

By the Policy and Steering Committee on Ways and Means; the Committee on Governmental Oversight and Accountability; and Senator Haridopolos

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1 A bill to be entitled
2 An act relating to obsolete or outdated agency plans,
3 reports, and programs; repealing s. 13.01, F.S., which
4 establishes the Florida Commission on Interstate
5 Cooperation; repealing s. 13.02, F.S., which
6 establishes the Senate Committee on Interstate
7 Cooperation; repealing s. 13.03, F.S., which
8 establishes the House of Representatives Committee on
9 Interstate Cooperation; repealing s. 13.04, F.S.,
10 which provides terms and functions of both House and
11 Senate standing committees; repealing s. 13.05, F.S.,
12 which establishes the Governor's Committee on
13 Interstate Cooperation; repealing s. 13.06, F.S.,
14 which designates informal names of the committees and
15 the Commission; repealing s. 13.07, F.S., which
16 provides the functions of the commission; repealing s.
17 13.08, F.S., which establishes the powers and duties
18 of the commission; repealing s. 13.09, F.S., which
19 declares the Council of State Government to be a joint
20 governmental agency of Florida and other states;
21 transferring and renumbering s. 13.10, F.S., relating
22 to the appointment of Commissioners to the National
23 Conference of Commissioners on Uniform State Laws;
24 repealing s. 13.90, F.S., which establishes the
25 Florida Legislative Law Revision Council; repealing s.
26 13.91, F.S., which establishes the membership of the
27 council; repealing s. 13.92, F.S., which establishes
28 the term limits for members appointed to the council;
29 repealing s. 13.93, F.S., which declares all serving

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30 members of the council eligible for reappointment;
31 repealing s. 13.94, F.S., which designates the chair
32 and vice chair of the council; repealing s. 13.95,
33 F.S., which declares that the members of the council
34 shall serve without compensation; repealing s. 13.96,
35 F.S., which provides the functions of the council;
36 repealing s. 13.97, F.S., which provides that the
37 council shall be the recipient of proposed changes and
38 may make recommendations on such proposals; repealing
39 s. 13.98, F.S., which provides that the council submit
40 a report of all actions taken at each regular session
41 of the Legislature; repealing s. 13.99, F.S.,
42 regarding personnel of the council; repealing s.
43 13.992, F.S., which defines the powers of the council;
44 repealing s. 13.993, F.S., which authorizes the
45 council to procure information from state, municipal
46 corporations, or governmental department agencies;
47 repealing s. 13.994, F.S., which authorizes the
48 council to create rules and regulations for the
49 conduct of business; repealing s. 13.995, F.S., which
50 requires appropriations to carry out the purposes of
51 the council; repealing s. 13.996, F.S., which provides
52 that the first duty of the council shall be to
53 complete revision of the criminal laws of the state of
54 Florida; repealing s. 14.25, F.S., relating to the
55 Florida State Commission on Hispanic Affairs; amending
56 s. 14.26, F.S.; revising reporting requirements of the
57 Citizen's Assistance Office; repealing s. 14.27, F.S.,
58 relating to the Florida Commission on African-American

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59 Affairs; repealing s. 16.58, F.S., relating to the
60 Florida Legal Resource Center; amending s. 17.32,
61 F.S.; revising the recipients of the annual report of
62 trust funds by the Chief Financial Officer; amending
63 s. 17.325, F.S.; deleting a reporting requirement
64 relating to the governmental efficiency hotline;
65 amending s. 20.057, F.S.; deleting a reporting
66 requirement of the Governor relating to interagency
67 agreements to delete duplication of inspections;
68 repealing s. 20.316(4)(e), (f), and (g), F.S.,
69 relating to information systems of the Department of
70 Juvenile Justice; amending s. 20.43, F.S.; revising
71 provisions relating to planning by the Department of
72 Health; amending s. 39.4086, F.S.; deleting provisions
73 relating to a report by the State Courts Administrator
74 on a guardian ad litem program for dependent children;
75 amending s. 98.255, F.S.; deleting provisions relating
76 to a report on the effectiveness of voter education
77 programs; amending s. 110.1227, F.S.; revising
78 provisions relating to a report by the board of
79 directors of the Florida Long-Term-Care Plan; amending
80 s. 120.542, F.S.; deleting provisions relating to
81 reports of petitions filed for variances to agency
82 rules; repealing s. 153.952, F.S., relating to
83 legislative findings and intent concerning privately
84 owned wastewater systems and facilities; amending s.
85 161.053, F.S.; deleting a provision relating to a
86 report on the coastal construction control line;
87 amending s. 161.161, F.S.; deleting a provision

