review. The statewide guidelines and standards previously
1961 adopted by the Administration Commission and approved by the
1962 Legislature shall remain in effect unless revised pursuant to
1963 this section or superseded by other provisions of law. Revisions
1964 ~~to the present statewide guidelines and standards, after~~
1965 ~~adoption by the Administration Commission, shall be transmitted~~
1966 ~~on or before March 1 to the President of the Senate and the~~
1967 ~~Speaker of the House of Representatives for presentation at the~~
1968 ~~next regular session of the Legislature. Unless approved by law~~
1969 ~~by the Legislature, the revisions to the present guidelines and~~
1970 ~~standards shall not become effective.~~

1971 Section 71. Subsection (3) of section 380.0677, Florida
1972 Statutes, is repealed.

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1973 Section 72. Subsection (3) of section 381.0011, Florida
1974 Statutes, is repealed.

1975 Section 73. Section 381.0036, Florida Statutes, is
1976 repealed.

1977 Section 74. Section 381.731, Florida Statutes, is repealed.

1978 Section 75. Section 381.795, Florida Statutes, is amended
1979 to read:

1980 381.795 Long-term community-based supports.—The department
1981 shall, contingent upon specific appropriations for these
1982 purposes, establish÷

1983 ~~(1) Study the long-term needs for community-based supports~~
1984 ~~and services for individuals who have sustained traumatic brain~~
1985 ~~or spinal cord injuries. The purpose of this study is to prevent~~
1986 ~~inappropriate residential and institutional placement of these~~
1987 ~~individuals, and promote placement in the most cost effective~~
1988 ~~and least restrictive environment. Any placement recommendations~~
1989 ~~for these individuals shall ensure full utilization of and~~
1990 ~~collaboration with other state agencies, programs, and community~~
1991 ~~partners. This study shall be submitted to the Governor, the~~
1992 ~~President of the Senate, and the Speaker of the House of~~
1993 ~~Representatives not later than December 31, 2000.~~

1994 ~~(2) Based upon the results of this study, establish a plan~~
1995 ~~for the implementation of a program of long-term community-based~~
1996 ~~supports and services for individuals who have sustained~~
1997 ~~traumatic brain or spinal cord injuries and who may be subject~~
1998 ~~to inappropriate residential and institutional placement as a~~
1999 ~~direct result of such injuries.~~

2000 (1)(a) The program shall be payor of last resort for
2001 program services, and expenditures for ~~such~~ services shall be

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2002 considered funded services for purposes of s. 381.785; however,
2003 notwithstanding s. 381.79(5), proceeds resulting from this
2004 subsection shall be used solely for this program.

2005 (2)~~(b)~~ The department shall adopt ~~create~~, by rule,
2006 procedures to ensure, that if ~~in the event~~ the program is unable
2007 to directly or indirectly provide ~~such~~ services to all eligible
2008 individuals due to lack of funds, those individuals most at risk
2009 of suffering ~~to suffer~~ the greatest harm from an imminent
2010 inappropriate residential or institutional placement are served
2011 first.

2012 (3)~~(c)~~ Every applicant or recipient of the long-term
2013 community-based supports and services program must ~~shall~~ have
2014 been a resident of the state for 1 year immediately preceding
2015 application and be a resident of the state at the time of
2016 application.

2017 (4)~~(d)~~ The department shall adopt rules ~~pursuant to ss.~~
2018 ~~120.536(1) and 120.54~~ to administer ~~implement the provision of~~
2019 this section ~~subsection~~.

2020 Section 76. Section 381.931, Florida Statutes, is amended
2021 to read:

2022 381.931 Annual report on Medicaid expenditures.—The
2023 Department of Health and the Agency for Health Care
2024 Administration shall monitor the total Medicaid expenditures for
2025 services made under this act. If Medicaid expenditures are
2026 projected to exceed the amount appropriated by the Legislature,
2027 the Department of Health shall limit the number of screenings to
2028 ensure Medicaid expenditures do not exceed the amount
2029 appropriated. ~~The Department of Health, in cooperation with the~~
2030 ~~Agency for Health Care Administration, shall prepare an annual~~

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2031 ~~report that must include the number of women screened; the~~
2032 ~~percentage of positive and negative outcomes; the number of~~
2033 ~~referrals to Medicaid and other providers for treatment~~
2034 ~~services; the estimated number of women who are not screened or~~
2035 ~~not served by Medicaid due to funding limitations, if any; the~~
2036 ~~cost of Medicaid treatment services; and the estimated cost of~~
2037 ~~treatment services for women who were not screened or referred~~
2038 ~~for treatment due to funding limitations. The report shall be~~
2039 ~~submitted to the President of the Senate, the Speaker of the~~
2040 ~~House of Representatives, and the Executive Office of the~~
2041 ~~Governor by March 1 of each year.~~

2042 Section 77. Subsection (6) of section 383.19, Florida
2043 Statutes, is amended to read:

2044 383.19 Standards; funding; ineligibility.—

2045 (6) Each hospital that ~~which~~ contracts with the department
2046 to provide services under the terms of ss. 383.15-383.21 shall
2047 prepare and submit to the department an annual report that
2048 includes, but is not limited to, the number of clients served
2049 and the costs of services in the center. The department shall
2050 annually conduct a programmatic and financial evaluation of each
2051 center.

2052 Section 78. Section 383.21, Florida Statutes, is repealed.

2053 Section 79. Section 383.2161, Florida Statutes, is amended
2054 to read:

2055 383.2161 Maternal and child health report.—The Department
2056 of Health ~~annually~~ shall annually compile and analyze the risk
2057 information collected by the Office of Vital Statistics and the
2058 district prenatal and infant care coalitions and shall maintain
2059 county and statewide data on ~~prepare and submit to the~~

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2060 ~~Legislature by January 2 a report that includes, but is not~~
2061 ~~limited to:~~

2062 (1) The number of families identified as families at
2063 potential risk;

2064 (2) The number of families receiving ~~that receive~~ family
2065 outreach services;

2066 (3) The increase in demand for services; and

2067 (4) The unmet need for services for identified target
2068 groups.

2069 Section 80. Subsection (4) of section 394.4573, Florida
2070 Statutes, is repealed.

2071 Section 81. Subsection (1) of section 394.4985, Florida
2072 Statutes, is amended to read:

2073 394.4985 Districtwide information and referral network;
2074 implementation.—

2075 (1) Each service district of the Department of Children and
2076 Family Services shall develop a detailed implementation plan for
2077 a districtwide comprehensive child and adolescent mental health
2078 information and referral network to be operational by July 1,
2079 1999. The plan must include an operating budget that
2080 demonstrates cost efficiencies and identifies funding sources
2081 for the district information and referral network. ~~The plan must~~
2082 ~~be submitted by the department to the Legislature by October 1,~~
2083 ~~1998.~~ The district shall use existing district information and
2084 referral providers if, in the development of the plan, it is
2085 concluded that these providers would deliver information and
2086 referral services in a more efficient and effective manner when
2087 compared to other alternatives. The district information and
2088 referral network must include:

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2089 (a) A resource file that contains information about the
2090 child and adolescent mental health services as described in s.
2091 394.495, including, but not limited to:

- 2092 1. Type of program;
- 2093 2. Hours of service;
- 2094 3. Ages of persons served;
- 2095 4. Program description;
- 2096 5. Eligibility requirements; and
- 2097 6. Fees.

2098 (b) Information about private providers and professionals
2099 in the community who ~~which~~ serve children and adolescents with
2100 an emotional disturbance.

2101 (c) A system to document requests for services which ~~that~~
2102 are received through the network referral process, including,
2103 but not limited to:

- 2104 1. Number of calls by type of service requested;
- 2105 2. Ages of the children and adolescents for whom services
2106 are requested; and
- 2107 3. Type of referral made by the network.

2108 (d) The ability to share client information with the
2109 appropriate community agencies.

2110 ~~(e) The submission of an annual report to the department,~~
2111 ~~the Agency for Health Care Administration, and appropriate local~~
2112 ~~government entities, which contains information about the~~
2113 ~~sources and frequency of requests for information, types and~~
2114 ~~frequency of services requested, and types and frequency of~~
2115 ~~referrals made.~~

2116 Section 82. Section 394.82, Florida Statutes, is repealed.

2117 Section 83. Subsection (9) of section 394.9082, Florida

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2118 Statutes, is repealed.

2119 Section 84. Section 394.9083, Florida Statutes, is
2120 repealed.

2121 Section 85. Paragraph (c) of subsection (2) of section
2122 395.807, Florida Statutes, is repealed.

2123 Section 86. Subsection (3) of section 397.332, Florida
2124 Statutes, is repealed.

2125 Section 87. Subsection (4) of section 397.333, Florida
2126 Statutes, is amended to read:

2127 397.333 Statewide Drug Policy Advisory Council.—

2128 (4) ~~(a)~~ The chairperson of the advisory council shall
2129 appoint workgroups that include members of state agencies that
2130 are not represented on the advisory council and shall solicit
2131 input and recommendations from those state agencies. ~~In~~
2132 ~~addition,~~ The chairperson may also appoint workgroups ~~as~~
2133 ~~necessary~~ from among the members of the advisory council in
2134 order to efficiently address specific issues. A representative
2135 of a state agency appointed to any workgroup shall be the head
2136 of the agency~~,~~ or his or her designee. The chairperson may
2137 designate lead and contributing agencies within a workgroup.

2138 ~~(b) The advisory council shall submit a report to the~~
2139 ~~Governor, the President of the Senate, and the Speaker of the~~
2140 ~~House of Representatives by December 1 of each year which~~
2141 ~~contains a summary of the work of the council during that year~~
2142 ~~and the recommendations required under subsection (3). Interim~~
2143 ~~reports may be submitted at the discretion of the chairperson of~~
2144 ~~the advisory council.~~

2145 Section 88. Subsection (1) of section 397.94, Florida
2146 Statutes, is repealed.

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2147 Section 89. Subsection (2) of section 400.148, Florida
2148 Statutes, is repealed.

2149 Section 90. Paragraph (a) of subsection (2) of section
2150 400.967, Florida Statutes, is amended to read:

2151 400.967 Rules and classification of deficiencies.—

2152 (2) Pursuant to the intention of the Legislature, the
2153 agency, in consultation with the Agency for Persons with
2154 Disabilities and the Department of Elderly Affairs, shall adopt
2155 and enforce rules to administer this part and part II of chapter
2156 408, which shall include reasonable and fair criteria governing:

2157 (a) The location and construction of the facility;
2158 including fire and life safety, plumbing, heating, cooling,
2159 lighting, ventilation, and other housing conditions that will
2160 ensure the health, safety, and comfort of residents. The agency
2161 shall establish standards for facilities and equipment to
2162 increase the extent to which new facilities and a new wing or
2163 floor added to an existing facility after July 1, 2000, are
2164 structurally capable of serving as shelters only for residents,
2165 staff, and families of residents and staff, and equipped to be
2166 self-supporting during and immediately following disasters. ~~The~~
2167 ~~Agency for Health Care Administration shall work with facilities~~
2168 ~~licensed under this part and report to the Governor and the~~
2169 ~~Legislature by April 1, 2000, its recommendations for cost-~~
2170 ~~effective renovation standards to be applied to existing~~
2171 ~~facilities. In making such rules, the agency shall be guided by~~
2172 ~~criteria recommended by nationally recognized, reputable~~
2173 ~~professional groups and associations having knowledge concerning~~
2174 ~~such subject matters.~~ The agency shall update or revise the such
2175 criteria as the need arises. All facilities must comply with

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2176 those lifesafety code requirements and building code standards
2177 applicable at the time of approval of their construction plans.
2178 The agency may require alterations to a building if it
2179 determines that an existing condition constitutes a distinct
2180 hazard to life, health, or safety. The agency shall adopt fair
2181 and reasonable rules setting forth conditions under which
2182 existing facilities undergoing additions, alterations,
2183 conversions, renovations, or repairs are required to comply with
2184 the most recent updated or revised standards.

2185 Section 91. Subsection (3) of section 402.3016, Florida
2186 Statutes, is repealed.

2187 Section 92. Subsection (9) of section 402.40, Florida
2188 Statutes, is repealed.

2189 Section 93. Subsection (1) of section 403.4131, Florida
2190 Statutes, is amended to read:

2191 403.4131 Litter control.—

2192 (1) The Department of Transportation shall establish an
2193 “adopt-a-highway” program to allow local organizations to be
2194 identified with specific highway cleanup and highway
2195 beautification projects authorized under s. 339.2405. ~~The~~
2196 ~~department shall report to the Governor and the Legislature on~~
2197 ~~the progress achieved and the savings incurred by the “adopt-a-~~
2198 ~~highway” program.~~ The department shall also monitor ~~and report~~
2199 ~~on~~ compliance with the provisions of the adopt-a-highway program
2200 to ensure that organizations participating ~~that participate~~ in
2201 the program comply with the goals identified by the department.

2202 Section 94. Paragraph (a) of subsection (4) of section
2203 406.02, Florida Statutes, is repealed.

2204 Section 95. Paragraph (g) of subsection (1) of section

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2205 408.033, Florida Statutes, is amended to read:

2206 408.033 Local and state health planning.—

2207 (1) LOCAL HEALTH COUNCILS.—

2208 (g) Each local health council may ~~is authorized to~~ accept
2209 and receive, in furtherance of its health planning functions,
2210 funds, grants, and services from governmental agencies and from
2211 private or civic sources and to perform studies related to local
2212 health planning in exchange for such funds, grants, or services.
2213 Each ~~local health~~ council shall, no later than January 30 of
2214 each year, render an accounting of the receipt and disbursement
2215 of such funds received by it to the Department of Health. ~~The~~
2216 ~~department shall consolidate all such reports and submit such~~
2217 ~~consolidated report to the Legislature no later than March 1 of~~
2218 ~~each year.~~

2219 Section 96. Subsection (4) of section 408.914, Florida
2220 Statutes, is repealed.

2221 Section 97. Paragraph (i) of subsection (3) of section
2222 408.915, Florida Statutes, is repealed.

2223 Section 98. Section 408.917, Florida Statutes, is repealed.

2224 Section 99. Paragraph (b) of subsection (7) of section
2225 409.1451, Florida Statutes, is amended to read:

2226 409.1451 Independent living transition services.—

2227 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The
2228 Secretary of Children and Family Services shall establish the
2229 Independent Living Services Advisory Council for the purpose of
2230 reviewing and making recommendations concerning the
2231 implementation and operation of the independent living
2232 transition services. This advisory council shall continue to
2233 function as specified in this subsection until the Legislature

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2234 determines that the advisory council can no longer provide a
2235 valuable contribution to the department's efforts to achieve the
2236 goals of the independent living transition services.

2237 (b) The advisory council shall report to the secretary
2238 ~~appropriate substantive committees of the Senate and the House~~
2239 ~~of Representatives~~ on the status of the implementation of the
2240 system of independent living transition services; efforts to
2241 publicize the availability of aftercare support services, the
2242 Road-to-Independence Program, and transitional support services;
2243 the success of the services; problems identified;
2244 recommendations for department or legislative action; and the
2245 department's implementation of the recommendations contained in
2246 the Independent Living Services Integration Workgroup Report
2247 submitted to the appropriate Senate and the House substantive
2248 committees of the Legislature by December 31, 2002. The
2249 department shall submit a report by December 31 of each year to
2250 the Governor and the Legislature ~~This advisory council report~~
2251 ~~shall be submitted by December 31 of each year that the council~~
2252 ~~is in existence and shall be accompanied by a report from the~~
2253 ~~department~~ which includes a summary of the factors reported on
2254 by the council and identifies the recommendations of the
2255 advisory council and either describes the department's actions
2256 to implement the ~~these~~ recommendations or provides the
2257 department's rationale for not implementing the recommendations.

2258 Section 100. Section 409.152, Florida Statutes, is
2259 repealed.

2260 Section 101. Subsections (1) and (2) of section 409.1679,
2261 Florida Statutes, are repealed.

2262 Section 102. Section 409.1685, Florida Statutes, is amended

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2263 to read:

2264 409.1685 Children in foster care; annual report to
2265 Legislature.—The Department of Children and Family Services
2266 shall submit a written report to the Governor and substantive
2267 ~~committees~~ of the Legislature concerning the status of children
2268 in foster care and ~~concerning~~ the judicial review mandated by
2269 part X of chapter 39. ~~The~~ This report shall be submitted by May
2270 ~~March~~ 1 of each year and must ~~shall~~ include the following
2271 information for the prior calendar year:

2272 (1) The number of 6-month and annual judicial reviews
2273 completed during that period.

2274 (2) The number of children in foster care returned to a
2275 parent, guardian, or relative as a result of a 6-month or annual
2276 judicial review hearing during that period.

2277 (3) The number of termination of parental rights
2278 proceedings instituted during that period, including ~~which shall~~
2279 ~~include~~:

2280 (a) The number of termination of parental rights
2281 proceedings initiated pursuant to former s. 39.703; and

2282 (b) The total number of terminations of parental rights
2283 ordered.

2284 (4) The number of foster care children placed for adoption
2285 ~~during that period~~.

2286 Section 103. Paragraph (k) of subsection (4) of section
2287 409.221, Florida Statutes, is repealed.

2288 Section 104. Paragraph (a) of subsection (3) of section
2289 409.25575, Florida Statutes, is amended to read:

2290 409.25575 Support enforcement; privatization.—

2291 (3) (a) The department shall establish a quality assurance

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2292 program for the privatization of services. The ~~quality assurance~~
2293 program must include standards for each specific component of
2294 these services. The department shall establish minimum
2295 thresholds for each component. Each program operated pursuant to
2296 contract must be evaluated annually by the department or by an
2297 objective competent entity designated by the department under
2298 the provisions of the quality assurance program. The evaluation
2299 must be financed from cost savings associated with the
2300 privatization of services. ~~The department shall submit an annual~~
2301 ~~report regarding quality performance, outcome measure~~
2302 ~~attainment, and cost efficiency to the President of the Senate,~~
2303 ~~the Speaker of the House of Representatives, the Minority leader~~
2304 ~~of each house of the Legislature, and the Governor no later than~~
2305 ~~January 31 of each year, beginning in 1999.~~ The quality
2306 assurance program must be financed through administrative
2307 savings generated by this act.