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88 requiring a report on funding for beach erosion
89 control; repealing s. 163.2526, F.S., relating to the
90 review and evaluation of urban infill; amending s.
91 163.3167, F.S.; deleting provisions relating to local
92 government comprehensive plans; amending s. 163.3177,
93 F.S.; revising requirements for comprehensive plans;
94 amending s. 163.3178, F.S.; deleting a duty of the
95 Coastal Resources Interagency Management Committee to
96 submit certain recommendations; repealing s.
97 163.519(12), F.S., relating to the requirement for a
98 report on neighborhood improvement districts by the
99 Department of Legal Affairs; repealing s. 186.007(9),
100 F.S.; deleting provisions relating to a committee to
101 recommend to the Governor changes in the state
102 comprehensive plan; amending ss. 189.4035 and 189.412,
103 F.S.; revising requirements relating to dissemination
104 of the official list of special districts; amending s.
105 206.606, F.S.; revising provisions relating to a
106 report on the Florida Boating Improvement Program;
107 amending s. 212.054, F.S.; deleting the requirement
108 for a report on costs of administering the
109 discretionary sales surtax; amending s. 212.08, F.S.;
110 deleting a requirement for a report on the sales tax
111 exemption for machinery and equipment used in
112 semiconductor, defense, or space technology production
113 and research and development; repealing s. 213.0452,
114 F.S., relating to a report on the structure of the
115 Department of Revenue; repealing s. 213.054, F.S.,
116 relating to monitoring and reporting regarding persons

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117 claiming tax exemptions; amending s. 215.70, F.S.;

118 requiring the State Board of Administration to report

119 to the Governor when funds need to be appropriated to

120 honor the full faith and credit of the state; amending

121 s. 216.011, F.S.; redefining the term "long-range

122 program plan"; repealing s. 216.181(10)(c), F.S.,

123 relating to reports of filled and vacant positions and

124 salaries; amending s. 252.55, F.S.; revising certain

125 reporting requirements relating to the Civil Air

126 Patrol; amending s. 253.7825, F.S.; deleting

127 provisions relating to the plan for the Cross Florida

128 Greenways State Recreation and Conservation Area;

129 repealing s. 253.7826, F.S., relating to structures of

130 the Cross Florida Barge Canal; repealing s. 253.7829,

131 F.S., relating to a management plan for retention or

132 disposition of lands of the Cross Florida Barge Canal;

133 amending s. 259.037, F.S.; revising provisions

134 relating to a report of the Land Management Uniform

135 Accounting Council; repealing s. 267.074(4), F.S.,

136 relating to a plan for the State Historical Marker

137 Program; repealing s. 284.50(3), F.S., relating to a

138 requirement for a report by the Interagency Advisory

139 Council on Loss Prevention and certain department

140 heads; repealing s. 287.045(11), F.S., relating to a

141 requirement for reports on use of recycled products;

142 repealing s. 288.108(7), F.S., relating to a

143 requirement for a report by the Office of Tourism,

144 Trade, and Economic Development on high-impact

145 businesses; repealing s. 288.1185, F.S., relating to

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146 the Recycling Markets Advisory Committee; amending s.
147 288.1229, F.S.; revising duties of the direct-support
148 organization to support sports-related industries and
149 amateur athletics; repealing s. 288.7015(4), F.S.,
150 relating to a requirement for a report by the rules
151 ombudsman in the Executive Office of the Governor;
152 amending s. 288.7771, F.S.; revising a reporting
153 requirement of the Florida Export Finance Corporation;
154 repealing s. 288.8175(8), (10), and (11), F.S.,
155 relating to certain responsibilities of the Department
156 of Education with respect to linkage institutes
157 between postsecondary institutions in this state and
158 foreign countries; repealing s. 288.853(5), F.S.,
159 relating to the requirement for a report on assistance
160 to and commerce with Cuba; amending s. 288.904, F.S.;
161 deleting an obsolete provision requiring the creation
162 of advisory committees on international and small
163 business issues; amending s. 288.95155, F.S.; revising
164 requirements for a report by Enterprise Florida, Inc.,
165 on the Florida Small Business Technology Growth
166 Program; amending s. 288.9604, F.S.; deleting a
167 requirement for a report by the Florida Development
168 Finance Corporation; amending s. 288.9610, F.S.;
169 revising provisions relating to annual reporting by
170 the corporation; amending s. 292.05, F.S.; revising
171 requirements relating to a report by the Department of
172 Veterans' Affairs; repealing ss. 296.16 and 296.39,
173 F.S., relating to reports by the executive director of
174 the Department of Veterans' Affairs; repealing s.

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175 315.03(12) (c), F.S., relating to legislative review of
176 a loan program of the Florida Seaport Transportation
177 and Economic Development Council; amending s. 319.324,
178 F.S.; deleting provisions relating to funding a report
179 on odometer fraud prevention and detection; repealing
180 s. 322.181, F.S., relating to a study by the
181 Department of Highway Safety and Motor Vehicles on
182 driving by the elderly; repealing s. 322.251(7) (c),
183 F.S., relating to a plan to indemnify persons wanted
184 for passing worthless bank checks; amending s.
185 373.0391, F.S.; deleting provisions relating to
186 provision of certain information by water management
187 districts; amending s. 373.046, F.S.; deleting an
188 obsolete provision requiring a report by the Secretary
189 of Environmental Protection; repealing s. 376.121(14),
190 F.S., relating to a report by the Department of
191 Environmental Protection on damage to natural
192 resources; repealing s. 376.17, F.S., relating to
193 reports of the department to the Legislature;
194 repealing s. 376.30713(5), F.S., relating to a report
195 on preapproved advanced cleanup; amending s. 379.2211,
196 F.S.; revising provisions relating to a report by the
197 Fish and Wildlife Conservation Commission on waterfowl
198 permit revenues; amending s. 379.2212, F.S.; revising
199 provisions relating to a report by the commission on
200 wild turkey permit revenues; repealing s. 379.2523(8),
201 F.S., relating to duties of the Fish and Wildlife
202 Conservation Commission concerning an aquaculture
203 plan; amending s. 380.06, F.S.; deleting provisions on