2308 Section 105. Subsection (9) of section 409.2558, Florida
2309 Statutes, is amended to read:

2310 409.2558 Support distribution and disbursement.—

2311 (9) RULEMAKING AUTHORITY.—The department may adopt rules to
2312 administer this section. ~~The department shall provide a draft of~~
2313 ~~the proposed concepts for the rule for the undistributable~~
2314 ~~collections to interested parties for review and recommendations~~
2315 ~~prior to full development of the rule and initiating the formal~~
2316 ~~rule-development process. The department shall consider but is~~
2317 ~~not required to implement the recommendations. The department~~
2318 ~~shall provide a report to the President of the Senate and the~~
2319 ~~Speaker of the House of Representatives containing the~~
2320 ~~recommendations received from interested parties and the~~

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2321 ~~department's response regarding incorporating the~~
2322 ~~recommendations into the rule.~~

2323 Section 106. Subsection (3) of section 409.441, Florida
2324 Statutes, is repealed.

2325 Section 107. Subsection (24) of section 409.906, Florida
2326 Statutes, is amended to read:

2327 409.906 Optional Medicaid services.—Subject to specific
2328 appropriations, the agency may make payments for services which
2329 are optional to the state under Title XIX of the Social Security
2330 Act and are furnished by Medicaid providers to recipients who
2331 are determined to be eligible on the dates on which the services
2332 were provided. Any optional service that is provided shall be
2333 provided only when medically necessary and in accordance with
2334 state and federal law. Optional services rendered by providers
2335 in mobile units to Medicaid recipients may be restricted or
2336 prohibited by the agency. Nothing in this section shall be
2337 construed to prevent or limit the agency from adjusting fees,
2338 reimbursement rates, lengths of stay, number of visits, or
2339 number of services, or making any other adjustments necessary to
2340 comply with the availability of moneys and any limitations or
2341 directions provided for in the General Appropriations Act or
2342 chapter 216. If necessary to safeguard the state's systems of
2343 providing services to elderly and disabled persons and subject
2344 to the notice and review provisions of s. 216.177, the Governor
2345 may direct the Agency for Health Care Administration to amend
2346 the Medicaid state plan to delete the optional Medicaid service
2347 known as "Intermediate Care Facilities for the Developmentally
2348 Disabled." Optional services may include:

2349 (24) CHILD-WELFARE-TARGETED CASE MANAGEMENT.—The Agency for

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2350 Health Care Administration, in consultation with the Department
2351 of Children and Family Services, may establish a targeted case-
2352 management project in those counties identified by the
2353 Department of Children and Family Services and for all counties
2354 with a community-based child welfare project, as authorized
2355 under s. 409.1671, which have been specifically approved by the
2356 department. ~~Results of targeted case management projects shall~~
2357 ~~be reported to the Social Services Estimating Conference~~
2358 ~~established under s. 216.136.~~ The covered group of individuals
2359 who are eligible to receive targeted case management include
2360 children who are eligible for Medicaid; who are between the ages
2361 of birth through 21; and who are under protective supervision or
2362 postplacement supervision, under foster-care supervision, or in
2363 shelter care or foster care. The number of individuals who are
2364 eligible to receive targeted case management is ~~shall be~~ limited
2365 to the number for whom the Department of Children and Family
2366 Services has ~~available~~ matching funds to cover the costs. The
2367 general revenue funds required to match the funds for services
2368 provided by the community-based child welfare projects are
2369 limited to funds available for services described under s.
2370 409.1671. The Department of Children and Family Services may
2371 transfer the general revenue matching funds as billed by the
2372 Agency for Health Care Administration.

2373 Section 108. Paragraph (b) of subsection (4), subsections
2374 (29) and (44), and paragraph (c) of subsection (49) of section
2375 409.912, Florida Statutes, are amended to read:

2376 409.912 Cost-effective purchasing of health care.—The
2377 agency shall purchase goods and services for Medicaid recipients
2378 in the most cost-effective manner consistent with the delivery

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2379 of quality medical care. To ensure that medical services are
2380 effectively utilized, the agency may, in any case, require a
2381 confirmation or second physician's opinion of the correct
2382 diagnosis for purposes of authorizing future services under the
2383 Medicaid program. This section does not restrict access to
2384 emergency services or poststabilization care services as defined
2385 in 42 C.F.R. part 438.114. Such confirmation or second opinion
2386 shall be rendered in a manner approved by the agency. The agency
2387 shall maximize the use of prepaid per capita and prepaid
2388 aggregate fixed-sum basis services when appropriate and other
2389 alternative service delivery and reimbursement methodologies,
2390 including competitive bidding pursuant to s. 287.057, designed
2391 to facilitate the cost-effective purchase of a case-managed
2392 continuum of care. The agency shall also require providers to
2393 minimize the exposure of recipients to the need for acute
2394 inpatient, custodial, and other institutional care and the
2395 inappropriate or unnecessary use of high-cost services. The
2396 agency shall contract with a vendor to monitor and evaluate the
2397 clinical practice patterns of providers in order to identify
2398 trends that are outside the normal practice patterns of a
2399 provider's professional peers or the national guidelines of a
2400 provider's professional association. The vendor must be able to
2401 provide information and counseling to a provider whose practice
2402 patterns are outside the norms, in consultation with the agency,
2403 to improve patient care and reduce inappropriate utilization.
2404 The agency may mandate prior authorization, drug therapy
2405 management, or disease management participation for certain
2406 populations of Medicaid beneficiaries, certain drug classes, or
2407 particular drugs to prevent fraud, abuse, overuse, and possible

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2408 dangerous drug interactions. The Pharmaceutical and Therapeutics
2409 Committee shall make recommendations to the agency on drugs for
2410 which prior authorization is required. The agency shall inform
2411 the Pharmaceutical and Therapeutics Committee of its decisions
2412 regarding drugs subject to prior authorization. The agency is
2413 authorized to limit the entities it contracts with or enrolls as
2414 Medicaid providers by developing a provider network through
2415 provider credentialing. The agency may competitively bid single-
2416 source-provider contracts if procurement of goods or services
2417 results in demonstrated cost savings to the state without
2418 limiting access to care. The agency may limit its network based
2419 on the assessment of beneficiary access to care, provider
2420 availability, provider quality standards, time and distance
2421 standards for access to care, the cultural competence of the
2422 provider network, demographic characteristics of Medicaid
2423 beneficiaries, practice and provider-to-beneficiary standards,
2424 appointment wait times, beneficiary use of services, provider
2425 turnover, provider profiling, provider licensure history,
2426 previous program integrity investigations and findings, peer
2427 review, provider Medicaid policy and billing compliance records,
2428 clinical and medical record audits, and other factors. Providers
2429 shall not be entitled to enrollment in the Medicaid provider
2430 network. The agency shall determine instances in which allowing
2431 Medicaid beneficiaries to purchase durable medical equipment and
2432 other goods is less expensive to the Medicaid program than long-
2433 term rental of the equipment or goods. The agency may establish
2434 rules to facilitate purchases in lieu of long-term rentals in
2435 order to protect against fraud and abuse in the Medicaid program
2436 as defined in s. 409.913. The agency may seek federal waivers

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2437 necessary to administer these policies.

2438 (4) The agency may contract with:

2439 (b) An entity that is providing comprehensive behavioral

2440 health care services to specified ~~certain~~ Medicaid recipients

2441 through a capitated, prepaid arrangement pursuant to the federal

2442 waiver in ~~provided for by~~ s. 409.905(5). The ~~Such an~~ entity must

2443 be licensed under chapter 624, chapter 636, or chapter 641 and

2444 must possess the clinical systems and operational competence to

2445 manage risk and provide comprehensive behavioral health care to

2446 Medicaid recipients. As used in this paragraph, the term

2447 "comprehensive behavioral health care services" means covered

2448 mental health and substance abuse treatment services that are

2449 available to Medicaid recipients. The Secretary of ~~the~~

2450 ~~Department of~~ Children and Family Services shall approve

2451 ~~provisions of~~ procurements related to children in the

2452 department's care or custody before ~~prior to~~ enrolling such

2453 children in a prepaid behavioral health plan. A ~~Any~~ contract

2454 awarded under this paragraph must be competitively procured. ~~In~~

2455 ~~developing~~ The behavioral health care prepaid plan procurement

2456 document must require, ~~the agency shall ensure that the~~

2457 ~~procurement document requires~~ the contractor to develop and

2458 implement a plan that ensures ~~to ensure~~ compliance with s.

2459 394.4574 related to services provided to residents of licensed

2460 assisted living facilities that hold a limited mental health

2461 license. Except as provided in subparagraph 8., and except in

2462 counties where the Medicaid managed care pilot program is

2463 authorized pursuant to s. 409.91211, the agency shall seek

2464 federal approval to contract with a single entity meeting the

2465 ~~these~~ requirements to provide comprehensive behavioral health

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2466 care services to all Medicaid recipients not enrolled in a
2467 Medicaid managed care plan authorized under s. 409.91211 or a
2468 Medicaid health maintenance organization in an agency AHCA area.
2469 In an agency AHCA area where the Medicaid managed care pilot
2470 program is authorized pursuant to s. 409.91211 in one or more
2471 counties, the agency may procure a contract with a single entity
2472 to serve the remaining counties as an agency AHCA area or the
2473 remaining counties may be included with an adjacent agency AHCA
2474 area and shall be subject to this paragraph. Each entity must
2475 offer sufficient choice of providers in its network to ensure
2476 recipient access to care and the opportunity to select a
2477 provider with whom the recipient is ~~they are~~ satisfied. The
2478 network must ~~shall~~ include all public mental health hospitals.
2479 To ensure unimpaired access to behavioral health care services
2480 by Medicaid recipients, all contracts issued pursuant to this
2481 paragraph must ~~shall~~ require 80 percent of the capitation paid
2482 to the managed care plan, including health maintenance
2483 organizations, to be expended for ~~the provision of~~ behavioral
2484 health care services. If ~~In the event~~ the managed care plan
2485 expends less than 80 percent ~~of the capitation paid pursuant to~~
2486 ~~this paragraph for the provision of behavioral health care~~
2487 ~~services~~, the difference must ~~shall~~ be returned to the agency.
2488 The agency shall provide the managed care plan with a
2489 certification letter indicating the amount of capitation paid
2490 during each calendar year for the provision of behavioral health
2491 care services pursuant to this section. The agency may reimburse
2492 for substance abuse treatment services on a fee-for-service
2493 basis until the agency finds that adequate funds are available
2494 for capitated, prepaid arrangements.

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2495 1. ~~By January 1, 2001, the agency shall modify the~~
2496 Contracts with the entities providing comprehensive inpatient
2497 and outpatient mental health care services to Medicaid
2498 recipients in Hillsborough, Highlands, Hardee, Manatee, and Polk
2499 Counties must, ~~to~~ include substance abuse treatment services.

2500 2. ~~By July 1, 2003,~~ The agency and the Department of
2501 Children and Family Services shall execute a written agreement
2502 that requires collaboration and joint development of all policy,
2503 budgets, procurement documents, contracts, and monitoring plans
2504 that have an impact on the state and Medicaid community mental
2505 health and targeted case management programs.

2506 3. Except as provided in subparagraph 8., ~~by July 1, 2006,~~
2507 the agency and the Department of Children and Family Services
2508 shall contract with managed care entities in each agency AHCA
2509 area except area 6 or arrange to provide comprehensive inpatient
2510 and outpatient mental health and substance abuse services
2511 through capitated prepaid arrangements to all Medicaid
2512 recipients who are eligible to participate in such plans under
2513 federal law ~~and regulation~~. In agency AHCA areas where the
2514 eligible population is fewer individuals ~~number less than~~
2515 150,000, the agency shall contract with a single managed care
2516 plan to provide comprehensive behavioral health services to all
2517 recipients who are not enrolled in a Medicaid health maintenance
2518 organization or a Medicaid capitated managed care plan
2519 authorized under s. 409.91211. The agency may contract with more
2520 than one comprehensive behavioral health provider ~~to provide~~
2521 ~~care to recipients who are not enrolled in a Medicaid capitated~~
2522 ~~managed care plan authorized under s. 409.91211 or a Medicaid~~
2523 ~~health maintenance organization~~ in agency AHCA areas where the

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2524 eligible population exceeds 150,000. In an agency AHCA area
2525 where the Medicaid managed care pilot program is authorized
2526 pursuant to s. 409.91211 in one or more counties, the agency may
2527 procure a contract with a single entity to serve the remaining
2528 counties as an agency AHCA area or the remaining counties may be
2529 included with an adjacent agency AHCA area and shall be subject
2530 to this paragraph. Contracts for comprehensive behavioral health
2531 providers awarded pursuant to this section shall be
2532 competitively procured. ~~Both~~ For-profit and not-for-profit
2533 corporations are ~~shall be~~ eligible to compete. Managed care
2534 plans contracting with the agency under subsection (3) shall
2535 provide and receive payment for the same comprehensive
2536 behavioral health benefits as provided in agency AHCA rules,
2537 including handbooks incorporated by reference. In agency AHCA
2538 area 11, the agency shall contract with at least two
2539 comprehensive behavioral health care providers to provide
2540 behavioral health care to recipients in that area who are
2541 enrolled in, or assigned to, the MediPass program. One of the
2542 behavioral health care contracts must ~~shall~~ be with the existing
2543 provider service network pilot project, as described in
2544 paragraph (d), for the purpose of demonstrating the cost-
2545 effectiveness of the provision of quality mental health services
2546 through a public hospital-operated managed care model. Payment
2547 must ~~shall~~ be at an agreed-upon capitated rate to ensure cost
2548 savings. Of the recipients in area 11 who are assigned to
2549 MediPass under ~~the provisions of~~ s. 409.9122(2)(k), a minimum of
2550 50,000 must ~~of those MediPass-enrolled recipients shall be~~
2551 assigned to the existing provider service network in area 11 for
2552 their behavioral care.

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2553 ~~4. By October 1, 2003, the agency and the department shall~~
2554 ~~submit a plan to the Governor, the President of the Senate, and~~
2555 ~~the Speaker of the House of Representatives which provides for~~
2556 ~~the full implementation of capitated prepaid behavioral health~~
2557 ~~care in all areas of the state.~~

2558 ~~a. Implementation shall begin in 2003 in those AHCA areas~~
2559 ~~of the state where the agency is able to establish sufficient~~
2560 ~~capitation rates.~~

2561 ~~4.b.~~ If the agency determines that the proposed capitation
2562 rate in an any area is insufficient to provide appropriate
2563 services, the agency may adjust the capitation rate to ensure
2564 that care is ~~will be~~ available. The agency and the department
2565 may use existing general revenue to address any additional
2566 required match but may not over-obligate existing funds on an
2567 annualized basis.

2568 ~~e.~~ Subject to ~~any~~ limitations provided for in the General
2569 Appropriations Act, the agency, in compliance with appropriate
2570 federal authorization, shall develop policies and procedures
2571 that allow for certification of local and state funds.

2572 5. Children residing in a statewide inpatient psychiatric
2573 program, or in a Department of Juvenile Justice or a Department
2574 of Children and Family Services residential program approved as
2575 a Medicaid behavioral health overlay services provider may ~~shall~~
2576 not be included in a behavioral health care prepaid health plan
2577 or any other Medicaid managed care plan pursuant to this
2578 paragraph.

2579 6. In converting to a prepaid system of delivery, the
2580 agency ~~shall~~ in its procurement document shall require an entity
2581 providing only comprehensive behavioral health care services to

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2582 prevent the displacement of indigent care patients by enrollees
2583 in the Medicaid prepaid health plan providing behavioral health
2584 care services from facilities receiving state funding to provide
2585 indigent behavioral health care, to facilities licensed under
2586 chapter 395 which do not receive state funding for indigent
2587 behavioral health care, or reimburse the unsubsidized facility
2588 for the cost of behavioral health care provided to the displaced
2589 indigent care patient.

2590 7. Traditional community mental health providers under
2591 contract with the Department of Children and Family Services
2592 pursuant to part IV of chapter 394, child welfare providers
2593 under contract with the Department of Children and Family
2594 Services in areas 1 and 6, and inpatient mental health providers
2595 licensed under ~~pursuant to~~ chapter 395 must be offered an
2596 opportunity to accept or decline a contract to participate in
2597 any provider network for prepaid behavioral health services.

2598 8. All Medicaid-eligible children, except children in area
2599 1 and children in Highlands County, Hardee County, Polk County,
2600 or Manatee County of area 6, who are open for child welfare
2601 services in the HomeSafeNet system, shall receive their
2602 behavioral health care services through a specialty prepaid plan
2603 operated by community-based lead agencies either through a
2604 single agency or formal agreements among several agencies. The
2605 specialty prepaid plan must result in savings to the state
2606 comparable to savings achieved in other Medicaid managed care
2607 and prepaid programs. The ~~Such~~ plan must provide mechanisms to
2608 maximize state and local revenues. The agency and the Department
2609 of Children and Family Services specialty prepaid plan shall
2610 develop the specialty prepaid plan ~~be developed by the agency~~

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2611 ~~and the Department of Children and Family Services.~~ The agency
2612 ~~may is authorized to~~ seek any federal waivers to implement this
2613 initiative. Medicaid-eligible children whose cases are open for
2614 child welfare services in the HomeSafeNet system and who reside
2615 in agency ~~AHCA~~ area 10 are exempt from the specialty prepaid
2616 plan upon the development of a service delivery mechanism for
2617 children who reside in area 10 as specified in s.
2618 409.91211(3)(dd).

2619 (29) The agency shall perform enrollments and
2620 disenrollments for Medicaid recipients who are eligible for
2621 MediPass or managed care plans. Notwithstanding the prohibition
2622 contained in paragraph (21)(f), managed care plans may perform
2623 preenrollments of Medicaid recipients under the supervision of
2624 the agency or its agents. For the purposes of this section, the
2625 term "preenrollment" means the provision of marketing and
2626 educational materials to a Medicaid recipient and assistance in
2627 completing the application forms, but does ~~shall~~ not include
2628 actual enrollment into a managed care plan. An application for
2629 enrollment may ~~shall~~ not be deemed complete until the agency or
2630 its agent verifies that the recipient made an informed,
2631 voluntary choice. The agency, in cooperation with the Department
2632 of Children and Family Services, may test new marketing
2633 initiatives to inform Medicaid recipients about their managed
2634 care options at selected sites. ~~The agency shall report to the~~
2635 ~~Legislature on the effectiveness of such initiatives.~~ The agency
2636 may contract with a third party to perform managed care plan and
2637 MediPass enrollment and disenrollment services for Medicaid
2638 recipients and may is authorized to adopt rules to administer
2639 ~~implement~~ such services. The agency may adjust the capitation

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2640 rate only to cover the costs of a third-party enrollment and
2641 disenrollment contract, and for agency supervision and
2642 management of the managed care plan enrollment and disenrollment
2643 contract.

2644 (44) The Agency for Health Care Administration shall ensure
2645 that any Medicaid managed care plan as defined in s.
2646 409.9122(2)(f), whether paid on a capitated basis or a shared
2647 savings basis, is cost-effective. For purposes of this
2648 subsection, the term "cost-effective" means that a network's
2649 per-member, per-month costs to the state, including, but not
2650 limited to, fee-for-service costs, administrative costs, and
2651 case-management fees, if any, must be no greater than the
2652 state's costs associated with contracts for Medicaid services
2653 established under subsection (3), which may be adjusted for
2654 health status. The agency shall conduct actuarially sound
2655 adjustments for health status in order to ensure such cost-
2656 effectiveness and shall annually publish the results on its
2657 Internet website ~~and submit the results annually to the~~
2658 ~~Governor, the President of the Senate, and the Speaker of the~~
2659 ~~House of Representatives no later than December 31 of each year.~~
2660 Contracts established pursuant to this subsection which are not
2661 cost-effective may not be renewed.

2662 (49) The agency shall contract with established minority
2663 physician networks that provide services to historically
2664 underserved minority patients. The networks must provide cost-
2665 effective Medicaid services, comply with the requirements to be
2666 a MediPass provider, and provide their primary care physicians
2667 with access to data and other management tools necessary to
2668 assist them in ensuring the appropriate use of services,

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2669 including inpatient hospital services and pharmaceuticals.