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204 transmission of revisions relating to statewide
205 guidelines and standards for developments of regional
206 impact; repealing s. 380.0677(3), F.S., relating to
207 powers of the Green Swamp Land Authority; repealing s.
208 381.0011(3), F.S., relating to an inclusion in the
209 Department of Health's strategic plan; repealing s.
210 381.0036, F.S., relating to planning for
211 implementation of educational requirements concerning
212 HIV and AIDS; repealing s. 381.731, F.S., relating to
213 strategic planning of the Department of Health;
214 amending s. 381.795, F.S.; deleting provisions
215 relating to studies by the Department of Health on
216 long-term, community-based supports; amending s.
217 381.931, F.S.; deleting provisions relating to the
218 duty of the Department of Health to develop a report
219 on Medicaid expenditures; amending s. 383.19, F.S.;
220 revising provisions relating to reports by hospitals
221 contracting to provide perinatal intensive care
222 services; repealing s. 383.21, F.S., relating to
223 reviews of perinatal intensive care service programs;
224 amending s. 383.2161, F.S.; revising requirements
225 relating to a report by the Department of Health on
226 maternal and child health; repealing s. 394.4573(4),
227 F.S., relating to the requirement for a report by the
228 Department of Children and Family Services on staffing
229 state mental health facilities; amending s. 394.4985,
230 F.S.; deleting provisions relating to plans by
231 department districts; repealing s. 394.82, F.S.,
232 relating to the funding of expanded community mental

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233 health services; repealing s. 394.9082(9), F.S.,
234 relating to reports on contracting with behavioral
235 health management entities; repealing s. 394.9083,
236 F.S., relating to the Behavioral Health Services
237 Integration Workgroup; repealing s. 395.807(2)(c),
238 F.S., relating to requirements for a report on the
239 retention of family practice residents; repealing s.
240 397.332(3), F.S., relating to the requirement for a
241 report by the director of the Office of Drug Control;
242 repealing s. 397.94(1), F.S., relating to children's
243 substance abuse services plans by service districts of
244 the Department of Children and Family Services;
245 repealing s. 400.148(2), F.S., relating to a pilot
246 program of the Agency for Health Care Administration
247 for a quality-of-care contract management program;
248 amending s. 400.967, F.S.; deleting provisions
249 relating to a report by the Agency for Health Care
250 Administration on intermediate care facilities for
251 developmentally disabled persons; repealing s.
252 402.3016(3), F.S., relating to the requirement for a
253 report by the agency on Early Head Start collaboration
254 grants; repealing s. 402.40(9), F.S., relating to
255 submission to the Legislature of certain information
256 related to child welfare training; amending s.
257 403.4131, F.S.; deleting provisions relating to a
258 report on the adopt-a-highway program; repealing s.
259 403.706(2)(d), F.S., relating to local government
260 solid waste responsibilities; repealing s.
261 406.02(4)(a), F.S., relating to the requirement for a

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262 report by the Medical Examiners Commission; amending
263 s. 408.033, F.S.; revising provisions relating to
264 reports by local health councils; repealing s.
265 408.914(4), F.S., relating to the requirement of the
266 Agency for Health Care Administration to submit to the
267 Governor a plan on the comprehensive health and human
268 services eligibility access system; repealing s.
269 408.915(3)(i), F.S., relating to the requirement for
270 periodic reports on the pilot program for such access;
271 repealing s. 408.917, F.S., relating to an evaluation
272 of the pilot project; amending s. 409.1451, F.S.;
273 revising requirements relating to reports on
274 independent living transition services; repealing s.
275 409.152, F.S., relating to service integration and
276 family preservation; repealing s. 409.1679(1) and (2),
277 F.S., relating to reports concerning residential group
278 care services; amending s. 409.1685, F.S.; revising
279 provisions relating to reports by the Department of
280 Children and Family Services on children in foster
281 care; repealing s. 409.221(4)(k), F.S., relating to
282 reports on consumer-directed care; amending s.
283 409.25575, F.S.; deleting provisions relating to a
284 report by the Department of Revenue regarding a
285 quality assurance program for privatization of
286 services; amending s. 409.2558, F.S.; deleting
287 provisions relating to the Department of Revenue's
288 solicitation of recommendations related to a rule on
289 undistributable collections; repealing s. 409.441(3),
290 F.S., relating to the state plan for the handling of

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291 runaway youths; amending s. 409.906, F.S.; deleting a
292 requirement for reports of child-welfare-targeted case
293 management projects; amending s. 409.912, F.S.;

294 revising provisions relating to duties of the agency
295 with respect to cost-effective purchasing of health
296 care; repealing s. 410.0245, F.S., relating to a study
297 of service needs of the disabled adult population;

298 repealing s. 410.604(10), F.S., relating to a
299 requirement for the Department of Children and Family
300 Services to evaluate the community care for disabled
301 adults program; amending s. 411.0102, F.S.; deleting
302 provisions relating to use of child care purchasing
303 pool funds; repealing s. 411.221, F.S., relating to
304 prevention and early assistance; repealing s. 411.242,
305 F.S., relating to the Florida Education Now and Babies
306 Later program; amending s. 414.14, F.S.; deleting a
307 provision relating to a report by the Secretary of
308 Children and Family Services on public assistance
309 policy simplification; repealing s. 414.36(1), F.S.,
310 relating to a plan for privatization of recovery of
311 public assistance overpayment claims; repealing s.
312 414.391(3), F.S., relating to a plan for automated
313 fingerprint imaging; amending s. 415.1045, F.S.;

314 deleting a requirement for a study by the Office of
315 Program Policy Analysis and Government Accountability
316 on documentation of exploitation, abuse, or neglect;

317 amending s. 420.622, F.S.; revising requirements
318 relating to a report by the State Council on
319 Homelessness; repealing s. 420.623(4), F.S., relating

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320 to the requirement of a report by the Department of
321 Community Affairs on homelessness; amending s.
322 427.704, F.S.; revising requirements relating to a
323 report by the Public Service Commission on a
324 telecommunications access system; amending s. 427.706,
325 F.S.; revising requirements relating to a report by
326 the advisory committee on telecommunications access;
327 amending s. 429.07, F.S.; deleting provisions relating
328 to a report by the Department of Elderly Affairs on
329 extended congregate care facilities; amending s.
330 429.41, F.S.; deleting provisions relating to a report
331 concerning standards for assisted living facilities;
332 amending s. 430.04, F.S.; revising duties of the
333 Department of Elderly Affairs with respect to certain
334 reports and recommendations; amending s. 430.502,
335 F.S.; revising requirements with respect to reports by
336 the Alzheimer's Disease Advisory Committee; amending
337 s. 445.006, F.S.; deleting provisions relating to a
338 strategic plan for workforce development; repealing s.
339 455.2226(8), F.S., relating to the requirement of a
340 report by the Board of Funeral Directors and
341 Embalmers; repealing s. 455.2228(6), F.S., relating to
342 the requirement of reports by the Barbers' Board and
343 the Board of Cosmetology; amending s. 456.005, F.S.;
344 revising requirements relating to long-range planning
345 by professional boards; amending s. 456.025, F.S.;
346 revising requirements relating to a report to
347 professional boards by the Department of Health;
348 repealing s. 456.034(6), F.S., relating to reports by

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349 professional boards about HIV and AIDS; amending s.
350 517.302, F.S.; deleting a requirement for a report by
351 the Office of Financial Regulation on deposits into
352 the Anti-Fraud Trust Fund; repealing s. 531.415(3),
353 F.S., relating to the requirement of a report by the
354 Department of Agriculture and Consumer Services on
355 fees; repealing s. 570.0705(3), F.S., relating to the
356 requirement of a report by the Commissioner of
357 Agriculture concerning advisory committees; amending
358 s. 570.0725, F.S.; requiring that the Department of
359 Agriculture and Consumer Services submit an electronic
360 report to the Legislature concerning support for food
361 recovery programs; repealing s. 570.543(3), F.S.,
362 relating to legislative recommendations of the Florida
363 Consumers' Council; amending s. 590.33, F.S.; deleting
364 a reference to the Florida Commission on Interstate
365 Cooperation to conform to changes made by the act;
366 amending s. 603.204, F.S.; revising requirements
367 relating to the South Florida Tropical Fruit Plan;
368 amending s. 627.64872, F.S.; deleting provisions
369 relating to an interim report by the board of
370 directors of the Florida Health Insurance Plan;
371 prohibiting the board from acting to implement the
372 plan until certain funds are appropriated; amending s.
373 744.708, F.S.; revising provisions relating to audits
374 of public guardian offices and to reports concerning
375 those offices; amending s. 768.295, F.S.; revising
376 duties of the Attorney General relating to reports
377 concerning "SLAPP" lawsuits; amending s. 790.22, F.S.;

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378 deleting provisions relating to reports by the
379 Department of Juvenile Justice concerning certain
380 juvenile offenses that involve weapons; amending s.
381 943.125, F.S.; deleting provisions relating to reports
382 by the Florida Sheriffs Association and the Florida
383 Police Chiefs Association concerning law enforcement
384 agency accreditation; amending s. 943.68, F.S.;
385 revising requirements relating to reports by the
386 Department of Law Enforcement concerning
387 transportation and protective services; amending s.
388 944.801, F.S.; deleting a requirement to deliver to
389 specified officials copies of certain reports
390 concerning education of state prisoners; repealing s.
391 945.35(10), F.S., relating to the requirement of a
392 report by the Department of Corrections concerning HIV
393 and AIDS education; repealing s. 958.045(9), F.S.,
394 relating to a report by the department concerning
395 youthful offenders; amending s. 960.045, F.S.;
396 revising requirements relating to reports by the
397 Department of Legal Affairs with respect to victims of
398 crimes; repealing s. 985.02(8)(c), F.S., relating to
399 the requirement of a study by the Office of Program
400 Policy Analysis and Government Accountability on
401 programs for young females within the Department of
402 Juvenile Justice; amending s. 985.047, F.S.; deleting
403 provisions relating to a plan by a multiagency task
404 force on information systems related to delinquency;
405 amending s. 985.47, F.S.; deleting provisions relating
406 to a report on serious or habitual juvenile offenders;