2670 (c) For purposes of this subsection, the term "cost-
2671 effective" means that a network's per-member, per-month costs to
2672 the state, including, but not limited to, fee-for-service costs,
2673 administrative costs, and case-management fees, if any, must be
2674 no greater than the state's costs associated with contracts for
2675 Medicaid services established under subsection (3), which shall
2676 be actuarially adjusted for case mix, model, and service area.
2677 The agency shall conduct actuarially sound audits adjusted for
2678 case mix and model in order to ensure such cost-effectiveness
2679 and shall annually publish the audit results on its Internet
2680 website ~~and submit the audit results annually to the Governor,~~
2681 ~~the President of the Senate, and the Speaker of the House of~~
2682 ~~Representatives no later than December 31.~~ Contracts established
2683 pursuant to this subsection which are not cost-effective may not
2684 be renewed.

2685 Section 109. Section 410.0245, Florida Statutes, is
2686 repealed.

2687 Section 110. Subsection (10) of section 410.604, Florida
2688 Statutes, is repealed.

2689 Section 111. Paragraph (d) of subsection (5) of section
2690 411.0102, Florida Statutes, is amended to read:

2691 411.0102 Child Care Executive Partnership Act; findings and
2692 intent; grant; limitation; rules.-

2693 (5)

2694 (d) Each early learning coalition shall ~~be required to~~
2695 establish a community child care task force for each child care
2696 purchasing pool. The task force must be composed of employers,
2697 parents, private child care providers, and one representative

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2698 from the local children's services council, if one exists in the
2699 area of the purchasing pool. The early learning coalition is
2700 expected to recruit the task force members from existing child
2701 care councils, commissions, or task forces already operating in
2702 the area of a purchasing pool. A majority of the task force
2703 shall consist of employers. ~~Each task force shall develop a plan~~
2704 ~~for the use of child care purchasing pool funds. The plan must~~
2705 ~~show how many children will be served by the purchasing pool,~~
2706 ~~how many will be new to receiving child care services, and how~~
2707 ~~the early learning coalition intends to attract new employers~~
2708 ~~and their employees to the program.~~

2709 Section 112. Section 411.221, Florida Statutes, is
2710 repealed.

2711 Section 113. Section 411.242, Florida Statutes, is
2712 repealed.

2713 Section 114. Section 414.14, Florida Statutes, is amended
2714 to read:

2715 414.14 Public assistance policy simplification.—To the
2716 extent possible, the department shall align the requirements for
2717 eligibility under this chapter with the food stamp program and
2718 medical assistance eligibility policies and procedures to
2719 simplify the budgeting process and reduce errors. If the
2720 department determines that s. 414.075, relating to resources, or
2721 s. 414.085, relating to income, is inconsistent with ~~related~~
2722 ~~provisions of federal law governing which govern~~ the food stamp
2723 program or medical assistance, and that conformance to federal
2724 law would simplify administration of the WAGES Program or reduce
2725 errors without materially increasing the cost of the program to
2726 the state, the secretary of the department may propose a change

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2727 in the resource or income requirements of the program by rule.
2728 ~~The secretary shall provide written notice to the President of~~
2729 ~~the Senate, the Speaker of the House of Representatives, and the~~
2730 ~~chairpersons of the relevant committees of both houses of the~~
2731 ~~Legislature summarizing the proposed modifications to be made by~~
2732 ~~rule and changes necessary to conform state law to federal law.~~
2733 ~~The proposed rule shall take effect 14 days after written notice~~
2734 ~~is given unless the President of the Senate or the Speaker of~~
2735 ~~the House of Representatives advises the secretary that the~~
2736 ~~proposed rule exceeds the delegated authority of the~~
2737 ~~Legislature.~~

2738 Section 115. Subsection (1) of section 414.36, Florida
2739 Statutes, is repealed.

2740 Section 116. Subsection (3) of section 414.391, Florida
2741 Statutes, is repealed.

2742 Section 117. Subsection (6) of section 415.1045, Florida
2743 Statutes, is amended to read:

2744 415.1045 Photographs, videotapes, and medical examinations;
2745 abrogation of privileged communications; confidential records
2746 and documents.—

2747 (6) WORKING AGREEMENTS. ~~By March 1, 2004,~~ The department
2748 shall enter into working agreements with the jurisdictionally
2749 responsible county sheriff's ~~sheriffs'~~ office or local police
2750 department that will be the lead agency for ~~when~~ conducting any
2751 criminal investigation arising from an allegation of abuse,
2752 neglect, or exploitation of a vulnerable adult. The working
2753 agreement must specify how the requirements of this chapter will
2754 be met. ~~The Office of Program Policy Analysis and Government~~
2755 ~~Accountability shall conduct a review of the efficacy of the~~

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2756 ~~agreements and report its findings to the Legislature by March~~
2757 ~~1, 2005.~~ For the purposes of such agreement, the
2758 jurisdictionally responsible law enforcement entity may ~~is~~
2759 ~~authorized to~~ share Florida criminal history and local criminal
2760 history information that is not otherwise exempt from s.
2761 119.07(1) with the district personnel. A law enforcement entity
2762 entering into such agreement must comply with s. 943.0525.
2763 Criminal justice information provided by the ~~such~~ law
2764 enforcement entity may ~~shall~~ be used only for the purposes
2765 specified in the agreement and shall be provided at no charge.
2766 Notwithstanding any other provision of law, the Department of
2767 Law Enforcement shall provide to the department electronic
2768 access to Florida criminal justice information that ~~which~~ is
2769 lawfully available and not exempt from s. 119.07(1), only for
2770 the purpose of protective investigations and emergency
2771 placement. As a condition of access to the ~~such~~ information, the
2772 department shall ~~be required to~~ execute an appropriate user
2773 agreement addressing the access, use, dissemination, and
2774 destruction of such information and ~~to~~ comply with all
2775 applicable laws and rules of the Department of Law Enforcement.

2776 Section 118. Subsection (9) of section 420.622, Florida
2777 Statutes, is amended to read:

2778 420.622 State Office on Homelessness; Council on
2779 Homelessness.—

2780 (9) The council shall, by December 31 of each year, provide
2781 ~~issue~~ to the Governor, the Legislature ~~President of the Senate,~~
2782 ~~the Speaker of the House of Representatives,~~ and the Secretary
2783 of Children and Family Services ~~an evaluation of the executive~~
2784 ~~director's performance in fulfilling the statutory duties of the~~

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2785 ~~office,~~ a report summarizing the extent of homelessness in the
2786 state and the council's recommendations to the office and the
2787 ~~corresponding actions taken by the office, and any~~
2788 ~~recommendations to the Legislature for reducing proposals to~~
2789 ~~reduce~~ homelessness in this state.

2790 Section 119. Subsection (4) of section 420.623, Florida
2791 Statutes, is repealed.

2792 Section 120. Subsection (9) of section 427.704, Florida
2793 Statutes, is amended to read:

2794 427.704 Powers and duties of the commission.—

2795 (9) The commission shall prepare ~~provide to the President~~
2796 ~~of the Senate and to the Speaker of the House of Representatives~~
2797 an annual report on the operation of the telecommunications
2798 access system which shall be available on the commission's
2799 Internet website. ~~The first report shall be provided no later~~
2800 ~~than January 1, 1992, and successive reports shall be provided~~
2801 ~~by January 1 of each year thereafter.~~ Reports must ~~shall~~ be
2802 prepared in consultation with the administrator and the advisory
2803 committee appointed pursuant to s. 427.706. The reports must
2804 ~~shall~~, at a minimum, briefly outline the status of developments
2805 in ~~of~~ the telecommunications access system, the number of
2806 persons served, the call volume, revenues and expenditures, the
2807 allocation of the revenues and expenditures between provision of
2808 specialized telecommunications devices to individuals and
2809 operation of statewide relay service, other major policy or
2810 operational issues, and proposals for improvements or changes to
2811 the telecommunications access system.

2812 Section 121. Subsection (2) of section 427.706, Florida
2813 Statutes, is amended to read:

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2814 427.706 Advisory committee.—

2815 (2) The advisory committee shall provide the expertise,
2816 experience, and perspective of persons who are hearing impaired
2817 or speech impaired to the commission and to the administrator
2818 during all phases of the development and operation of the
2819 telecommunications access system. The advisory committee shall
2820 advise the commission and the administrator on ~~any matter~~
2821 ~~relating to~~ the quality and cost-effectiveness of the
2822 telecommunications relay service and the specialized
2823 telecommunications devices distribution system. The advisory
2824 committee may submit material for inclusion in the annual report
2825 prepared pursuant to s. 427.704 ~~to the President of the Senate~~
2826 ~~and the Speaker of the House of Representatives.~~

2827 Section 122. Paragraph (b) of subsection (3) of section
2828 429.07, Florida Statutes, is amended to read:

2829 429.07 License required; fee.—

2830 (3) In addition to the requirements of s. 408.806, each
2831 license granted by the agency must state the type of care for
2832 which the license is granted. Licenses shall be issued for one
2833 or more of the following categories of care: standard, extended
2834 congregate care, limited nursing services, or limited mental
2835 health.

2836 (b) An extended congregate care license shall be issued to
2837 facilities providing, directly or through contract, services
2838 beyond those authorized in paragraph (a), including services
2839 performed by persons licensed under ~~acts performed pursuant to~~
2840 ~~part I of chapter 464 by persons licensed thereunder,~~ and
2841 supportive services, as defined by rule, to persons who would
2842 otherwise ~~would~~ be disqualified from continued residence in a

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2843 facility licensed under this part.

2844 1. In order for extended congregate care services to be
2845 provided ~~in a facility licensed under this part~~, the agency must
2846 first determine that all requirements established in law and
2847 rule are met and must specifically designate, on the facility's
2848 license, that such services may be provided and whether the
2849 designation applies to all or part of the ~~a~~ facility. Such
2850 designation may be made at the time of initial licensure or
2851 relicensure, or upon request in writing by a licensee under this
2852 part and part II of chapter 408. The notification of approval or
2853 the denial of the ~~such~~ request shall be made in accordance with
2854 part II of chapter 408. Existing facilities qualifying to
2855 provide extended congregate care services must have maintained a
2856 standard license and may not have been subject to administrative
2857 sanctions during the previous 2 years, or since initial
2858 licensure if the facility has been licensed for less than 2
2859 years, for any of the following reasons:

2860 a. A class I or class II violation;

2861 b. Three or more repeat or recurring class III violations
2862 of identical or similar resident care standards ~~as specified in~~
2863 ~~rule~~ from which a pattern of noncompliance is found by the
2864 agency;

2865 c. Three or more class III violations that were not
2866 corrected in accordance with the corrective action plan approved
2867 by the agency;

2868 d. Violation of resident care standards which results in
2869 requiring the facility ~~resulting in a requirement~~ to employ the
2870 services of a consultant pharmacist or consultant dietitian;

2871 e. Denial, suspension, or revocation of a license for

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2872 another facility licensed under this part in which the applicant
2873 for an extended congregate care license has at least 25 percent
2874 ownership interest; or

2875 f. Imposition of a moratorium pursuant to this part or part
2876 II of chapter 408 or initiation of injunctive proceedings.

2877 2. A facility that is ~~Facilities that are~~ licensed to
2878 provide extended congregate care services shall maintain a
2879 written progress report on each person who receives ~~such~~
2880 services, which ~~report~~ describes the type, amount, duration,
2881 scope, and outcome of services that are rendered and the general
2882 status of the resident's health. A registered nurse, or
2883 appropriate designee, representing the agency shall visit the
2884 facility ~~such facilities~~ at least quarterly to monitor residents
2885 who are receiving extended congregate care services and to
2886 determine if the facility is in compliance with this part, part
2887 II of chapter 408, and relevant rules ~~that relate to extended~~
2888 ~~congregate care~~. One of the ~~these~~ visits may be in conjunction
2889 with the regular survey. The monitoring visits may be provided
2890 through contractual arrangements with appropriate community
2891 agencies. A registered nurse shall serve as part of the team
2892 that inspects the ~~such~~ facility. The agency may waive one of the
2893 required yearly monitoring visits for a facility that has been
2894 licensed for at least 24 months to provide extended congregate
2895 care services, if, during the inspection, the registered nurse
2896 determines that extended congregate care services are being
2897 provided appropriately, and if the facility has no class I or
2898 class II violations and no uncorrected class III violations.
2899 ~~Before such decision is made,~~ The agency must first ~~shall~~
2900 consult with the long-term care ombudsman council for the area

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2901 in which the facility is located to determine if any complaints
2902 have been made and substantiated about the quality of services
2903 or care. The agency may not waive one of the required yearly
2904 monitoring visits if complaints have been made and
2905 substantiated.

2906 3. A facility ~~Facilities~~ that is ~~are~~ licensed to provide
2907 extended congregate care services must ~~shall~~:

2908 a. Demonstrate the capability to meet unanticipated
2909 resident service needs.

2910 b. Offer a physical environment that promotes a homelike
2911 setting, provides for resident privacy, promotes resident
2912 independence, and allows sufficient congregate space as defined
2913 by rule.

2914 c. Have sufficient staff available, taking into account the
2915 physical plant and firesafety features of the building, to
2916 assist with the evacuation of residents in an emergency, ~~as~~
2917 ~~necessary~~.

2918 d. Adopt and follow policies and procedures that maximize
2919 resident independence, dignity, choice, and decisionmaking to
2920 permit residents to age in place ~~to the extent possible~~, so that
2921 moves due to changes in functional status are minimized or
2922 avoided.

2923 e. Allow residents or, if applicable, a resident's
2924 representative, designee, surrogate, guardian, or attorney in
2925 fact to make a variety of personal choices, participate in
2926 developing service plans, and share responsibility in
2927 decisionmaking.

2928 f. Implement the concept of managed risk.

2929 g. Provide, ~~either~~ directly or through contract, the

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2930 services of a person licensed under ~~pursuant to~~ part I of
2931 chapter 464.

2932 h. In addition to the training mandated in s. 429.52,
2933 provide specialized training as defined by rule for facility
2934 staff.

2935 4. A facility that is ~~Facilities~~ licensed to provide
2936 extended congregate care services is ~~are~~ exempt from the
2937 criteria for continued residency ~~as~~ set forth in rules adopted
2938 under s. 429.41. A licensed facility must ~~Facilities so licensed~~
2939 ~~shall~~ adopt its ~~their~~ own requirements within guidelines for
2940 continued residency set forth by rule. However, the facility
2941 ~~such facilities~~ may not serve residents who require 24-hour
2942 nursing supervision. A licensed facility that provides
2943 ~~Facilities licensed to provide~~ extended congregate care services
2944 must also shall provide each resident with a written copy of
2945 facility policies governing admission and retention.

2946 5. The primary purpose of extended congregate care services
2947 is to allow residents, as they become more impaired, the option
2948 of remaining in a familiar setting from which they would
2949 otherwise be disqualified for continued residency. A facility
2950 licensed to provide extended congregate care services may also
2951 admit an individual who exceeds the admission criteria for a
2952 facility with a standard license, if the individual is
2953 determined appropriate for admission to the extended congregate
2954 care facility.

2955 6. Before the admission of an individual to a facility
2956 licensed to provide extended congregate care services, the
2957 individual must undergo a medical examination as provided in s.
2958 429.26(4) and the facility must develop a preliminary service

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2959 plan for the individual.

2960 7. When a facility can no longer provide or arrange for
2961 services in accordance with the resident's service plan and
2962 needs and the facility's policy, the facility shall make
2963 arrangements for relocating the person in accordance with s.
2964 429.28(1)(k).

2965 8. Failure to provide extended congregate care services may
2966 result in denial of extended congregate care license renewal.

2967 ~~9. No later than January 1 of each year, the department, in
2968 consultation with the agency, shall prepare and submit to the
2969 Governor, the President of the Senate, the Speaker of the House
2970 of Representatives, and the chairs of appropriate legislative
2971 committees, a report on the status of, and recommendations
2972 related to, extended congregate care services. The status report
2973 must include, but need not be limited to, the following
2974 information:~~

2975 ~~a. A description of the facilities licensed to provide such
2976 services, including total number of beds licensed under this
2977 part.~~

2978 ~~b. The number and characteristics of residents receiving
2979 such services.~~

2980 ~~c. The types of services rendered that could not be
2981 provided through a standard license.~~

2982 ~~d. An analysis of deficiencies cited during licensure
2983 inspections.~~

2984 ~~e. The number of residents who required extended congregate
2985 care services at admission and the source of admission.~~

2986 ~~f. Recommendations for statutory or regulatory changes.~~

2987 ~~g. The availability of extended congregate care to state~~

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2988 ~~clients residing in facilities licensed under this part and in~~
2989 ~~need of additional services, and recommendations for~~
2990 ~~appropriations to subsidize extended congregate care services~~
2991 ~~for such persons.~~

2992 ~~h. Such other information as the department considers~~
2993 ~~appropriate.~~

2994 Section 123. Subsection (2) of section 429.08, Florida
2995 Statutes, is repealed.

2996 Section 124. Subsection (5) of section 429.41, Florida
2997 Statutes, is amended to read:

2998 429.41 Rules establishing standards.—

2999 (5) The agency may use an abbreviated biennial standard
3000 licensure inspection that consists of a review of key quality-
3001 of-care standards in lieu of a full inspection in a facility
3002 that has facilities which have a good record of past
3003 performance. However, a full inspection must ~~shall~~ be conducted
3004 in a facility that has facilities which have had a history of
3005 class I or class II violations, uncorrected class III
3006 violations, confirmed ombudsman council complaints, or confirmed
3007 licensure complaints, within the previous licensure period
3008 immediately preceding the inspection or if ~~when~~ a potentially
3009 serious problem is identified during the abbreviated inspection.
3010 The agency, in consultation with the department, shall develop
3011 the key quality-of-care standards with input from the State
3012 Long-Term Care Ombudsman Council and representatives of provider
3013 groups for incorporation into its rules. ~~The department, in~~
3014 ~~consultation with the agency, shall report annually to the~~
3015 ~~Legislature concerning its implementation of this subsection.~~
3016 ~~The report shall include, at a minimum, the key quality of care~~

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3017 ~~standards which have been developed; the number of facilities~~
3018 ~~identified as being eligible for the abbreviated inspection; the~~
3019 ~~number of facilities which have received the abbreviated~~
3020 ~~inspection and, of those, the number that were converted to full~~
3021 ~~inspection; the number and type of subsequent complaints~~
3022 ~~received by the agency or department on facilities which have~~
3023 ~~had abbreviated inspections; any recommendations for~~
3024 ~~modification to this subsection; any plans by the agency to~~
3025 ~~modify its implementation of this subsection; and any other~~
3026 ~~information which the department believes should be reported.~~

3027 Section 125. Subsections (3) through (17) of section
3028 430.04, Florida Statutes, are amended to read:

3029 430.04 Duties and responsibilities of the Department of
3030 Elderly Affairs.—The Department of Elderly Affairs shall:

3031 ~~(3) Prepare and submit to the Governor, each Cabinet~~
3032 ~~member, the President of the Senate, the Speaker of the House of~~
3033 ~~Representatives, the minority leaders of the House and Senate,~~
3034 ~~and chairpersons of appropriate House and Senate committees a~~
3035 ~~master plan for policies and programs in the state related to~~
3036 ~~aging. The plan must identify and assess the needs of the~~
3037 ~~elderly population in the areas of housing, employment,~~
3038 ~~education and training, medical care, long-term care, preventive~~
3039 ~~care, protective services, social services, mental health,~~
3040 ~~transportation, and long term care insurance, and other areas~~
3041 ~~considered appropriate by the department. The plan must assess~~
3042 ~~the needs of particular subgroups of the population and evaluate~~
3043 ~~the capacity of existing programs, both public and private and~~
3044 ~~in state and local agencies, to respond effectively to~~
3045 ~~identified needs. If the plan recommends the transfer of any~~

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3046 ~~program or service from the Department of Children and Family~~
3047 ~~Services to another state department, the plan must also include~~
3048 ~~recommendations that provide for an independent third-party~~
3049 ~~mechanism, as currently exists in the Florida advocacy councils~~
3050 ~~established in ss. 402.165 and 402.166, for protecting the~~
3051 ~~constitutional and human rights of recipients of departmental~~
3052 ~~services. The plan must include policy goals and program~~
3053 ~~strategies designed to respond efficiently to current and~~
3054 ~~projected needs. The plan must also include policy goals and~~
3055 ~~program strategies to promote intergenerational relationships~~
3056 ~~and activities. Public hearings and other appropriate processes~~
3057 ~~shall be utilized by the department to solicit input for the~~
3058 ~~development and updating of the master plan from parties~~
3059 ~~including, but not limited to, the following:~~

3060 ~~(a) Elderly citizens and their families and caregivers.~~

3061 ~~(b) Local-level public and private service providers,~~
3062 ~~advocacy organizations, and other organizations relating to the~~
3063 ~~elderly.~~

3064 ~~(c) Local governments.~~

3065 ~~(d) All state agencies that provide services to the~~
3066 ~~elderly.~~

3067 ~~(e) University centers on aging.~~

3068 ~~(f) Area agency on aging and community care for the elderly~~
3069 ~~lead agencies.~~

3070 (3)~~(4)~~ Serve as an information clearinghouse at the state
3071 level, and assist local-level information and referral resources
3072 as a repository and means for the dissemination of information
3073 regarding all federal, state, and local resources for assistance
3074 to the elderly in the areas of, but not limited to, health,

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3075 social welfare, long-term care, protective services, consumer
3076 protection, education and training, housing, employment,
3077 recreation, transportation, insurance, and retirement.