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407 amending s. 985.483, F.S.; deleting provisions
408 relating to a report on intensive residential
409 treatment for offenders younger than 13 years of age;
410 repealing s. 985.61(5), F.S., relating to a report by
411 the Department of Juvenile Justice on early
412 delinquency intervention; amending s. 985.622, F.S.;
413 deleting provisions relating to submission of the
414 multiagency plan for vocational education; repealing
415 s. 985.632(7), F.S., relating to a report by the
416 Department of Juvenile Justice on funding incentives
417 and disincentives; repealing s. 1002.34(19), F.S.,
418 relating to an evaluation and report by the
419 Commissioner of Education concerning charter technical
420 career centers; repealing s. 1003.61(4), F.S.,
421 relating to evaluation of a pilot attendance project
422 in Manatee County; amending s. 1004.22, F.S.; deleting
423 provisions relating to university reports concerning
424 sponsored research; repealing s. 1004.50(6), F.S.,
425 relating to the requirement of a report by the
426 Governor concerning unmet needs in urban communities;
427 repealing s. 1004.94(2) and (4), F.S., relating to
428 guidelines for and a report on plans for a state adult
429 literacy program; amending s. 1004.95, F.S.; revising
430 requirements relating to implementing provisions for
431 adult literacy centers; repealing s. 1006.0605, F.S.,
432 relating to students' summer nutrition; repealing s.
433 1006.67, F.S., relating to a report of campus crime
434 statistics; amending s. 1009.70, F.S.; deleting
435 provisions relating to a report on a minority law

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436 school scholarship program; amending s. 1011.32, F.S.;

437 requiring the Governor to be given a copy of a report

438 related to the Community College Facility Enhancement

439 Challenge Grant Program; amending s. 1011.62, F.S.;

440 deleting provisions relating to recommendations for

441 implementing the extended-school-year program;

442 repealing s. 1012.05(2)(1), F.S., relating to a plan

443 concerning teacher recruitment and retention; amending

444 s. 1012.42, F.S.; deleting provisions relating to a

445 plan of assistance for teachers teaching out-of-field;

446 amending s. 1013.11, F.S.; deleting provisions

447 relating to transmittal of a report on physical plant

448 safety; amending ss. 161.142, 163.065, 163.2511,

449 163.2514, 163.3202, 259.041, 259.101, 369.305,

450 379.2431, 381.732, 381.733, 411.01, 411.232, and

451 445.006, F.S., conforming cross-references to changes

452 made by the act; amending s. 1001.42, F.S.; deleting

453 provisions that require each district school board to

454 reduce paperwork and data collection and report its

455 findings and potential solutions on reducing burdens

456 associated with such collection; amending s. 1008.31,

457 F.S.; requiring that the Commissioner of Education

458 monitor and review the collection of paperwork, data,

459 and reports by school districts; requiring that the

460 commissioner complete an annual review of such

461 collection by a specified date each year; requiring

462 that the commissioner prepare a report, by a specified

463 date each year, assisting the school districts with

464 eliminating or consolidating paperwork, data, and

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465 reports by providing suggestions, technical
466 assistance, and guidance; providing an effective date.

467

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

469

470 Section 1. Section 13.01, Florida Statutes, is repealed.

471 Section 2. Section 13.02, Florida Statutes, is repealed.

472 Section 3. Section 13.03, Florida Statutes, is repealed.

473 Section 4. Section 13.04, Florida Statutes, is repealed.

474 Section 5. Section 13.05, Florida Statutes, is repealed.

475 Section 6. Section 13.06, Florida Statutes, is repealed.

476 Section 7. Section 13.07, Florida Statutes, is repealed.

477 Section 8. Section 13.08, Florida Statutes, is repealed.

478 Section 9. Section 13.09, Florida Statutes, is repealed.

479 Section 10. Section 13.10, Florida Statutes, is transferred
480 and renumbered as section 11.249, Florida Statutes.

481 Section 11. Section 13.90, Florida Statutes, is repealed.

482 Section 12. Section 13.91, Florida Statutes, is repealed.

483 Section 13. Section 13.92, Florida Statutes, is repealed.

484 Section 14. Section 13.93, Florida Statutes, is repealed.

485 Section 15. Section 13.94, Florida Statutes, is repealed.

486 Section 16. Section 13.95, Florida Statutes, is repealed.

487 Section 17. Section 13.96, Florida Statutes, is repealed.

488 Section 18. Section 13.97, Florida Statutes, is repealed.

489 Section 19. Section 13.98, Florida Statutes, is repealed.

490 Section 20. Section 13.99, Florida Statutes, is repealed.

491 Section 21. Section 13.992, Florida Statutes, is repealed.

492 Section 22. Section 13.993, Florida Statutes, is repealed.

493 Section 23. Section 13.994, Florida Statutes, is repealed.

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494 Section 24. Section 13.995, Florida Statutes, is repealed.

495 Section 25. Section 13.996, Florida Statutes, is repealed.

496 Section 26. Section 14.25, Florida Statutes, is repealed.

497 Section 27. Subsection (3) of section 14.26, Florida
498 Statutes, is amended to read:

499 14.26 Citizen's Assistance Office.—

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

502 (a) The number of complaints and investigations ~~and~~
503 ~~complaints made during the preceding quarter~~ and the disposition
504 of such investigations.

505 ~~(b) Recommendations in the form of suggested legislation or~~
506 ~~suggested procedures for the alleviation of problems disclosed~~
507 ~~by investigations.~~

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

511 (c) Recommendations for the alleviation of the cause of
512 complaints disclosed by investigations.

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

515 Section 28. Section 14.27, Florida Statutes, is repealed.

516 Section 29. Section 16.58, Florida Statutes, is repealed.

517 Section 30. Subsection (1) of section 17.32, Florida
518 Statutes, is amended to read:

519 17.32 Annual report of trust funds; duties of Chief
520 Financial Officer.—

521 (1) On February 1 of each year, the Chief Financial Officer
522 shall present to the Governor and the Legislature ~~President of~~

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523 ~~the Senate and the Speaker of the House of Representatives a~~
524 report listing all trust funds as defined in s. 215.32. The
525 report must ~~shall~~ contain the following data elements for each
526 fund for the preceding fiscal year:

527 (a) The fund code.

528 (b) The title.

529 (c) The fund type according to generally accepted
530 accounting principles.

531 (d) The statutory authority.

532 (e) The beginning cash balance.

533 (f) Direct revenues.

534 (g) Nonoperating revenues.

535 (h) Operating disbursements.

536 (i) Nonoperating disbursements.

537 (j) The ending cash balance.

538 (k) The department and budget entity in which the fund is
539 located.

540 Section 31. Subsection (1) of section 17.325, Florida
541 Statutes, is amended to read:

542 17.325 Governmental efficiency hotline; duties of Chief
543 Financial Officer.—

544 (1) The Chief Financial Officer shall establish and operate
545 a statewide toll-free telephone hotline to receive information
546 or suggestions from the residents ~~citizens~~ of this state on how
547 to improve the operation of government, increase governmental
548 efficiency, and eliminate waste in government. ~~The Chief~~
549 ~~Financial Officer shall report each month to the appropriations~~
550 ~~committee of the House of Representatives and of the Senate the~~
551 ~~information or suggestions received through the hotline and the~~

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552 ~~evaluations and determinations made by the affected agency, as~~
553 ~~provided in subsection (3), with respect to such information or~~
554 ~~suggestions.~~

555 Section 32. Section 20.057, Florida Statutes, is amended to
556 read:

557 20.057 Interagency agreements to delete duplication of
558 inspections.-

559 (1) The Governor shall direct any department, the head of
560 which is an officer or board appointed by and serving at the
561 pleasure of the Governor, to enter into an interagency agreement
562 to ~~that will~~ eliminate duplication of inspections among ~~the~~
563 departments that inspect the same type of facility or structure.
564 Parties to the agreement may include departments ~~which are~~
565 headed by a Cabinet officer, the Governor and Cabinet, or a
566 collegial body. The agreement shall:

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

569 (b) Specify that agents of the department conducting the
570 inspection have all powers relative to the inspection as the
571 agents of the department on whose behalf the inspection is being
572 conducted.

573 (c) Require that agents of the department conducting the
574 inspection have sufficient knowledge of statutory and
575 administrative inspection requirements to conduct a proper
576 inspection.

577 (d) Specify that the departments entering ~~which have~~
578 ~~entered~~ into the agreement may not ~~neither~~ charge or not ~~not~~ accept
579 ~~any~~ funds with respect to duties performed under the agreement
580 which are in excess of the direct costs of conducting the ~~such~~

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581 inspections.

582 (2) Before taking effect, an agreement entered into under
583 this section must be approved by the Governor. Inspections
584 conducted under an agreement are ~~shall be deemed~~ sufficient for
585 enforcement purposes pursuant to the agreement or as otherwise
586 provided by law.

587 ~~(2) No later than 60 days prior to the beginning of the~~
588 ~~regular session, the Governor shall make an annual report to the~~
589 ~~President of the Senate and the Speaker of the House of~~
590 ~~Representatives regarding interagency agreements. The report~~
591 ~~shall identify each interagency agreement entered into under~~
592 ~~this section, and, for each agreement, shall describe the~~
593 ~~duplication eliminated, provide data that measures the~~
594 ~~effectiveness of inspections conducted under the interagency~~
595 ~~agreement, and estimate the cost savings that have resulted from~~
596 ~~the agreement. The report shall also describe obstacles~~
597 ~~encountered by any department in attempting to develop an~~
598 ~~interagency agreement and in performing duties resulting from an~~
599 ~~interagency agreement and shall recommend appropriate remedial~~
600 ~~legislative action.~~

601 Section 33. Paragraphs (e), (f), and (g) of subsection (4)
602 of section 20.316, Florida Statutes, are repealed.

603 Section 34. Paragraph (1) of subsection (1) of section
604 20.43, Florida Statutes, is amended to read:

605 20.43 Department of Health.—There is created a Department
606 of Health.