3078 (4)~~(5)~~ Recommend guidelines for the development of roles
3079 for state agencies that provide services for the aging, review
3080 plans of agencies that provide such services, and relay the
3081 ~~these plans to the Governor and the Legislature, each Cabinet~~
3082 ~~member, the President of the Senate, the Speaker of the House of~~
3083 ~~Representatives, the minority leaders of the House and Senate,~~
3084 ~~and chairpersons of appropriate House and Senate committees.~~

3085 (5)~~(6)~~ Recommend to the Governor and the Legislature, ~~each~~
3086 ~~Cabinet member, the President of the Senate, the Speaker of the~~
3087 ~~House of Representatives, the minority leaders of the House and~~
3088 ~~Senate, and chairpersons of appropriate House and Senate~~
3089 ~~committees~~ an organizational framework for the planning,
3090 coordination, implementation, and evaluation of programs related
3091 to aging, with the purpose of expanding and improving programs
3092 and opportunities available to the state's elderly population
3093 and enhancing a continuum of long-term care. This framework must
3094 ensure ~~assure~~ that:

3095 (a) Performance objectives are established.

3096 (b) Program reviews are conducted statewide.

3097 (c) Each major program related to aging is reviewed every 3
3098 years.

3099 ~~(d) Agency budget requests reflect the results and~~
3100 ~~recommendations of such program reviews.~~

3101 (d)~~(e)~~ Program decisions reinforce ~~lead to~~ the distinctive
3102 roles established for state agencies that provide aging
3103 services.

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3104 (6)~~(7)~~ Advise the Governor and the Legislature, ~~each~~
3105 ~~Cabinet member, the President of the Senate, the Speaker of the~~
3106 ~~House of Representatives, the minority leaders of the House and~~
3107 ~~Senate, and the chairpersons of appropriate House and Senate~~
3108 ~~committees~~ regarding the need for and location of programs
3109 related to aging.

3110 (7)~~(8)~~ Review and coordinate aging research plans of all
3111 state agencies to ensure that ~~the conformance of~~ research
3112 objectives address ~~to~~ issues and needs of the state's elderly
3113 population addressed in the master plan for policies and
3114 ~~programs related to aging~~. The research activities that must be
3115 reviewed and coordinated by the department include, but are not
3116 limited to, contracts with academic institutions, development of
3117 educational and training curriculums, Alzheimer's disease and
3118 other medical research, studies of long-term care and other
3119 personal assistance needs, and design of adaptive or modified
3120 living environments.

3121 (8)~~(9)~~ Review budget requests for programs related to aging
3122 to ensure the most cost-effective use of state funding for the
3123 state's elderly population for compliance with the master plan
3124 ~~for policies and programs related to aging~~ before submission to
3125 the Governor and the Legislature.

3126 ~~(10)~~ Update ~~the master plan for policies and programs~~
3127 ~~related to aging every 3 years~~.

3128 ~~(11)~~ Review implementation of the master plan for programs
3129 and policies related to aging and annually report to the
3130 Governor, ~~each Cabinet member, the President of the Senate, the~~
3131 ~~Speaker of the House of Representatives, the minority leaders of~~
3132 ~~the House and Senate, and the chairpersons of appropriate House~~

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3133 and Senate committees the progress towards implementation of the
3134 plan.

3135 (9)~~(12)~~ Request other departments that administer programs
3136 affecting the state's elderly population to amend their plans,
3137 rules, policies, and research objectives as necessary to ensure
3138 that programs and other initiatives are coordinated and maximize
3139 the state's efforts to address the needs of the elderly ~~conform~~
3140 ~~with the master plan for policies and programs related to aging.~~

3141 (10)~~(13)~~ Hold public meetings regularly throughout the
3142 state to receive for purposes of receiving information and
3143 maximize ~~maximizing~~ the visibility of important issues relating
3144 to aging and the elderly.

3145 (11)~~(14)~~ Conduct policy analysis and program evaluation
3146 studies assigned by the Legislature.

3147 (12)~~(15)~~ Assist the Governor, each Cabinet member, and
3148 members of the Legislature ~~the President of the Senate, the~~
3149 ~~Speaker of the House of Representatives, the minority leaders of~~
3150 ~~the House and Senate, and the chairpersons of appropriate House~~
3151 ~~and Senate committees in~~ conducting ~~the conduct of~~ their
3152 responsibilities ~~in such capacities~~ as they consider
3153 appropriate.

3154 (13)~~(16)~~ Call upon appropriate agencies of state government
3155 for such assistance as is needed in the discharge of its duties.
3156 All agencies shall cooperate in assisting the department in
3157 carrying out its responsibilities as prescribed by this section.
3158 However, the ~~no provision of law regarding~~ with respect to
3159 confidentiality of information may not be violated.

3160 (14)~~(17)~~ Be designated as a state agency that is eligible
3161 to receive federal funds for adults who are eligible for

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3162 assistance through the portion of the federal Child and Adult
3163 Care Food Program for adults, which is referred to as the Adult
3164 Care Food Program, and that is responsible for establishing and
3165 administering the program. The purpose of the Adult Care Food
3166 Program is to provide nutritious and wholesome meals and snacks
3167 for adults in nonresidential day care centers or residential
3168 treatment facilities. To ensure the quality and integrity of the
3169 program, the department shall develop standards and procedures
3170 that govern sponsoring organizations and adult day care centers.
3171 The department shall follow federal requirements and may adopt
3172 any rules necessary to administer ~~pursuant to ss. 120.536(1) and~~
3173 ~~120.54 for the implementation of the Adult Care Food program~~
3174 ~~and. With respect to the Adult Care Food Program, the department~~
3175 ~~shall adopt rules pursuant to ss. 120.536(1) and 120.54 that~~
3176 implement relevant federal regulations, including 7 C.F.R. part
3177 226. The rules may address, at a minimum, the program
3178 requirements and procedures identified in this subsection.

3179 Section 126. Subsections (3) and (8) of section 430.502,
3180 Florida Statutes, are amended to read:

3181 430.502 Alzheimer's disease; memory disorder clinics and
3182 day care and respite care programs.—

3183 (3) The Alzheimer's Disease Advisory Committee shall ~~must~~
3184 evaluate and make recommendations to the department and the
3185 Legislature concerning the need for additional memory disorder
3186 clinics in the state. ~~The first report will be due by December~~
3187 ~~31, 1995.~~

3188 (8) The department shall ~~will~~ implement the waiver program
3189 specified in subsection (7). The agency and the department shall
3190 ensure that providers who ~~are selected that~~ have a history of

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3191 successfully serving persons with Alzheimer's disease are
3192 selected. The department and the agency shall develop
3193 specialized standards for providers and services tailored to
3194 persons in the early, middle, and late stages of Alzheimer's
3195 disease and designate a level of care determination process and
3196 standard that is most appropriate to this population. The
3197 department and the agency shall include in the waiver services
3198 designed to assist the caregiver in continuing to provide in-
3199 home care. The department shall implement this waiver program
3200 subject to a specific appropriation or as provided in the
3201 General Appropriations Act. ~~The department and the agency shall~~
3202 ~~submit their program design to the President of the Senate and~~
3203 ~~the Speaker of the House of Representatives for consultation~~
3204 ~~during the development process.~~

3205 Section 127. Subsection (1) and paragraph (a) of subsection
3206 (6) of section 445.006, Florida Statutes, are amended to read:
3207 445.006 Strategic and operational plans for workforce
3208 development.—

3209 (1) Workforce Florida, Inc., in conjunction with state and
3210 local partners in the workforce system, shall develop a
3211 strategic plan that produces ~~for workforce, with the goal of~~
3212 ~~producing~~ skilled employees for employers in the state. ~~The~~
3213 ~~strategic plan shall be submitted to the Governor, the President~~
3214 ~~of the Senate, and the Speaker of the House of Representatives~~
3215 ~~by February 1, 2001.~~ The strategic plan shall be updated or
3216 modified by January 1 of each year ~~thereafter~~. The plan must
3217 include, but need not be limited to, strategies for:

3218 (a) Fulfilling the workforce system goals and strategies
3219 prescribed in s. 445.004;

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3220 (b) Aggregating, integrating, and leveraging workforce
3221 system resources;

3222 (c) Coordinating the activities of federal, state, and
3223 local workforce system partners;

3224 (d) Addressing the workforce needs of small businesses; and

3225 (e) Fostering the participation of rural communities and
3226 distressed urban cores in the workforce system.

3227 (6) (a) The operational plan must include strategies that
3228 are designed to prevent or reduce the need for a person to
3229 receive public assistance. The ~~These~~ strategies must include:

3230 1. A teen pregnancy prevention component that includes, but
3231 is not limited to, a plan for implementing the ~~Florida Education~~
3232 ~~Now and Babies Later (ENABL) program under s. 411.242 and the~~
3233 Teen Pregnancy Prevention Community Initiative within each
3234 county of the services area in which the teen birth rate is
3235 higher than the state average;

3236 2. A component that encourages creation of community-based
3237 welfare prevention and reduction initiatives that increase
3238 support provided by noncustodial parents to their welfare-
3239 dependent children and are consistent with program and financial
3240 guidelines developed by Workforce Florida, Inc., and the
3241 Commission on Responsible Fatherhood. These initiatives may
3242 include, ~~but are not limited to,~~ improved paternity
3243 establishment, work activities for noncustodial parents,
3244 programs aimed at decreasing out-of-wedlock pregnancies,
3245 encouraging involvement of fathers with their children which
3246 includes including court-ordered supervised visitation, and
3247 increasing child support payments;

3248 3. A component that encourages formation and maintenance of

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3249 two-parent families through, among other things, court-ordered
3250 supervised visitation;

3251 4. A component that fosters responsible fatherhood in
3252 families receiving assistance; and

3253 5. A component that fosters the provision of services that
3254 reduce the incidence and effects of domestic violence on women
3255 and children in families receiving assistance.

3256 Section 128. Section 455.204, Florida Statutes, is
3257 repealed.

3258 Section 129. Subsection (8) of section 455.2226, Florida
3259 Statutes, is repealed.

3260 Section 130. Subsection (6) of section 455.2228, Florida
3261 Statutes, is repealed.

3262 Section 131. Section 456.005, Florida Statutes, is amended
3263 to read:

3264 456.005 Long-range policy planning; ~~plans, reports, and~~
3265 ~~recommendations.~~—To facilitate efficient and cost-effective
3266 regulation, the department and the board, if ~~where~~ appropriate,
3267 shall develop and implement a long-range policy planning and
3268 monitoring process that includes ~~to include~~ recommendations
3269 specific to each profession. The ~~Such~~ process shall include
3270 estimates of revenues, expenditures, cash balances, and
3271 performance statistics for each profession. The period covered
3272 may ~~shall~~ not be less than 5 years. The department, with input
3273 from the boards and licensees, shall develop and adopt the long-
3274 range plan ~~and must obtain the approval of the State Surgeon~~
3275 ~~General.~~ The department shall monitor compliance with the
3276 ~~approved long-range~~ plan and, with input from the boards and
3277 licensees, shall annually update the plans ~~for approval by the~~

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3278 ~~State Surgeon General.~~ The department shall provide concise
3279 management reports to the boards quarterly. As part of the
3280 review process, the department shall evaluate:

3281 (1) Whether the department, including the boards and the
3282 various functions performed by the department, is operating
3283 efficiently and effectively and if there is a need for a board
3284 or council to assist in cost-effective regulation.

3285 (2) How and why the various professions are regulated.

3286 (3) Whether there is a need to continue regulation, and to
3287 what degree.

3288 (4) Whether or not consumer protection is adequate, and how
3289 it can be improved.

3290 (5) Whether there is consistency between the various
3291 practice acts.

3292 (6) Whether unlicensed activity is adequately enforced.

3293

3294 The ~~Such~~ plans shall ~~should~~ include conclusions and
3295 recommendations on these and other issues as appropriate. ~~Such~~
3296 ~~plans shall be provided to the Governor and the Legislature by~~
3297 ~~November 1 of each year.~~

3298 Section 132. Subsection (9) of section 456.025, Florida
3299 Statutes, is amended to read:

3300 456.025 Fees; receipts; disposition.—

3301 (9) The department shall provide a ~~condensed~~ management
3302 report of revenues and expenditures ~~budgets, finances,~~
3303 performance measures ~~statistics,~~ and recommendations to each
3304 board at least once a quarter. ~~The department shall identify and~~
3305 ~~include in such presentations any changes, or projected changes,~~
3306 ~~made to the board's budget since the last presentation.~~

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3307 Section 133. Subsection (6) of section 456.034, Florida
3308 Statutes, is repealed.

3309 Section 134. Subsections (3) and (4) of section 517.302,
3310 Florida Statutes, are amended to read:

3311 517.302 Criminal penalties; alternative fine; Anti-Fraud
3312 Trust Fund; time limitation for criminal prosecution.—

3313 (3) In lieu of a fine otherwise authorized by law, a person
3314 who has been convicted of or who has pleaded guilty or no
3315 contest to having engaged in conduct in violation of ~~the~~
3316 ~~provisions of~~ this chapter may be sentenced to pay a fine that
3317 does not exceed the greater of three times the gross value
3318 gained or three times the gross loss caused by such conduct,
3319 plus court costs and the costs of investigation and prosecution
3320 reasonably incurred.

3321 (4)(a) There is created within the office a trust fund to
3322 be known as the Anti-Fraud Trust Fund. Any amounts assessed as
3323 costs of investigation and prosecution under this subsection
3324 shall be deposited in the trust fund. Funds deposited in the
3325 ~~such~~ trust fund must ~~shall~~ be used, when authorized by
3326 appropriation, for investigation and prosecution of
3327 administrative, civil, and criminal actions arising under ~~the~~
3328 ~~provisions of~~ this chapter. Funds may also be used to improve
3329 the public's awareness and understanding of prudent investing.

3330 ~~(b) The office shall report to the Executive Office of the~~
3331 ~~Governor annually by November 15, the amounts deposited into the~~
3332 ~~Anti-Fraud Trust Fund during the previous fiscal year. The~~
3333 ~~Executive Office of the Governor shall distribute these reports~~
3334 ~~to the President of the Senate and the Speaker of the House of~~
3335 ~~Representatives.~~

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3336 (5)~~(4)~~ Criminal prosecution for offenses under this chapter
3337 is subject to the time limitations in ~~of~~ s. 775.15.

3338 Section 135. Subsection (3) of section 531.415, Florida
3339 Statutes, is repealed.

3340 Section 136. Subsection (3) of section 570.0705, Florida
3341 Statutes, is repealed.

3342 Section 137. Subsection (5) of section 570.0725, Florida
3343 Statutes, is repealed.

3344 Section 138. Subsection (3) of section 570.543, Florida
3345 Statutes, is repealed.

3346 Section 139. Section 603.204, Florida Statutes, is amended
3347 to read:

3348 603.204 South Florida Tropical Fruit Plan.—

3349 ~~(1) The Commissioner of Agriculture, in consultation with~~
3350 ~~the Tropical Fruit Advisory Council, shall develop and update,~~
3351 ~~at least 90 days prior to the 1991 legislative session, submit~~
3352 ~~to the President of the Senate, the Speaker of the House of~~
3353 ~~Representatives, and the chairs of appropriate Senate and House~~
3354 ~~of Representatives committees, a South Florida Tropical Fruit~~
3355 ~~Plan, which shall identify problems and constraints of the~~
3356 ~~tropical fruit industry, propose possible solutions to such~~
3357 ~~problems, and develop planning mechanisms for orderly growth of~~
3358 ~~the industry, including:~~

3359 (1)~~(a)~~ Criteria for tropical fruit research, service, and
3360 management priorities.

3361 (2)~~(b)~~ ~~Additional~~ Proposed legislation that ~~which~~ may be
3362 required.

3363 (3)~~(c)~~ Plans relating to other tropical fruit programs and
3364 related disciplines in the State University System.

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3365 (4)~~(d)~~ Potential tropical fruit products in terms of market
3366 and needs for development.

3367 (5)~~(e)~~ Evaluation of production and fresh fruit policy
3368 alternatives, including, but not limited to, setting minimum
3369 grades and standards, promotion and advertising, development of
3370 production and marketing strategies, and setting minimum
3371 standards on types and quality of nursery plants.

3372 (6)~~(f)~~ Evaluation of policy alternatives for processed
3373 tropical fruit products, including, but not limited to, setting
3374 minimum quality standards and development of production and
3375 marketing strategies.

3376 (7)~~(g)~~ Research and service priorities for further
3377 development of the tropical fruit industry.