607 (1) The purpose of the Department of Health is to promote
608 and protect the health of all residents and visitors in the
609 state through organized state and community efforts, including

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610 cooperative agreements with counties. The department shall:

611 (1) Include in its long-range program ~~the department's~~
612 ~~strategie~~ plan developed under s. 186.021 an assessment of
613 current health programs, systems, and costs; projections of
614 future problems and opportunities; and recommended changes that
615 are needed in the health care system to improve the public
616 health.

617 Section 35. Paragraph (h) of subsection (2) of section
618 39.4086, Florida Statutes, is amended to read:

619 39.4086 Pilot program for attorneys ad litem for dependent
620 children.—

621 (2) RESPONSIBILITIES.—

622 (h) The Office of the State Courts Administrator shall
623 conduct research and gather statistical information to evaluate
624 the establishment, operation, and impact of the pilot program in
625 meeting the legal needs of dependent children. In assessing the
626 effects of the pilot program, including achievement of outcomes
627 identified under paragraph (b), the evaluation must include a
628 comparison of children within the Ninth Judicial Circuit who are
629 appointed an attorney ad litem with those who are not. ~~The~~
630 ~~office shall submit a report to the Legislature and the Governor~~
631 ~~by October 1, 2001, and by October 1, 2002, regarding its~~
632 ~~findings. The office shall submit a final report by October 1,~~
633 ~~2003, which must include an evaluation of the pilot program;~~
634 ~~findings on the feasibility of a statewide program; and~~
635 ~~recommendations, if any, for locating, establishing, and~~
636 ~~operating a statewide program.~~

637 Section 36. Subsections (1) and (3) of section 98.255,
638 Florida Statutes, are amended to read:

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639 98.255 Voter education programs.-

640 (1) ~~By March 1, 2002,~~ The Department of State shall adopt
641 rules prescribing minimum standards for nonpartisan voter
642 education. ~~In developing the rules, the department shall review~~
643 ~~current voter education programs within each county of the~~
644 ~~state.~~ The standards shall, at a minimum, address, ~~but are not~~
645 ~~limited to, the following subjects:~~

646 (a) Voter registration;

647 (b) Balloting procedures, absentee and polling place;

648 (c) Voter rights and responsibilities;

649 (d) Distribution of sample ballots; and

650 (e) Public service announcements.

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

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

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

667 Section 37. Paragraph (a) of subsection (7) of section

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668 110.1227, Florida Statutes, is amended to read:

669 110.1227 Florida Employee Long-Term-Care Plan Act.—

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

672 (a) Upon implementation, prepare an annual report of the
673 plan, with the assistance of an actuarial consultant, to be
674 submitted to the ~~Speaker of the House of Representatives, the~~
675 ~~President of the Senate, the Governor,~~ and the Legislature the
676 ~~Minority Leaders of the Senate and the House of Representatives.~~

677 Section 38. Subsection (9) of section 120.542, Florida
678 Statutes, is amended to read:

679 120.542 Variances and waivers.—

680 (9) Each agency shall maintain a record of the type and
681 disposition of each petition, including temporary or emergency
682 variances and waivers, filed pursuant to this section. ~~On~~
683 ~~October 1 of each year, each agency shall file a report with the~~
684 ~~Governor, the President of the Senate, and the Speaker of the~~
685 ~~House of Representatives listing the number of petitions filed~~
686 ~~requesting variances to each agency rule, the number of~~
687 ~~petitions filed requesting waivers to each agency rule, and the~~
688 ~~disposition of all petitions. Temporary or emergency variances~~
689 ~~and waivers, and the reasons for granting or denying temporary~~
690 ~~or emergency variances and waivers, shall be identified~~
691 ~~separately from other waivers and variances.~~

692 Section 39. Section 153.952, Florida Statutes, is repealed.

693 Section 40. Subsections (3) through (22) of section
694 161.053, Florida Statutes, are amended to read:

695 161.053 Coastal construction and excavation; regulation on
696 county basis.—

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697 ~~(3) It is the intent of the Legislature that any coastal~~
698 ~~construction control line that has not been updated since June~~
699 ~~30, 1980, shall be considered a critical priority for~~
700 ~~reestablishment by the department. In keeping with this intent,~~
701 ~~the department shall notify the Legislature if all such lines~~
702 ~~cannot be reestablished by December 31, 1997, so that the~~
703 ~~Legislature may subsequently consider interim lines of~~
704 ~~jurisdiction for the remaining counties.~~

705 (3)~~(4)~~ A ~~Any~~ coastal county or coastal municipality may
706 establish coastal construction zoning and building codes in lieu
707 of the provisions of this section if~~, provided~~ such zones and
708 codes are approved by the department as being adequate to
709 preserve and protect the beaches and coastal barrier dunes
710 adjacent to such beaches, which are under the jurisdiction of
711 the department, from imprudent construction that will jeopardize
712 the stability of the beach-dune system, accelerate erosion,
713 provide inadequate protection to upland structures, endanger
714 adjacent properties, or interfere with public beach access.
715 Exceptions to locally established coastal construction zoning
716 and building codes may ~~shall~~ not be granted unless previously
717 approved by the department. ~~It is~~ The intent of this subsection
718 is to provide for the local administration of established
719 coastal construction control lines through approved zoning and
720 building codes if ~~where~~ desired by local interests and where
721 such local interests have, in the judgment of the department,
722 sufficient funds and personnel to adequately administer the
723 program. Should the department determine at any time that the
724 program is inadequately administered, the department may ~~shall~~
725 ~~have authority to~~ revoke the authority granted to the county or

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726 municipality.