3378 (8)~~(h)~~ Identification of state agencies and public and
3379 private institutions concerned with research, education,
3380 extension, services, planning, promotion, and marketing
3381 functions related to tropical fruit development, and delineation
3382 of contributions and responsibilities. The recommendations in
3383 the ~~South Florida Tropical Fruit~~ plan relating to education or
3384 research shall be submitted to the Institute of Food and
3385 Agricultural Sciences. ~~The recommendations relating to~~
3386 ~~regulation or marketing shall be submitted to the Department of~~
3387 ~~Agriculture and Consumer Services.~~

3388 (9)~~(i)~~ Business planning, investment potential, financial
3389 risks, and economics of production and use utilization.

3390 ~~(2) A revision and update of the South Florida Tropical~~
3391 ~~Fruit Plan shall be submitted biennially, and a progress report~~
3392 ~~and budget request shall be submitted annually, to the officials~~
3393 ~~specified in subsection (1).~~

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3394 Section 140. Subsection (6) of section 627.64872, Florida
3395 Statutes, is amended to read:

3396 627.64872 Florida Health Insurance Plan.—

3397 (6) ~~INTERIM REPORT;~~ ANNUAL REPORT.—

3398 ~~(a) By no later than December 1, 2004, the board shall~~
3399 ~~report to the Governor, the President of the Senate, and the~~
3400 ~~Speaker of the House of Representatives the results of an~~
3401 ~~actuarial study conducted by the board to determine, including,~~
3402 ~~but not limited to:~~

3403 1. ~~The impact the creation of the plan will have on the~~
3404 ~~small group insurance market and the individual market on~~
3405 ~~premiums paid by insureds. This shall include an estimate of the~~
3406 ~~total anticipated aggregate savings for all small employers in~~
3407 ~~the state.~~

3408 2. ~~The number of individuals the pool could reasonably~~
3409 ~~cover at various funding levels, specifically, the number of~~
3410 ~~people the pool may cover at each of those funding levels.~~

3411 3. ~~A recommendation as to the best source of funding for~~
3412 ~~the anticipated deficits of the pool.~~

3413 4. ~~The effect on the individual and small group market by~~
3414 ~~including in the Florida Health Insurance Plan persons eligible~~
3415 ~~for coverage under s. 627.6487, as well as the cost of including~~
3416 ~~these individuals.~~

3417
3418 ~~The board shall take no action to implement the Florida Health~~
3419 ~~Insurance Plan, other than the completion of the actuarial study~~
3420 ~~authorized in this paragraph, until funds are appropriated for~~
3421 ~~startup cost and any projected deficits.~~

3422 ~~(b) No later than December 1, 2005, and annually~~

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3423 ~~thereafter,~~ The board shall annually submit to the Governor, the
3424 President of the Senate, and the Speaker of the House of
3425 Representatives, ~~and the substantive legislative committees of~~
3426 ~~the Legislature~~ a report that ~~which~~ includes an independent
3427 actuarial study to determine, without limitation, the following
3428 ~~including, but not be limited to:~~

3429 (a)1. The effect ~~impact~~ the creation of the plan has on the
3430 small group and individual insurance market, specifically on the
3431 premiums paid by insureds, including. ~~This shall include~~ an
3432 estimate of the total anticipated aggregate savings for all
3433 small employers in the state.

3434 (b)2. The actual number of individuals covered at the
3435 current funding and benefit level, the projected number of
3436 individuals that may seek coverage in the forthcoming fiscal
3437 year, and the projected funding needed to cover anticipated
3438 increase or decrease in plan participation.

3439 (c)3. A recommendation as to the best source of funding for
3440 the anticipated deficits of the pool.

3441 (d)4. A summary ~~summarization~~ of the activities of the plan
3442 in the preceding calendar year, including the net written and
3443 earned premiums, plan enrollment, the expense of administration,
3444 and the paid and incurred losses.

3445 (e)5. A review of the operation of the plan as to whether
3446 the plan has met the intent of this section.

3447
3448 The board may not implement the Florida Health Insurance Plan
3449 until funds are appropriated for startup costs and any projected
3450 deficits; however, the board may complete the actuarial study
3451 authorized in this subsection.

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3452 Section 141. Subsections (5) and (7) of section 744.708,
3453 Florida Statutes, are amended to read:

3454 744.708 Reports and standards.—

3455 (5) (a) Each office of public guardian shall undergo an
3456 independent audit by a qualified certified public accountant at
3457 least once every 2 years. A copy of the audit report shall be
3458 submitted to the Statewide Public Guardianship Office.

3459 (b) In addition to regular monitoring activities, the
3460 Statewide Public Guardianship Office shall conduct an
3461 investigation into the practices of each office of public
3462 guardian related to the managing of each ward's personal affairs
3463 and property. ~~If~~ When feasible, the investigation ~~required under~~
3464 ~~this paragraph~~ shall be conducted in conjunction with the
3465 financial audit of each office of public guardian under
3466 paragraph (a).

3467 ~~(c) In addition, each office of public guardian shall be~~
3468 ~~subject to audits or examinations by the Auditor General and the~~
3469 ~~Office of Program Policy Analysis and Government Accountability~~
3470 ~~pursuant to law.~~

3471 (7) The ratio for professional staff to wards shall be 1
3472 professional to 40 wards. The Statewide Public Guardianship
3473 Office may increase or decrease the ratio after consultation
3474 with the local public guardian and the chief judge of the
3475 circuit court. The basis for ~~of~~ the decision to increase or
3476 decrease the prescribed ratio must ~~shall~~ be included ~~reported~~ in
3477 the annual report to the secretary ~~of Elderly Affairs, the~~
3478 ~~Governor, the President of the Senate, the Speaker of the House~~
3479 ~~of Representatives, and the Chief Justice of the Supreme Court.~~

3480 Section 142. Subsection (6) of section 768.295, Florida

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3481 Statutes, is amended to read:

3482 768.295 Strategic Lawsuits Against Public Participation
3483 (SLAPP) suits by governmental entities prohibited.—

3484 (6) In any case filed by a governmental entity which is
3485 found by a court to be in violation of this section, the
3486 governmental entity shall report such finding and provide a copy
3487 of the court's order to the Attorney General no later than 30
3488 days after the ~~such~~ order is final. The Attorney General shall
3489 maintain a record of the court orders ~~report any violation of~~
3490 ~~this section by a governmental entity to the Cabinet, the~~
3491 ~~President of the Senate, and the Speaker of the House of~~
3492 ~~Representatives. A copy of such report shall be provided to the~~
3493 ~~affected governmental entity.~~

3494 Section 143. Paragraph (c) of subsection (3) of section
3495 775.084, Florida Statutes, is amended to read:

3496 775.084 Violent career criminals; habitual felony offenders
3497 and habitual violent felony offenders; three-time violent felony
3498 offenders; definitions; procedure; enhanced penalties or
3499 mandatory minimum prison terms.—

3500 (3)

3501 (c) In a separate proceeding, the court shall determine
3502 whether the defendant is a violent career criminal with respect
3503 to a primary offense committed on or after October 1, 1995. The
3504 procedure shall be as follows:

3505 1. Written notice shall be served on the defendant and the
3506 defendant's attorney a sufficient time before ~~prior to~~ the entry
3507 of a plea or before ~~prior to~~ the imposition of sentence ~~in order~~
3508 to allow for the preparation of a submission on behalf of the
3509 defendant.

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3510 2. All evidence ~~presented~~ shall be presented in open court
3511 with full rights of confrontation, cross-examination, and
3512 representation by counsel.

3513 3. Each of the findings required as the basis for such
3514 sentence shall be found to exist by a preponderance of the
3515 evidence and shall be appealable only as provided in paragraph
3516 (d).

3517 4. For the purpose of identification, the court shall
3518 fingerprint the defendant pursuant to s. 921.241.

3519 ~~5. For an offense committed on or after October 1, 1995, if
3520 the state attorney pursues a violent career criminal sanction
3521 against the defendant and the court, in a separate proceeding
3522 pursuant to this paragraph, determines that the defendant meets
3523 the criteria under subsection (1) for imposing such sanction,
3524 the court must sentence the defendant as a violent career
3525 eriminal, subject to imprisonment pursuant to this section
3526 unless the court finds that such sentence is not necessary for
3527 the protection of the public. If the court finds that it is not
3528 necessary for the protection of the public to sentence the
3529 defendant as a violent career criminal, the court shall provide
3530 written reasons; a written transcript of orally stated reasons
3531 is permissible, if filed by the court within 7 days after the
3532 date of sentencing. Each month, the court shall submit to the
3533 Office of Economic and Demographic Research of the Legislature
3534 the written reasons or transcripts in each case in which the
3535 court determines not to sentence a defendant as a violent career
3536 eriminal as provided in this subparagraph.~~

3537 Section 144. Subsection (8) of section 790.22, Florida
3538 Statutes, is amended to read:

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3539 790.22 Use of BB guns, air or gas-operated guns, or
3540 electric weapons or devices by minor under 16; limitation;
3541 possession of firearms by minor under 18 prohibited; penalties.-

3542 (8) Notwithstanding s. 985.24 or s. 985.25(1), if a minor
3543 ~~under 18 years of age~~ is charged with an offense that involves
3544 the use or possession of a firearm, ~~as defined in s. 790.001,~~
3545 including a violation of subsection (3), or is charged for any
3546 offense during the commission of which the minor possessed a
3547 firearm, the minor shall be detained in secure detention, unless
3548 the state attorney authorizes the release of the minor, and
3549 shall be given a hearing within 24 hours after being taken into
3550 custody. At the hearing, the court may order that the minor
3551 continue to be held in secure detention in accordance with the
3552 applicable time periods specified in s. 985.26(1)-(5), if the
3553 court finds that the minor meets the criteria specified in s.
3554 985.255, or if the court finds by clear and convincing evidence
3555 that the minor is a clear and present danger to himself or
3556 herself or the community. The Department of Juvenile Justice
3557 shall prepare a form for all minors charged under this
3558 subsection which ~~that~~ states the period of detention and the
3559 relevant demographic information, including, but not limited to,
3560 the gender ~~sex~~, age, and race of the minor; whether or not the
3561 minor was represented by private counsel or a public defender;
3562 the current offense; and the minor's complete prior record,
3563 including any pending cases. The form shall be provided to the
3564 judge for ~~to be considered when~~ determining whether the minor
3565 should be continued in secure detention under this subsection.
3566 An order placing a minor in secure detention because the minor
3567 is a clear and present danger to himself or herself or the

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3568 community must be in writing, must specify the need for
3569 detention and the benefits derived by the minor or the community
3570 by placing the minor in secure detention, and must include a
3571 copy of the form provided by the department. ~~The Department of~~
3572 ~~Juvenile Justice must send the form, including a copy of any~~
3573 ~~order, without client-identifying information, to the Office of~~
3574 ~~Economic and Demographic Research.~~

3575 Section 145. Section 943.125, Florida Statutes, is amended
3576 to read:

3577 943.125 Law enforcement agency accreditation; intent.—

3578 ~~(1) LEGISLATIVE INTENT.—~~

3579 (1)(a) It is the intent of the Legislature that law
3580 enforcement agencies in the state be upgraded and strengthened
3581 through the adoption of meaningful standards of operation for
3582 those agencies.

3583 (2)(b) It is the further intent of the Legislature that law
3584 enforcement agencies voluntarily adopt standards designed to
3585 promote equal and fair law enforcement, to maximize the
3586 capability of law enforcement agencies to prevent and control
3587 criminal activities, and to increase interagency cooperation
3588 throughout the state.

3589 (3)(c) It is further the intent of the Legislature to
3590 encourage the Florida Sheriffs Association and the Florida
3591 Police Chiefs Association to develop, either jointly or
3592 separately, a law enforcement agency accreditation program. The
3593 ~~Such~~ program must ~~shall~~ be independent of any law enforcement
3594 agency, the Florida Sheriffs Association, or the Florida Police
3595 Chiefs Association. The ~~Any such law enforcement agency~~
3596 ~~accreditation~~ program must ~~should~~ address, at a minimum, the

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3597 following aspects of law enforcement:

3598 (a)~~1~~. Vehicle pursuits.

3599 (b)~~2~~. Seizure and forfeiture of contraband articles.

3600 (c)~~3~~. Recording and processing citizens' complaints.

3601 (d)~~4~~. Use of force.

3602 (e)~~5~~. Traffic stops.

3603 (f)~~6~~. Handling natural and manmade disasters.

3604 (g)~~7~~. Special operations.

3605 (h)~~8~~. Prisoner transfer.

3606 (i)~~9~~. Collection and preservation of evidence.

3607 (j)~~10~~. Recruitment and selection.

3608 (k)~~11~~. Officer training.

3609 (l)~~12~~. Performance evaluations.

3610 (m)~~13~~. Law enforcement disciplinary procedures and rights.

3611 (n)~~14~~. Use of criminal investigative funds.

3612 ~~(2) FEASIBILITY AND STATUS REPORT. The Florida Sheriffs~~
3613 ~~Association and the Florida Police Chiefs Association, either~~
3614 ~~jointly or separately, shall report to the Speaker of the House~~
3615 ~~of Representatives and the President of the Senate regarding the~~
3616 ~~feasibility of a law enforcement agency accreditation program~~
3617 ~~and the status of the efforts of the Florida Sheriffs~~
3618 ~~Association and the Florida Police Chiefs Association to develop~~
3619 ~~a law enforcement agency accreditation program as provided in~~
3620 ~~this section.~~

3621 Section 146. Subsection (9) of section 943.68, Florida
3622 Statutes, is amended to read:

3623 943.68 Transportation and protective services.—

3624 (9) The department shall submit a report each July 15 to
3625 the ~~President of the Senate, Speaker of the House of~~

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3626 ~~Representatives,~~ Governor, the Legislature, and ~~members of the~~
3627 Cabinet, detailing all transportation and protective services
3628 provided under subsections (1), (5), and (6) within the
3629 preceding fiscal year. Each report shall include a detailed
3630 accounting of the cost of such transportation and protective
3631 services, including the names of persons provided such services
3632 and the nature of state business performed.

3633 Section 147. Section 944.023, Florida Statutes, is amended
3634 to read:

3635 944.023 Institutional capacity ~~Comprehensive correctional~~
3636 ~~master plan.~~

3637 (1) As used in this section and s. 944.0231, the term:

3638 (a) "Criminal Justice Estimating Conference" means the
3639 Criminal Justice Estimating Conference referred to in s.
3640 216.136(5).

3641 (b) "Total capacity" of the state correctional system means
3642 the total design capacity of all institutions and facilities in
3643 the state correctional system, which may include those
3644 facilities authorized and funded under chapter 957, increased by
3645 one-half, with the following exceptions:

3646 1. Medical and mental health beds must remain at design
3647 capacity.

3648 2. Community-based contracted beds must remain at design
3649 capacity.

3650 3. The one-inmate-per-cell requirement at the Florida State
3651 Prison and other maximum security facilities must be maintained
3652 pursuant to paragraph (7) (a).

3653 4. Community correctional centers and drug treatment
3654 centers must be increased by one-third.

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3655 5. A housing unit may not exceed its maximum capacity
3656 pursuant to paragraphs (7) (a) and (b).

3657 6. A number of beds equal to 5 percent of total capacity
3658 shall be deducted for management beds at institutions.

3659 (c) "State correctional system" means the correctional
3660 system as defined in s. 944.02.

3661 (2) The department shall develop a comprehensive
3662 correctional master plan. The master plan shall project the
3663 needs for the state correctional system for the coming 5-year
3664 period and shall be updated annually and submitted to the
3665 Governor's office and the Legislature at the same time the
3666 department submits its legislative budget request as provided in
3667 chapter 216.

3668 (3) The purposes of the comprehensive correctional master
3669 plan shall be:

3670 (a) To ensure that the penalties of the criminal justice
3671 system are completely and effectively administered to the
3672 convicted criminals and, to the maximum extent possible, that
3673 the criminal is provided opportunities for self-improvement and
3674 returned to freedom as a productive member of society.

3675 (b) To the extent possible, to protect the public safety
3676 and the law-abiding citizens of this state and to carry out the
3677 laws protecting the rights of the victims of convicted
3678 criminals.

3679 (c) To develop and maintain a humane system of punishment
3680 providing prison inmates with proper housing, nourishment, and
3681 medical attention.

3682 (d) To provide fair and adequate compensation and benefits
3683 to the employees of the state correctional system.

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3684 (e) To the extent possible, to maximize the effective and
3685 efficient use of the principles used in private business.

3686 (f) To provide that convicted criminals not be incarcerated
3687 for any longer period of time or in any more secure facility
3688 than is necessary to ensure adequate sanctions, rehabilitation
3689 of offenders, and protection of public safety.

3690 (4) The comprehensive correctional master plan shall use
3691 the estimates of the Criminal Justice Estimating Conference and
3692 shall include:

3693 (a) A plan for the decentralization of reception and
3694 classification facilities for the implementation of a systemwide
3695 diagnosis-and-evaluation capability for adult offenders. The
3696 plan shall provide for a system of psychological testing and
3697 evaluation as well as medical screening through department
3698 resources or with other public or private agencies through a
3699 purchase-of-services agreement.

3700 (b) A plan developed by the department for the
3701 comprehensive vocational and educational training of, and
3702 treatment programs for, offenders and their evaluation within
3703 each institution, program, or facility of the department, based
3704 upon the identified needs of the offender and the requirements
3705 of the employment market.

3706 (c) A plan contracting with local facilities and programs
3707 as short-term confinement resources of the department for
3708 offenders who are sentenced to 3 years or less, or who are
3709 within 3 years or less of their anticipated release date, and
3710 integration of detention services which have community-based
3711 programs. The plan shall designate such facilities and programs
3712 by region of the state and identify, by county, the capability

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3713 for local incarceration.

3714 (d) A detailed analysis of methods to implement diversified
3715 alternatives to institutionalization when such alternatives can
3716 be safely employed. The analysis shall include an assessment of
3717 current pretrial intervention, probation, and community control
3718 alternatives and their cost-effectiveness with regard to
3719 restitution to victims, reimbursements for cost of supervision,
3720 and subsequent violations resulting in commitments to the
3721 department. Such analysis shall also include an assessment of
3722 current use of electronic surveillance of offenders and
3723 projected potential for diverting additional categories of
3724 offenders from incarceration within the department.

3725 (e) A detailed analysis of current incarceration rates of
3726 both the state and county correctional systems with the
3727 calculation by the department of the current and projected
3728 ratios of inmates in the correctional system, as defined in s.
3729 945.01, to the general population of the state which will serve
3730 as a basis for projecting construction needs.

3731 (f) A plan for community-based facilities and programs for
3732 the reintegration of offenders into society whereby inmates who
3733 are being released shall receive assistance. Such assistance may
3734 be through work-release, transition assistance, release
3735 assistance stipend, contract release, postrelease special
3736 services, temporary housing, or job placement programs.

3737 (g) A plan reflecting parity of pay or comparable economic
3738 benefits for correctional officers with that of law enforcement
3739 officers in this state, and an assessment of projected impacts
3740 on turnover rates within the department.

3741 (h) A plan containing habitability criteria which defines

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3742 when beds are available and functional for use by inmates, and
3743 containing factors which define when institutions and facilities
3744 may be added to the inventory of the state correctional system.

3745 (5) The comprehensive correctional master plan shall
3746 project by year the total operating and capital outlay costs
3747 necessary for constructing a sufficient number of prison beds to
3748 avoid a deficiency in prison beds. Included in the master plan
3749 which projects operating and capital outlay costs shall be a
3750 siting plan which shall assess, rank, and designate appropriate
3751 sites pursuant to s. 944.095(2)(a)-(k). The master plan shall
3752 include an assessment of the department's current capability for
3753 providing the degree of security necessary to ensure public
3754 safety and should reflect the levels of security needed for the
3755 forecasted admissions of various types of offenders based upon
3756 sentence lengths and severity of offenses. The plan shall also
3757 provide construction options for targeting violent and habitual
3758 offenders for incarceration while providing specific
3759 alternatives for the various categories of lesser offenders.

3760 (6) Institutions within the state correctional system shall
3761 have the following design capacity factors:

3762 (a) Rooms and prison cells between 40 square feet and 90
3763 square feet, inclusive: one inmate per room or prison cell.

3764 (b) Dormitory-style rooms and other rooms exceeding 90
3765 square feet: one inmate per 55 square feet.

3766 (c) At institutions with rooms or cells, except to the
3767 extent that separate confinement cells have been constructed, a
3768 number of rooms or prison cells equal to 3 percent of total
3769 design capacity must be deducted from design capacity and set
3770 aside for confinement purposes.

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3771 (d) Bed count calculations used to determine design
3772 capacity shall only include beds that ~~which~~ are functional and
3773 available for use by inmates.

3774 (7) Institutions within the state correctional system shall
3775 have the following maximum capacity factors:

3776 (a) Rooms and prison cells between 40 square feet and 60
3777 square feet, inclusive: one inmate per room or cell. If the room
3778 or prison cell is between 60 square feet and 90 square feet,
3779 inclusive, two inmates are allowed in each room, except that one
3780 inmate per room or prison cell is allowed at the Florida State
3781 Prison or any other maximum security institution or facility
3782 that ~~which~~ may be constructed.

3783 (b) Dormitory-style rooms and other rooms exceeding 90
3784 square feet: one inmate per 37.5 square feet. Double-bunking is
3785 generally allowed only along the outer walls of a dormitory.

3786 (c) At institutions with rooms or cells, except to the
3787 extent that separate confinement cells have been constructed, a
3788 number of rooms or prison cells equal to 3 percent of total
3789 maximum capacity are not available for maximum capacity, and
3790 must be set aside for confinement purposes, thereby reducing
3791 maximum capacity by 6 percent since these rooms would otherwise
3792 house two inmates.

3793 (d) A number of beds equal to 5 percent of total maximum
3794 capacity must be deducted for management at institutions.

3795 Section 148. Paragraph (f) of subsection (3) of section
3796 944.801, Florida Statutes, is amended to read:

3797 944.801 Education for state prisoners.—

3798 (3) The responsibilities of the Correctional Education
3799 Program shall be to:

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3800 (f) Report annual activities to the Secretary of
3801 Corrections, ~~the Commissioner of Education, the Governor, and~~
3802 ~~the Legislature.~~

3803 Section 149. Subsection (10) of section 945.35, Florida
3804 Statutes, is repealed.

3805 Section 150. Subsection (9) of section 958.045, Florida
3806 Statutes, is repealed.

3807 Section 151. Paragraph (c) of subsection (1) of section
3808 960.045, Florida Statutes, is amended to read:

3809 960.045 Department of Legal Affairs; powers and duties.—It
3810 shall be the duty of the department to assist persons who are
3811 victims of crime.

3812 (1) The department shall:

3813 (c) Prepare an annual ~~Render, prior to January 1 of each~~
3814 ~~year, to the presiding officers of the Senate and House of~~
3815 ~~Representatives~~ a written report of the activities of the Crime
3816 Victims' Services Office, which shall be available on the
3817 department's Internet website.

3818 Section 152. Paragraph (c) of subsection (8) of section
3819 985.02, Florida Statutes, is repealed.

3820 Section 153. Subsections (3), (4), and (5) of section
3821 985.047, Florida Statutes, are amended to read:

3822 985.047 Information systems.—

3823 ~~(3) In order to assist in the integration of the~~
3824 ~~information to be shared, the sharing of information obtained,~~
3825 ~~the joint planning on diversion and early intervention~~
3826 ~~strategies for juveniles at risk of becoming serious habitual~~
3827 ~~juvenile offenders, and the intervention strategies for serious~~
3828 ~~habitual juvenile offenders, a multiagency task force should be~~

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3829 ~~organized and utilized by the law enforcement agency or county~~
3830 ~~in conjunction with the initiation of the information system~~
3831 ~~described in subsections (1) and (2). The multiagency task force~~
3832 ~~shall be composed of representatives of those agencies and~~
3833 ~~persons providing information for the central identification~~
3834 ~~file and the multiagency information sheet.~~

3835 ~~(4) This multiagency task force shall develop a plan for~~
3836 ~~the information system that includes measures which identify and~~
3837 ~~address any disproportionate representation of ethnic or racial~~
3838 ~~minorities in the information systems and shall develop~~
3839 ~~strategies that address the protection of individual~~
3840 ~~constitutional rights.~~

3841 ~~(3)~~(5) ~~A~~ Any law enforcement agency~~r~~ or county ~~that~~ which
3842 implements a juvenile offender information system ~~and the~~
3843 multiagency task force ~~which maintain the information system~~
3844 must annually provide ~~any~~ information gathered during the
3845 previous year to the delinquency and gang prevention council of
3846 the judicial circuit in which the county is located. This
3847 information must ~~shall~~ include the number, types, and patterns
3848 of delinquency tracked by the juvenile offender information
3849 system.

3850 Section 154. Paragraph (a) of subsection (8) of section
3851 985.47, Florida Statutes, is amended to read:

3852 985.47 Serious or habitual juvenile offender.—

3853 (8) ASSESSMENT AND TREATMENT SERVICES.—Pursuant to this
3854 chapter and the establishment of appropriate program guidelines
3855 and standards, contractual instruments, which shall include
3856 safeguards of all constitutional rights, shall be developed as
3857 follows:

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3858 (a) The department shall provide for:

3859 1. ~~The~~ Oversight of the implementation of assessment and
3860 treatment approaches.

3861 2. ~~The~~ Identification and prequalification of appropriate
3862 individuals or not-for-profit organizations, including minority
3863 individuals or organizations when possible, to provide
3864 assessment and treatment services to serious or habitual
3865 delinquent children.

3866 3. ~~The~~ Monitoring and evaluation of assessment and
3867 treatment services for compliance with this chapter and all
3868 applicable rules and guidelines pursuant thereto.

3869 ~~4. The development of an annual report on the performance~~
3870 ~~of assessment and treatment to be presented to the Governor, the~~
3871 ~~Attorney General, the President of the Senate, the Speaker of~~
3872 ~~the House of Representatives, and the Auditor General no later~~
3873 ~~than January 1 of each year.~~

3874 Section 155. Paragraph (a) of subsection (8) of section
3875 985.483, Florida Statutes, is amended to read:

3876 985.483 Intensive residential treatment program for
3877 offenders less than 13 years of age.—

3878 (8) ASSESSMENT AND TREATMENT SERVICES.—Pursuant to this
3879 chapter and the establishment of appropriate program guidelines
3880 and standards, contractual instruments, which shall include
3881 safeguards of all constitutional rights, shall be developed for
3882 intensive residential treatment programs for offenders less than
3883 13 years of age as follows:

3884 (a) The department shall provide for:

3885 1. ~~The~~ Oversight of the implementation of assessment and
3886 treatment approaches.

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3887 2. ~~The~~ Identification and prequalification of appropriate
3888 individuals or not-for-profit organizations, including minority
3889 individuals or organizations when possible, to provide
3890 assessment and treatment services to intensive offenders less
3891 than 13 years of age.

3892 3. ~~The~~ Monitoring and evaluation of assessment and
3893 treatment services for compliance with this chapter and all
3894 applicable rules and guidelines pursuant thereto.

3895 4. ~~The development of an annual report on the performance~~
3896 ~~of assessment and treatment to be presented to the Governor, the~~
3897 ~~Attorney General, the President of the Senate, the Speaker of~~
3898 ~~the House of Representatives, the Auditor General, and the~~
3899 ~~Office of Program Policy Analysis and Government Accountability~~
3900 ~~no later than January 1 of each year.~~

3901 Section 156. Subsection (5) of section 985.61, Florida
3902 Statutes, is repealed.

3903 Section 157. Subsection (1) of section 985.622, Florida
3904 Statutes, is amended to read:

3905 985.622 Multiagency plan for vocational education.—

3906 (1) The Department of Juvenile Justice and the Department
3907 of Education shall, in consultation with the statewide Workforce
3908 Development Youth Council, school districts, providers, and
3909 others, jointly develop a multiagency plan for vocational
3910 education that establishes the curriculum, goals, and outcome
3911 measures for vocational programs in juvenile commitment
3912 facilities. The plan must include:

3913 (a) Provisions for maximizing appropriate state and federal
3914 funding sources, including funds under the Workforce Investment
3915 Act and the Perkins Act;

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3916 (b) The responsibilities of both departments and all other
3917 appropriate entities; and

3918 (c) A detailed implementation schedule.

3919

3920 ~~The plan must be submitted to the Governor, the President of the~~
3921 ~~Senate, and the Speaker of the House of Representatives by May~~
3922 ~~1, 2001.~~

3923 Section 158. Subsection (7) of section 985.632, Florida
3924 Statutes, is repealed.

3925 Section 159. Subsection (19) of section 1002.34, Florida
3926 Statutes, is repealed.

3927 Section 160. Subsection (4) of section 1003.61, Florida
3928 Statutes, is repealed.

3929 Section 161. Subsections (5) through (13) of section
3930 1004.22, Florida Statutes, are amended to read:

3931 1004.22 Divisions of sponsored research at state
3932 universities.-

3933 (5) Moneys deposited in the permanent sponsored research
3934 development fund of a university shall be disbursed in
3935 accordance with the terms of the contract, grant, or donation
3936 under which they are received. Moneys received for overhead or
3937 indirect costs and other moneys not required for the payment of
3938 direct costs shall be applied to the cost of operating the
3939 division of sponsored research. Any surplus moneys shall be used
3940 to support other research or sponsored training programs in any
3941 area of the university. Transportation and per diem expense
3942 allowances are ~~shall be~~ the same as those provided ~~by law~~ in s.
3943 112.061, except that personnel performing travel under a
3944 sponsored research subcontract may be reimbursed for travel

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3945 expenses in accordance with ~~the provisions of~~ the applicable
3946 prime contract or grant and the travel allowances established by
3947 the subcontractor, subject to the requirements of subsection (6)
3948 ~~(7)~~, or except as provided in subsection (10) ~~(11)~~.

3949 ~~(6) (a) Each university shall submit to the Board of~~
3950 ~~Governors a report of the activities of each division of~~
3951 ~~sponsored research together with an estimated budget for the~~
3952 ~~next fiscal year.~~

3953 ~~(b) Not less than 90 days prior to the convening of each~~
3954 ~~regular session of the Legislature in which an appropriation~~
3955 ~~shall be made, the Board of Governors shall submit to the chair~~
3956 ~~of the appropriations committee of each house of the Legislature~~
3957 ~~a compiled report, together with a compiled estimated budget for~~
3958 ~~the next fiscal year. A copy of such report and estimated budget~~
3959 ~~shall be furnished to the Governor, as the chief budget officer~~
3960 ~~of the state.~~

3961 (6) ~~(7)~~ All purchases of a division of sponsored research
3962 shall be made in accordance with the policies and procedures of
3963 the university pursuant to guidelines of the Board of Governors;
3964 however, upon certification addressed to the university
3965 president that it is necessary for the efficient or expeditious
3966 prosecution of a research project, the president may exempt the
3967 purchase of material, supplies, equipment, or services for
3968 research purposes from the general purchasing requirement of
3969 state law ~~the Florida Statutes~~.

3970 (7) ~~(8)~~ The university may authorize the construction,
3971 alteration, or remodeling of buildings if ~~when~~ the funds used
3972 are derived entirely from the sponsored research development
3973 fund of a university or from that fund in combination with other

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3974 nonstate sources and if, ~~provided that~~ such construction,
3975 alteration, or remodeling is for use exclusively in the area of
3976 research. The university may; ~~it~~ also may authorize the
3977 acquisition of real property if ~~when~~ the cost is entirely from
3978 the said funds. Title to all real property purchased before
3979 ~~prior to~~ January 7, 2003, or with funds appropriated by the
3980 Legislature shall vest in the Board of Trustees of the Internal
3981 Improvement Trust Fund and may ~~shall only~~ be transferred or
3982 conveyed only by it.

3983 (8) ~~(9)~~ The sponsored research programs of the Institute of
3984 Food and Agricultural Sciences, the University of Florida Health
3985 Science Center, and the engineering and industrial experiment
3986 station shall continue to be centered at the University of
3987 Florida as ~~heretofore~~ provided by law. Indirect cost
3988 reimbursements of all grants deposited in the Division of
3989 Sponsored Research shall be distributed directly to the above
3990 units in direct proportion to the amounts earned by each unit.

3991 (9) ~~(10)~~ The operation of the divisions of sponsored
3992 research and the conduct of the sponsored research program are
3993 exempt ~~expressly exempted~~ from ~~the provisions of any law other~~
3994 ~~laws or portions of laws~~ in conflict with this subsection
3995 ~~herewith~~ and are, subject to the requirements of subsection (6)
3996 ~~(7)~~, exempt ~~exempted~~ from the provisions of chapters 215, 216,
3997 and 283.

3998 (10) ~~(11)~~ The divisions of sponsored research may pay, by
3999 advancement or reimbursement, or a combination thereof, the
4000 costs of per diem of university employees and of other
4001 authorized persons, as defined in s. 112.061(2)(e), for foreign
4002 travel up to the current rates as stated in the grant and

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4003 contract ~~terms~~ and may also pay incidental expenses as
4004 authorized by s. 112.061(8). This subsection applies to any
4005 university employee traveling in foreign countries for sponsored
4006 programs of the university, if such travel expenses are approved
4007 in ~~the terms of~~ the contract or grant. The provisions of s.
4008 112.061, other than those relating to per diem, apply to the
4009 travel described in this subsection. As used in this subsection,
4010 the term "foreign travel" means any travel outside the United
4011 States and its territories and possessions and Canada. Persons
4012 traveling in foreign countries pursuant to this section are
4013 ~~shall~~ not ~~be~~ entitled to reimbursements or advancements pursuant
4014 to s. 112.061(6)(a)2. for such travel.

4015 (11)~~(12)~~ Each division of sponsored research may ~~is~~
4016 ~~authorized to~~ advance funds to any principal investigator who,
4017 under the contract or grant ~~terms~~, will be performing a portion
4018 of his or her research at a site that is remote from the
4019 university. Funds may ~~shall~~ be advanced only to employees who
4020 have executed a proper power of attorney with the university to
4021 ensure the proper collection of the ~~such~~ advanced funds if it
4022 becomes necessary. As used in this subsection, the term "remote"
4023 means so far removed from the university as to render normal
4024 purchasing and payroll functions ineffective.

4025 (12)~~(13)~~ Each university board of trustees may ~~is~~
4026 ~~authorized to~~ adopt rules, as necessary, to administer this
4027 section.

4028 Section 162. Subsection (6) of section 1004.50, Florida
4029 Statutes, is repealed.

4030 Section 163. Subsections (2) and (4) of section 1004.94,
4031 Florida Statutes, are repealed.

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4032 Section 164. Subsection (4) of section 1004.95, Florida
4033 Statutes, is amended to read:

4034 1004.95 Adult literacy centers.—

4035 (4) The State Board of Education shall develop rules for
4036 implementing this section, ~~including criteria for evaluating the~~
4037 ~~performance of the centers, and shall submit an evaluation~~
4038 ~~report of the centers to the Legislature on or before February 1~~
4039 ~~of each year.~~

4040 Section 165. Section 1006.0605, Florida Statutes, is
4041 repealed.

4042 Section 166. Section 1006.67, Florida Statutes, is
4043 repealed.

4044 Section 167. Subsection (8) of section 1009.70, Florida
4045 Statutes, is amended to read:

4046 1009.70 Florida Education Fund.—

4047 (8) There is created a legal education component of the
4048 Florida Education Fund to provide the opportunity for minorities
4049 to attain representation within the legal profession
4050 proportionate to their representation within the general
4051 population. The legal education component of the Florida
4052 Education Fund includes a law school program and a pre-law
4053 program.

4054 (a) The law school scholarship program of the Florida
4055 Education Fund is to be administered by the Board of Directors
4056 of the Florida Education Fund for the purpose of increasing ~~by~~
4057 ~~200~~ the number of minority students enrolled in law schools in
4058 this state by 200. Implementation of this program is to be
4059 phased in over a 3-year period.

4060 1. The board of directors shall provide financial,

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4061 academic, and other support to students selected for
4062 participation in this program from funds appropriated by the
4063 Legislature.

4064 2. Student selection must be made in accordance with rules
4065 adopted by the board of directors for that purpose and must be
4066 based, at least in part, on an assessment of potential for
4067 success, merit, and financial need.

4068 3. Support must be made available to students who enroll in
4069 private, as well as public, law schools in this state which are
4070 accredited by the American Bar Association.

4071 4. Scholarships must be paid directly to the participating
4072 students.

4073 5. Students who participate in this program must agree in
4074 writing to sit for The Florida Bar examination and, upon
4075 successful admission to The Florida Bar, to ~~either~~ practice law
4076 in the state for a period ~~of time~~ equal to the amount of time
4077 for which the student received aid, up to 3 years, or repay the
4078 amount of aid received.

4079 ~~6. Annually, the board of directors shall compile a report~~
4080 ~~that includes a description of the selection process, an~~
4081 ~~analysis of the academic progress of all scholarship recipients,~~
4082 ~~and an analysis of expenditures. This report must be submitted~~
4083 ~~to the President of the Senate, the Speaker of the House of~~
4084 ~~Representatives, and the Governor.~~

4085 (b) The minority pre-law scholarship loan program of the
4086 Florida Education Fund is to be administered by the Board of
4087 Directors of the Florida Education Fund for the purpose of
4088 increasing the opportunity of minority students to prepare for
4089 law school.

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4090 1. From funds appropriated by the Legislature, the board of
4091 directors shall provide for student fees, room, board, books,
4092 supplies, and academic and other support to selected minority
4093 undergraduate students matriculating at eligible public and
4094 independent colleges and universities in Florida.

4095 2. Student selection must be made in accordance with rules
4096 adopted by the board of directors for that purpose and must be
4097 based, at least in part, on an assessment of potential for
4098 success, merit, and financial need.

4099 3. To be eligible, a student must make a written agreement
4100 to enter or be accepted to enter a law school in this state
4101 within 2 years after graduation or repay the scholarship loan
4102 amount plus interest at the prevailing rate.

4103 4. Recipients who fail to gain admission to a law school
4104 within the specified period ~~of time~~, may, upon admission to law
4105 school, be eligible to have their loans canceled.

4106 5. Minority pre-law scholarship loans shall be provided to
4107 34 minority students per year for up to 4 years each, for a
4108 total of 136 scholarship loans. To continue receiving ~~receipt of~~
4109 scholarship loans, recipients must maintain a 2.75 grade point
4110 average for the freshman year and a 3.25 grade point average
4111 thereafter. Participants must also take specialized courses to
4112 enhance competencies in English and logic.

4113 6. The board of directors shall maintain records on all
4114 scholarship loan recipients. Participating institutions shall
4115 submit academic progress reports to the board of directors
4116 following each academic term. ~~Annually, the board of directors~~
4117 ~~shall compile a report that includes a description of the~~
4118 ~~selection process, an analysis of the academic progress of all~~

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4119 ~~scholarship loan recipients, and an analysis of expenditures.~~
4120 ~~This report must be submitted to the President of the Senate,~~
4121 ~~the Speaker of the House of Representatives, and the Governor.~~

4122 Section 168. Subsection (8) of section 1011.32, Florida
4123 Statutes, is amended to read:

4124 1011.32 Community College Facility Enhancement Challenge
4125 Grant Program.—

4126 (8) By September 1 of each year, the State Board of
4127 Education shall transmit to the Governor and the Legislature a
4128 list of projects that ~~which~~ meet all eligibility requirements to
4129 participate in the Community College Facility Enhancement
4130 Challenge Grant Program and a budget request that ~~which~~ includes
4131 the recommended schedule necessary to complete each project.

4132 Section 169. Paragraph (r) of subsection (1) of section
4133 1011.62, Florida Statutes, is amended to read:

4134 1011.62 Funds for operation of schools.—If the annual
4135 allocation from the Florida Education Finance Program to each
4136 district for operation of schools is not determined in the
4137 annual appropriations act or the substantive bill implementing
4138 the annual appropriations act, it shall be determined as
4139 follows:

4140 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
4141 OPERATION.—The following procedure shall be followed in
4142 determining the annual allocation to each district for
4143 operation:

4144 (r) *Extended-school-year program.*—It is the intent of the
4145 Legislature that students be provided additional instruction by
4146 extending the school year to 210 days or more. Districts may
4147 apply to the Commissioner of Education for funds to be used in

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4148 planning and implementing an extended-school-year program. ~~The~~
4149 ~~Department of Education shall recommend to the Legislature the~~
4150 ~~policies necessary for full implementation of an extended school~~
4151 ~~year.~~

4152 Section 170. Paragraph (1) of subsection (2) of section
4153 1012.05, Florida Statutes, is repealed.

4154 Section 171. Subsection (1) of section 1012.42, Florida
4155 Statutes, is amended to read:

4156 1012.42 Teacher teaching out-of-field.—

4157 (1) ASSISTANCE.—Each district school board shall adopt and
4158 implement a plan to assist any teacher teaching out-of-field,
4159 and priority consideration in professional development
4160 activities shall be given to a teacher ~~teachers~~ who is ~~are~~
4161 teaching out-of-field. The district school board shall require
4162 that the teacher ~~such teachers~~ participate in a certification or
4163 staff development program designed to provide the teacher with
4164 the competencies required for the assigned duties. The board-
4165 approved assistance plan must include duties of administrative
4166 personnel and other instructional personnel to provide students
4167 with instructional services. ~~Each district school board shall~~
4168 ~~contact its regional workforce board, created pursuant to s.~~
4169 ~~445.007, to identify resources that may assist teachers who are~~
4170 ~~teaching out-of-field and who are pursuing certification.~~

4171 Section 172. Section 1013.11, Florida Statutes, is amended
4172 to read:

4173 1013.11 Postsecondary institutions assessment of physical
4174 plant safety.—The president of each postsecondary institution
4175 shall conduct or cause to be conducted an annual assessment of
4176 physical plant safety. An annual report shall incorporate the

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4177 assessment findings ~~obtained through such assessment~~ and
4178 recommendations for the improvement of safety on each campus.
4179 The annual report shall be submitted to the respective governing
4180 or licensing board of jurisdiction no later than January 1 of
4181 each year. Each board shall compile the individual institutional
4182 reports and convey the aggregate institutional reports to the
4183 Commissioner of Education or the Chancellor of the State
4184 University System, as appropriate. ~~The Commissioner of Education~~
4185 ~~and the Chancellor of the State University System shall convey~~
4186 ~~these reports and the reports required in s. 1006.67 to the~~
4187 ~~President of the Senate and the Speaker of the House of~~
4188 ~~Representatives no later than March 1 of each year.~~

4189 Section 173. Subsection (3) of section 161.142, Florida
4190 Statutes, is amended to read:

4191 161.142 Declaration of public policy relating to improved
4192 navigation inlets.—The Legislature recognizes the need for
4193 maintaining navigation inlets to promote commercial and
4194 recreational uses of our coastal waters and their resources. The
4195 Legislature further recognizes that inlets interrupt or alter
4196 the natural drift of beach-quality sand resources, which often
4197 results in these sand resources being deposited in nearshore
4198 areas or in the inlet channel, or in the inland waterway
4199 adjacent to the inlet, instead of providing natural nourishment
4200 to the adjacent eroding beaches. Accordingly, the Legislature
4201 finds it is in the public interest to replicate the natural
4202 drift of sand which is interrupted or altered by inlets to be
4203 replaced and for each level of government to undertake all
4204 reasonable efforts to maximize inlet sand bypassing to ensure
4205 that beach-quality sand is placed on adjacent eroding beaches.

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4206 Such activities cannot make up for the historical sand deficits
4207 caused by inlets but shall be designed to balance the sediment
4208 budget of the inlet and adjacent beaches and extend the life of
4209 proximate beach-restoration projects so that periodic
4210 nourishment is needed less frequently. Therefore, in furtherance
4211 of this declaration of public policy and the Legislature's
4212 intent to redirect and recommit the state's comprehensive beach
4213 management efforts to address the beach erosion caused by
4214 inlets, the department shall ensure that:

4215 (3) Construction waterward of the coastal construction
4216 control line on downdrift coastal areas, on islands
4217 substantially created by the deposit of spoil, located within 1
4218 mile of the centerline of navigation channels or inlets,
4219 providing access to ports listed in s. 403.021(9)(b), which
4220 suffers or has suffered erosion caused by such navigation
4221 channel maintenance or construction shall be exempt from the
4222 permitting requirements and prohibitions of s. 161.053~~(4)(5)~~ or
4223 (5)(6); however, such construction shall comply with the
4224 applicable Florida Building Code adopted pursuant to s. 553.73.
4225 The timing and sequence of any construction activities
4226 associated with inlet management projects shall provide
4227 protection to nesting sea turtles and their hatchlings and
4228 habitats, to nesting shorebirds, and to native salt-resistant
4229 vegetation and endangered plant communities. Beach-quality sand
4230 placed on the beach as part of an inlet management project must
4231 be suitable for marine turtle nesting.

4232 Section 174. Paragraph (a) of subsection (4) of section
4233 163.065, Florida Statutes, is amended to read:

4234 163.065 Miami River Improvement Act.—

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4235 (4) PLAN.—The Miami River Commission, working with the City
4236 of Miami and Miami-Dade County, shall consider the merits of the
4237 following:

4238 (a) Development and adoption of an urban infill and
4239 redevelopment plan, under ss. 163.2511-163.2523 ~~ss. 163.2511-~~
4240 ~~163.2526~~, which ~~and~~ participating state and regional agencies
4241 shall review ~~the proposed plan~~ for the purposes of determining
4242 consistency with applicable law.

4243 Section 175. Subsection (1) of section 163.2511, Florida
4244 Statutes, is amended to read:

4245 163.2511 Urban infill and redevelopment.—

4246 (1) Sections 163.2511-163.2523 ~~163.2511-163.2526~~ may be
4247 cited as the "Growth Policy Act."

4248 Section 176. Section 163.2514, Florida Statutes, is amended
4249 to read:

4250 163.2514 Growth Policy Act; definitions.—As used in ss.
4251 163.2511-163.2523, the term ~~ss. 163.2511-163.2526~~:

4252 (1) "Local government" means any county or municipality.

4253 (2) "Urban infill and redevelopment area" means an area or
4254 areas designated by a local government where:

4255 (a) Public services such as water and wastewater,
4256 transportation, schools, and recreation are already available or
4257 are scheduled to be provided in an adopted 5-year schedule of
4258 capital improvements;

4259 (b) The area, or one or more neighborhoods within the area,
4260 suffers from pervasive poverty, unemployment, and general
4261 distress as defined by s. 290.0058;

4262 (c) The area exhibits a proportion of properties that are
4263 substandard, overcrowded, dilapidated, vacant or abandoned, or

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4264 functionally obsolete which is higher than the average for the
4265 local government;

4266 (d) More than 50 percent of the area is within 1/4 mile of
4267 a transit stop, or a sufficient number of ~~such~~ transit stops
4268 will be made available concurrent with the designation; and

4269 (e) The area includes or is adjacent to community
4270 redevelopment areas, brownfields, enterprise zones, or Main
4271 Street programs, or has been designated by the state or Federal
4272 Government as an urban redevelopment, revitalization, or infill
4273 area under empowerment zone, enterprise community, or brownfield
4274 showcase community programs or similar programs.

4275 Section 177. Subsection (2) of section 163.3202, Florida
4276 Statutes, is amended to read:

4277 163.3202 Land development regulations.-

4278 (2) Local land development regulations shall contain
4279 specific and detailed provisions necessary or desirable to
4280 implement the adopted comprehensive plan and shall at ~~as~~ a
4281 minimum:

4282 (a) Regulate the subdivision of land.†

4283 (b) Regulate the use of land and water for those land use
4284 categories included in the land use element and ensure the
4285 compatibility of adjacent uses and provide for open space.†

4286 (c) Provide for protection of potable water wellfields.†

4287 (d) Regulate areas subject to seasonal and periodic
4288 flooding and provide for drainage and stormwater management.†

4289 (e) Ensure the protection of environmentally sensitive
4290 lands designated in the comprehensive plan.†

4291 (f) Regulate signage.†

4292 (g) Provide that public facilities and services meet or

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4293 exceed the standards established in the capital improvements
4294 element required by s. 163.3177 and are available when needed
4295 for the development, or that development orders and permits are
4296 conditioned on the availability of these public facilities and
4297 services necessary to serve the proposed development. ~~Not later~~
4298 ~~than 1 year after its due date established by the state land~~
4299 ~~planning agency's rule for submission of local comprehensive~~
4300 ~~plans pursuant to s. 163.3167(2),~~ A local government may ~~shall~~
4301 not issue a development order or permit that ~~which~~ results in a
4302 reduction in the level of services for the affected public
4303 facilities below the level of services provided in the local
4304 government's comprehensive plan ~~of the local government.~~

4305 (h) Ensure safe and convenient onsite traffic flow,
4306 considering needed vehicle parking.

4307 Section 178. Paragraph (b) of subsection (11) of section
4308 259.041, Florida Statutes, is amended to read:

4309 259.041 Acquisition of state-owned lands for preservation,
4310 conservation, and recreation purposes.—

4311 (11)

4312 (b) All project applications shall identify, within their
4313 acquisition plans, ~~those~~ projects that ~~which~~ require a full fee
4314 simple interest to achieve the public policy goals, together
4315 with the reasons full title is determined to be necessary. The
4316 state agencies and the water management districts may use
4317 alternatives to fee simple acquisition to bring the remaining
4318 projects in their acquisition plans under public protection. For
4319 the purposes of this subsection, the term "alternatives to fee
4320 simple acquisition" includes, but is not limited to: purchase of
4321 development rights; obtaining conservation easements; obtaining

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4322 flowage easements; purchase of timber rights, mineral rights, or
4323 hunting rights; purchase of agricultural interests or
4324 silvicultural interests; entering into land protection
4325 agreements as defined in s. 380.0677(3) ~~s. 380.0677(4)~~; fee
4326 simple acquisitions with reservations; creating life estates; or
4327 any other acquisition technique that ~~which~~ achieves the public
4328 policy goals listed in paragraph (a). It is presumed that a
4329 private landowner retains the full range of uses for all the
4330 rights or interests in the landowner's land which are not
4331 specifically acquired by the public agency. The lands upon which
4332 hunting rights are specifically acquired pursuant to this
4333 paragraph shall be available for hunting in accordance with the
4334 management plan or hunting regulations adopted by the Florida
4335 Fish and Wildlife Conservation Commission, unless the hunting
4336 rights are purchased specifically to protect activities on
4337 adjacent lands.

4338 Section 179. Paragraph (c) of subsection (3) of section
4339 259.101, Florida Statutes, is amended to read:

4340 259.101 Florida Preservation 2000 Act.—

4341 (3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.—Less the costs
4342 of issuance, the costs of funding reserve accounts, and other
4343 costs with respect to the bonds, the proceeds of bonds issued
4344 pursuant to this act shall be deposited into the Florida
4345 Preservation 2000 Trust Fund created by s. 375.045. In fiscal
4346 year 2000-2001, for each Florida Preservation 2000 program
4347 described in paragraphs (a)-(g), that portion of each program's
4348 total remaining cash balance which, as of June 30, 2000, is in
4349 excess of that program's total remaining appropriation balances
4350 shall be redistributed by the department and deposited into the

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4351 Save Our Everglades Trust Fund for land acquisition. For
4352 purposes of calculating the total remaining cash balances for
4353 this redistribution, the Florida Preservation 2000 Series 2000
4354 bond proceeds, including interest thereon, and the fiscal year
4355 1999-2000 General Appropriations Act amounts shall be deducted
4356 from the remaining cash and appropriation balances,
4357 respectively. The remaining proceeds shall be distributed by the
4358 Department of Environmental Protection in the following manner:

4359 (c) Ten percent to the Department of Community Affairs to
4360 provide land acquisition grants and loans to local governments
4361 through the Florida Communities Trust pursuant to part III of
4362 chapter 380. From funds allocated to the trust, \$3 million
4363 annually shall be used by the Division of State Lands within the
4364 Department of Environmental Protection to implement the Green
4365 Swamp Land Protection Initiative specifically for the purchase
4366 of conservation easements, as defined in s. 380.0677(3) ~~s.~~
4367 ~~380.0677(4)~~, of lands, or severable interests or rights in
4368 lands, in the Green Swamp Area of Critical State Concern. From
4369 funds allocated to the trust, \$3 million annually shall be used
4370 by the Monroe County Comprehensive Plan Land Authority
4371 specifically for the purchase of a ~~any~~ real property interest in
4372 ~~either~~ those lands subject to the Rate of Growth Ordinances
4373 adopted by local governments in Monroe County or those lands
4374 within the boundary of an approved Conservation and Recreation
4375 Lands project located within the Florida Keys or Key West Areas
4376 of Critical State Concern; however, title to lands acquired
4377 within the boundary of an approved Conservation and Recreation
4378 Lands project may, in accordance with an approved joint
4379 acquisition agreement, vest in the Board of Trustees of the

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4380 Internal Improvement Trust Fund. Of the remaining funds
4381 ~~allocated to the trust after the above transfers occur~~, one-half
4382 shall be matched by local governments on a dollar-for-dollar
4383 basis. To the extent allowed by federal requirements for the use
4384 of bond proceeds, the trust shall expend Preservation 2000 funds
4385 to carry out the purposes of part III of chapter 380.

4386
4387 Local governments may use federal grants or loans, private
4388 donations, or environmental mitigation funds, including
4389 environmental mitigation funds required pursuant to s. 338.250,
4390 for any part or all of any local match required for the purposes
4391 described in this subsection. Bond proceeds allocated pursuant
4392 to paragraph (c) may be used to purchase lands on the priority
4393 lists developed pursuant to s. 259.035. Title to lands purchased
4394 pursuant to paragraphs (a), (d), (e), (f), and (g) shall be
4395 vested in the Board of Trustees of the Internal Improvement
4396 Trust Fund. Title to lands purchased pursuant to paragraph (c)
4397 may be vested in the Board of Trustees of the Internal
4398 Improvement Trust Fund. The board of trustees shall hold title
4399 to land protection agreements and conservation easements that
4400 were or will be acquired pursuant to s. 380.0677, and the
4401 Southwest Florida Water Management District and the St. Johns
4402 River Water Management District shall monitor such agreements
4403 and easements within their respective districts until the state
4404 assumes this responsibility.

4405 Section 180. Subsections (1) and (5) of section 369.305,
4406 Florida Statutes, are amended to read:

4407 369.305 Review of local comprehensive plans, land
4408 development regulations, Wekiva River development permits, and

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4409 amendments.-

4410 (1) ~~It is the intent of the Legislature that comprehensive~~
4411 ~~plans and land development regulations of Orange, Lake, and~~
4412 ~~Seminole Counties be revised to protect the Wekiva River~~
4413 ~~Protection Area prior to the due dates established in ss.~~
4414 ~~163.3167(2) and 163.3202 and chapter 9J-12, Florida~~
4415 ~~Administrative Code. It is also the intent of the Legislature~~
4416 ~~that Orange, Lake, and Seminole the Counties emphasize the~~
4417 ~~Wekiva River Protection Area this important state resource in~~
4418 ~~their planning and regulation efforts. Therefore, each county's~~
4419 ~~county shall, by April 1, 1989, review and amend those portions~~
4420 ~~of its local comprehensive plan and its land development~~
4421 ~~regulations applicable to the Wekiva River Protection Area must,~~
4422 ~~and, if necessary, adopt additional land development regulations~~
4423 ~~which are applicable to the Wekiva River Protection Area to meet~~
4424 the following criteria:

4425 (a) Each county's local comprehensive plan must ~~shall~~
4426 contain goals, policies, and objectives that ~~which~~ result in the
4427 protection of the:

4428 1. Water quantity, water quality, and hydrology of the
4429 Wekiva River System;

4430 2. Wetlands associated with the Wekiva River System;

4431 3. Aquatic and wetland-dependent wildlife species
4432 associated with the Wekiva River System;

4433 4. Habitat within the Wekiva River Protection Area of
4434 species designated pursuant to rules 39-27.003, 39-27.004, and
4435 39-27.005, Florida Administrative Code; and

4436 5. Native vegetation within the Wekiva River Protection
4437 Area.

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4438 (b) The various land uses and densities and intensities of
4439 development permitted by the local comprehensive plan shall
4440 protect the resources enumerated in paragraph (a) and the rural
4441 character of the Wekiva River Protection Area. The plan must
4442 ~~shall~~ also include:

4443 1. Provisions that ~~to~~ ensure the preservation of sufficient
4444 habitat for feeding, nesting, roosting, and resting so as to
4445 maintain viable populations of species designated pursuant to
4446 rules 39-27.003, 39-27.004, and 39-27.005, Florida
4447 Administrative Code, within the Wekiva River Protection Area.

4448 2. Restrictions on the clearing of native vegetation within
4449 the 100-year flood plain.

4450 3. Prohibition of development that is not low-density
4451 residential in nature, unless the ~~that~~ development has less
4452 effect ~~impacts~~ on natural resources than low-density residential
4453 development.

4454 4. Provisions for setbacks along the Wekiva River for areas
4455 that do not fall within the protection zones established
4456 pursuant to s. 373.415.

4457 5. Restrictions on intensity of development adjacent to
4458 publicly owned lands to prevent adverse impacts to such lands.

4459 6. Restrictions on filling and alteration of wetlands in
4460 the Wekiva River Protection Area.

4461 7. Provisions encouraging clustering of residential
4462 development if ~~when~~ it promotes protection of environmentally
4463 sensitive areas, and ensures ~~ensuring~~ that residential
4464 development in the aggregate are ~~shall be of a~~ rural in density
4465 and character.

4466 (c) The local comprehensive plan must ~~shall~~ require that

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4467 the density or intensity of development permitted on parcels of
4468 property adjacent to the Wekiva River System be concentrated on
4469 those portions of the parcels which are the farthest from the
4470 surface waters and wetlands of the Wekiva River System.

4471 (d) The local comprehensive plan must ~~shall~~ require that
4472 parcels of land adjacent to the surface waters and watercourses
4473 of the Wekiva River System not be subdivided so as to interfere
4474 with the implementation of protection zones as established
4475 pursuant to s. 373.415, any applicable setbacks from the surface
4476 waters in the Wekiva River System which are established by local
4477 governments, or the policy established in paragraph (c) of
4478 concentrating development in the Wekiva River Protection Area as
4479 far from the surface waters and wetlands of the Wekiva River
4480 System as practicable.

4481 (e) The local land development regulations must ~~shall~~
4482 implement the provisions of paragraphs (a), (b), (c), and (d)
4483 and must ~~shall also~~ include restrictions on the location of
4484 septic tanks and drainfields in the 100-year flood plain and
4485 discharges of stormwater to the Wekiva River System.

4486 ~~(5) During the period of time between the effective date of
4487 this act and the due date of a county's revised local government
4488 comprehensive plan as established by s. 163.3167(2) and chapter
4489 9J-12, Florida Administrative Code, any local comprehensive plan
4490 amendment or amendment to a land development regulation, adopted
4491 or issued by a county, which applies to the Wekiva River
4492 Protection Area, or any Wekiva River development permit adopted
4493 by a county, solely within protection zones established pursuant
4494 to s. 373.415, shall be sent to the department within 10 days
4495 after its adoption or issuance by the local governing body but~~

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4496 shall not become effective until certified by the department as
4497 being in compliance with purposes described in subsection (1).
4498 The department shall make its decision on certification within
4499 60 days after receipt of the amendment or development permit
4500 solely within protection zones established pursuant to s.
4501 373.415. The department's decision on certification shall be
4502 final agency action. This subsection shall not apply to any
4503 amendments or new land development regulations adopted pursuant
4504 to subsections (1)-(4) or to any development order approving,
4505 approving with conditions, or denying a development of regional
4506 impact.

4507 Section 181. Paragraph (g) of subsection (1) of section
4508 379.2431, Florida Statutes, is amended to read:

4509 379.2431 Marine animals; regulation.—

4510 (1) PROTECTION OF MARINE TURTLES.—

4511 (g) The Department of Environmental Protection may
4512 condition the nature, timing, and sequence of construction of
4513 permitted activities to provide protection to nesting marine
4514 turtles and hatchlings and their habitat pursuant to s.
4515 161.053(4) ~~the provisions of s. 161.053(5)~~. If ~~When~~ the
4516 department is considering a permit for a beach restoration,
4517 beach renourishment, or inlet sand transfer project and the
4518 applicant has had an active marine turtle nest relocation
4519 program or the applicant has agreed to and has the ability to
4520 administer a program, the department may ~~must~~ not restrict the
4521 timing of the project. If ~~Where~~ appropriate, the department, in
4522 accordance with the applicable rules of the Fish and Wildlife
4523 Conservation Commission, shall require as a condition of the
4524 permit that the applicant relocate and monitor all turtle nests

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4525 that would be affected by the beach restoration, beach
4526 renourishment, or sand transfer activities. Such relocation and
4527 monitoring activities shall be conducted in a manner that
4528 ensures successful hatching. This limitation on the department's
4529 authority applies only on the Atlantic coast of Florida.

4530 Section 182. Section 381.732, Florida Statutes, is amended
4531 to read:

4532 381.732 Short title; Healthy Communities, Healthy People
4533 Act.—Sections 381.732-381.734 ~~381.731-381.734~~ may be cited as
4534 the "Healthy Communities, Healthy People Act."

4535 Section 183. Section 381.733, Florida Statutes, is amended
4536 to read:

4537 381.733 Definitions relating to Healthy Communities,
4538 Healthy People Act.—As used in ss. 381.732-381.734 ~~ss. 381.731-~~
4539 ~~381.734~~, the term:

4540 (1) "Department" means the Department of Health.

4541 (2) "Primary prevention" means interventions directed
4542 toward healthy populations with a focus on avoiding disease
4543 before it occurs ~~prior to its occurrence~~.

4544 (3) "Secondary prevention" means interventions designed to
4545 promote the early detection and treatment of diseases and to
4546 reduce the risks experienced by at-risk populations.

4547 (4) "Tertiary prevention" means interventions directed at
4548 rehabilitating and minimizing the effects of disease in a
4549 chronically ill population.

4550 Section 184. Paragraph (d) of subsection (5) of section
4551 411.01, Florida Statutes, is amended to read:

4552 411.01 School readiness programs; early learning
4553 coalitions.—

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4554 (5) CREATION OF EARLY LEARNING COALITIONS.—

4555 (d) *Implementation.*—

4556 1. An early learning coalition may not implement the school
4557 readiness program until ~~the coalition is authorized through~~
4558 ~~approval of the coalition's school readiness plan~~ is approved by
4559 the Agency for Workforce Innovation.

4560 2. Each early learning coalition shall develop a plan for
4561 implementing the school readiness program to meet the
4562 requirements of this section and the performance standards and
4563 outcome measures adopted by the Agency for Workforce Innovation.
4564 The plan must demonstrate how the program will ensure that each
4565 3-year-old and 4-year-old child in a publicly funded school
4566 readiness program receives scheduled activities and instruction
4567 designed to enhance the age-appropriate progress of the children
4568 in attaining the performance standards adopted by the agency ~~for~~
4569 ~~Workforce Innovation~~ under subparagraph (4) (d) 8. Before
4570 implementing the school readiness program, the early learning
4571 coalition must submit the plan to the agency ~~for Workforce~~
4572 ~~Innovation~~ for approval. The agency ~~for Workforce Innovation~~ may
4573 approve the plan, reject the plan, or approve the plan with
4574 conditions. The agency ~~for Workforce Innovation~~ shall review
4575 school readiness plans at least annually.

4576 3. If the Agency for Workforce Innovation determines during
4577 the annual review of school readiness plans, or through
4578 monitoring and performance evaluations conducted under paragraph
4579 (4) (1), that an early learning coalition has not substantially
4580 implemented its plan, has not substantially met the performance
4581 standards and outcome measures adopted by the agency, or has not
4582 effectively administered the school readiness program or

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4583 Voluntary Prekindergarten Education Program, the agency ~~for~~
4584 ~~Workforce Innovation~~ may dissolve the coalition and temporarily
4585 contract with a qualified entity to continue school readiness
4586 and prekindergarten services in the coalition's county or
4587 multicounty region until the coalition is reestablished through
4588 resubmission of a school readiness plan and approval by the
4589 agency.

4590 4. The Agency for Workforce Innovation shall adopt criteria
4591 for the approval of school readiness plans. The criteria must be
4592 consistent with the performance standards and outcome measures
4593 adopted by the agency and must require each approved plan to
4594 include the following minimum standards ~~and provisions~~:

4595 a. A sliding fee scale establishing a copayment for parents
4596 based upon their ability to pay, which is the same for all
4597 program providers, to be implemented and reflected in each
4598 program's budget.

4599 b. A choice of settings and locations in licensed,
4600 registered, religious-exempt, or school-based programs to be
4601 provided to parents.

4602 c. Instructional staff who have completed the training
4603 course as required in s. 402.305(2)(d)1., as well as staff who
4604 have additional training or credentials as required by the
4605 Agency for Workforce Innovation. The plan must provide a method
4606 for assuring the qualifications of all personnel in all program
4607 settings.

4608 d. Specific eligibility priorities for children within the
4609 early learning coalition's county or multicounty region in
4610 accordance with subsection (6).

4611 e. Performance standards and outcome measures adopted by

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4612 the agency ~~for Workforce Innovation~~.

4613 f. Payment rates adopted by the early learning coalition
4614 and approved by the agency ~~for Workforce Innovation~~. Payment
4615 rates may not have the effect of limiting parental choice or
4616 creating standards or levels of services that have not been
4617 authorized by the Legislature.

4618 g. Systems support services, including a central agency,
4619 child care resource and referral, eligibility determinations,
4620 training of providers, and parent support and involvement.

4621 h. Direct enhancement services to families and children.
4622 System support and direct enhancement services shall be in
4623 addition to payments for the placement of children in school
4624 readiness programs.

4625 i. The business organization of the early learning
4626 coalition, which must include the coalition's articles of
4627 incorporation and bylaws if the coalition is organized as a
4628 corporation. If the coalition is not organized as a corporation
4629 or other business entity, the plan must include the contract
4630 with a fiscal agent. An early learning coalition may contract
4631 with other coalitions to achieve efficiency in multicounty
4632 services, and these contracts may be part of the coalition's
4633 school readiness plan.

4634 j. Strategies to meet the needs of unique populations, such
4635 as migrant workers.

4636

4637 As part of the school readiness plan, the early learning
4638 coalition may request the Governor to apply for a waiver to
4639 allow the coalition to administer the Head Start Program to
4640 accomplish the purposes of the school readiness program. If a

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4641 school readiness plan demonstrates that specific statutory goals
4642 can be achieved more effectively by modifying ~~using procedures~~
4643 ~~that require modification of~~ existing rules, policies, or
4644 procedures, a request for a waiver to the Agency for Workforce
4645 Innovation may be submitted as part of the plan. Upon review,
4646 the agency ~~for Workforce Innovation~~ may grant the proposed
4647 modification.

4648 5. Persons with an early childhood teaching certificate may
4649 provide support and supervision to other staff in the school
4650 readiness program.

4651 6. An early learning coalition may not implement its school
4652 readiness plan until it submits the plan to and receives
4653 approval from the Agency for Workforce Innovation. Once the plan
4654 is approved, the plan and the services provided under the plan
4655 shall be controlled by the early learning coalition. The plan
4656 shall be reviewed and revised as necessary, but at least
4657 biennially. An early learning coalition may not implement the
4658 revisions until the coalition submits the revised plan to and
4659 receives approval from the agency ~~for Workforce Innovation~~. If
4660 the agency ~~for Workforce Innovation~~ rejects a revised plan, the
4661 coalition must continue to operate under its prior approved
4662 plan.

4663 7. Sections 125.901(2)(a)3., ~~411.221,~~ and 411.232 do not
4664 apply to an early learning coalition with an approved school
4665 readiness plan. To facilitate innovative practices and to allow
4666 the regional establishment of school readiness programs, an
4667 early learning coalition may apply to the Governor and Cabinet
4668 for a waiver of, and the Governor and Cabinet may waive, any of
4669 the provisions of ss. 411.223, 411.232, and 1003.54, if the

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4670 waiver is necessary for implementation of the coalition's school
4671 readiness plan.

4672 8. Two or more counties may join for purposes of planning
4673 and implementing a school readiness program.

4674 9. An early learning coalition may, subject to approval by
4675 the Agency for Workforce Innovation as part of the coalition's
4676 school readiness plan, receive subsidized child care funds for
4677 all children eligible for any federal subsidized child care
4678 program.

4679 10. An early learning coalition may enter into multiparty
4680 contracts with multicounty service providers in order to meet
4681 the needs of unique populations such as migrant workers.

4682 Section 185. Paragraph (a) of subsection (3) of section
4683 411.232, Florida Statutes, is amended to read:

4684 411.232 Children's Early Investment Program.—

4685 (3) ESSENTIAL ELEMENTS.—

4686 (a) Initially, the program shall be directed to geographic
4687 areas where at-risk young children and their families are in
4688 greatest need because of an unfavorable combination of economic,
4689 social, environmental, and health factors, including, without
4690 limitation, extensive poverty, high crime rate, great incidence
4691 of low birthweight babies, high incidence of alcohol and drug
4692 abuse, and high rates of teenage pregnancy. The selection of a
4693 geographic site must ~~shall~~ also consider the incidence of young
4694 children within these at-risk geographic areas who are cocaine
4695 babies, children of single mothers who receive temporary cash
4696 assistance, children of teenage parents, low birthweight babies,
4697 and very young foster children. To receive funding under this
4698 section, an agency, board, council, or provider must

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4699 demonstrate:

4700 1. Its capacity to administer and coordinate the programs
4701 and services in a comprehensive manner and provide a flexible
4702 range of services;

4703 2. Its capacity to identify and serve those children least
4704 able to access existing programs and case management services;

4705 3. Its capacity to administer and coordinate the programs
4706 and services in an intensive and continuous manner;

4707 4. The proximity of its facilities to young children,
4708 parents, and other family members to be served by the program,
4709 or its ability to provide offsite services;

4710 5. Its ability to use existing federal, state, and local
4711 governmental programs and services in implementing the
4712 investment program;

4713 6. Its ability to coordinate activities and services with
4714 existing public and private, state and local agencies and
4715 programs such as those responsible for health, education, social
4716 support, mental health, child care, respite care, housing,
4717 transportation, alcohol and drug abuse treatment and prevention,
4718 income assistance, employment training and placement, nutrition,
4719 and other relevant services, all the foregoing intended to
4720 assist children and families at risk;

4721 7. How its plan will involve project participants and
4722 community representatives in the planning and operation of the
4723 investment program; and

4724 8. Its ability to participate in the evaluation component
4725 required in this section. ; ~~and~~

4726 ~~9. Its consistency with the strategic plan pursuant to s.~~
4727 ~~411.221.~~

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4728 Section 186. Paragraph (a) of subsection (6) of section
4729 445.006, Florida Statutes, is amended to read:

4730 445.006 Strategic and operational plans for workforce
4731 development.—

4732 (6) (a) The operational plan must include strategies that
4733 are designed to prevent or reduce the need for a person to
4734 receive public assistance, including. ~~These strategies must~~
4735 ~~include:~~

4736 1. A teen pregnancy prevention component that includes, but
4737 is not limited to, a plan for implementing ~~the Florida Education~~
4738 ~~Now and Babies Later (ENABL) program under s. 411.242 and the~~
4739 Teen Pregnancy Prevention Community Initiative within each
4740 county of the services area in which the teen birth rate is
4741 higher than the state average;

4742 2. A component that encourages ~~creation of~~ community-based
4743 welfare prevention and reduction initiatives that increase
4744 support provided by noncustodial parents to their welfare-
4745 dependent children and are consistent with program and financial
4746 guidelines developed by Workforce Florida, Inc., and the
4747 Commission on Responsible Fatherhood. These initiatives may
4748 include, but are not limited to, improved paternity
4749 establishment, work activities for noncustodial parents,
4750 programs aimed at decreasing out-of-wedlock pregnancies,
4751 encouraging involvement of fathers with their children including
4752 court-ordered supervised visitation, and increasing child
4753 support payments;

4754 3. A component that encourages formation and maintenance of
4755 two-parent families through, among other things, court-ordered
4756 supervised visitation;

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4757 4. A component that fosters responsible fatherhood in
4758 families receiving assistance; and

4759 5. A component that fosters provision of services that
4760 reduce the incidence and effects of domestic violence on women
4761 and children in families receiving assistance.

4762 Section 187. Subsections (24), (25), and (26) of section
4763 1001.42, Florida Statutes, as amended by section 2 of chapter
4764 2009-3, Laws of Florida, are amended to read:

4765 1001.42 Powers and duties of district school board.—The
4766 district school board, acting as a board, shall exercise all
4767 powers and perform all duties listed below:

4768 ~~(24) REDUCE PAPERWORK AND DATA COLLECTION AND REPORTING~~
4769 ~~REQUIREMENTS.—Beginning with the 2006-2007 school year:~~

4770 ~~(a) Each district school board shall designate a classroom~~
4771 ~~teacher to serve as the teacher representative to speak on~~
4772 ~~behalf of the district's teachers regarding paperwork and data~~
4773 ~~collection reduction.~~

4774 ~~(b) Each district school board must provide the school~~
4775 ~~community with an efficient method for the school community to~~
4776 ~~communicate with the classroom teacher designee regarding~~
4777 ~~possible paperwork and data collection burdens and potential~~
4778 ~~solutions.~~

4779 ~~(c) The teacher designee shall annually report his or her~~
4780 ~~findings and potential solutions to the school board.~~

4781 ~~(d) Each district school board must submit its findings and~~
4782 ~~potential solutions to the State Board of Education by September~~
4783 ~~1 of each year.~~

4784 ~~(e) The State Board of Education shall prepare a report of~~
4785 ~~the statewide paperwork and data collection findings and~~

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4786 ~~potential solutions and submit the report to the Governor, the~~
4787 ~~President of the Senate, and the Speaker of the House of~~
4788 ~~Representatives by October 1 of each year.~~

4789 (24)~~(25)~~ EMPLOYMENT CONTRACTS.—On or after February 1,
4790 2009, a district school board may not enter into an employment
4791 contract that is funded from state funds and that requires the
4792 district to pay an employee an amount in excess of 1 year of the
4793 employee's annual salary for termination, buy-out, or any other
4794 type of contract settlement.

4795 (25)~~(26)~~ ADOPT RULES.—Adopt rules pursuant to ss.
4796 120.536(1) and 120.54 to implement this section.

4797 Section 188. Present paragraph (c) of subsection (3) of
4798 section 1008.31, Florida Statutes, is redesignated as paragraph
4799 (e), and new paragraphs (c) and (d) are added to that
4800 subsection, to read:

4801 1008.31 Florida's K-20 education performance accountability
4802 system; legislative intent; mission, goals, and systemwide
4803 measures; data quality improvements.—

4804 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
4805 data required to implement education performance accountability
4806 measures in state and federal law, the Commissioner of Education
4807 shall initiate and maintain strategies to improve data quality
4808 and timeliness. All data collected from state universities
4809 shall, as determined by the commissioner, be integrated into the
4810 K-20 data warehouse. The commissioner shall have unlimited
4811 access to such data solely for the purposes of conducting
4812 studies, reporting annual and longitudinal student outcomes, and
4813 improving college readiness and articulation. All public
4814 educational institutions shall provide data to the K-20 data

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4815 warehouse in a format specified by the commissioner.

4816 (c) The commissioner shall continuously monitor and review
4817 the collection of paperwork, data, and reports by school
4818 districts and complete an annual review of such collection no
4819 later than June 1 of each year. The annual review must include
4820 recommendations for consolidating paperwork, data, and reports,
4821 wherever feasible, in order to reduce the burdens on school
4822 districts.

4823 (d) By July 1 of each year, the commissioner shall prepare
4824 a report assisting the school districts in eliminating or
4825 consolidating paperwork, data, and reports by providing
4826 suggestions, technical assistance, and guidance.

4827 Section 189. This act shall take effect upon becoming a
4828 law.