727 ~~(4)-(5)~~ Except in those areas where local zoning and
728 building codes have been established pursuant to subsection (3)
729 ~~(4)~~, a permit to alter, excavate, or construct on property
730 seaward of established coastal construction control lines may be
731 granted by the department as follows:

732 (a) The department may authorize an excavation or erection
733 of a structure at any coastal location as described in
734 subsection (1) upon receipt of an application from a property or
735 ~~and/or~~ riparian owner and upon the consideration of facts and
736 circumstances, including:

737 1. Adequate engineering data concerning shoreline stability
738 and storm tides related to shoreline topography;

739 2. Design features of the proposed structures or
740 activities; and

741 3. Potential effects ~~impacts~~ of the location of the ~~such~~
742 structures or activities, including potential cumulative effects
743 of ~~any~~ proposed structures or activities upon the ~~such~~ beach-
744 dune system, which, in the opinion of the department, clearly
745 justify ~~such~~ a permit.

746 (b) If in the immediate contiguous or adjacent area a
747 number of existing structures have established a reasonably
748 continuous and uniform construction line closer to the line of
749 mean high water than the foregoing, and if the existing
750 structures have not been unduly affected by erosion, a proposed
751 structure may, ~~at the discretion of the department,~~ be permitted
752 along such line on written authorization from the department if
753 the ~~such~~ structure is also approved by the department. However,
754 the department may ~~shall~~ not contravene setback requirements or

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755 zoning or building codes established by a county or municipality
756 which are equal to, or more strict than, the ~~those~~ requirements
757 provided in this subsection ~~herein~~. This paragraph does not
758 prohibit the department from requiring structures to meet design
759 and siting criteria established in paragraph (a) or in
760 subsection (1) or subsection (2).

761 (c) The department may condition the nature, timing, and
762 sequence of construction of permitted activities to provide
763 protection to nesting sea turtles and hatchlings and their
764 habitat, pursuant to s. 379.2431, and to native salt-resistant
765 vegetation and endangered plant communities.

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

769 (e) The department shall limit the construction of
770 structures that ~~which~~ interfere with public access along the
771 beach. However, the department may require, as a condition of ~~to~~
772 granting permits, the provision of alternative access if ~~when~~
773 interference with public access along the beach is unavoidable.
774 The width of the ~~such~~ alternate access may not be required to
775 exceed the width of the access that will be obstructed ~~as a~~
776 ~~result of the permit being granted~~.

777 (f) The department may, as a condition of ~~to~~ ~~the~~ granting
778 ~~of~~ a permit ~~under this section~~, require mitigation, financial,
779 or other assurances acceptable to the department ~~as may be~~
780 ~~necessary~~ to ensure ~~assure~~ performance of conditions of a permit
781 or enter into contractual agreements to best assure compliance
782 with any permit conditions. The department may also require
783 notice of the permit conditions required and the contractual

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784 agreements entered into ~~pursuant to the provisions of this~~
785 ~~subsection~~ to be filed in the public records of the county in
786 which the permitted activity is located.

787 (5)~~(6)~~ (a) As used in this subsection, the term:

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

792 2. "Seasonal high-water line" means the line formed by the
793 intersection of the rising shore and the elevation of 150
794 percent of the local mean tidal range above local mean high
795 water.

796 (b) After October 1, 1985, and notwithstanding any other
797 provision of this part, the department, or a local government to
798 which the department has delegated permitting authority pursuant
799 to subsections (3) ~~(4)~~ and (15) ~~(16)~~, may ~~shall~~ not issue a ~~any~~
800 permit for any structure, other than a coastal or shore
801 protection structure, minor structure, or pier, meeting the
802 requirements of this part, or other than intake and discharge
803 structures for a facility sited pursuant to part II of chapter
804 403, which is proposed for a location that ~~which~~, based on the
805 department's projections of erosion in the area, will be seaward
806 of the seasonal high-water line within 30 years after the date
807 of application for the ~~such~~ permit. The procedures for
808 determining such erosion shall be established by rule. In
809 determining the area that ~~which~~ will be seaward of the seasonal
810 high-water line in 30 years, the department may ~~shall~~ not
811 include any areas landward of a coastal construction control
812 line.

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

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

820 2. The owner of the parcel ~~for which the single-family~~
821 ~~dwelling is proposed~~ does not own another parcel immediately
822 adjacent to and landward of the parcel for which the dwelling is
823 proposed;

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

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

829 (d) In determining the land areas that ~~which~~ will be below
830 the seasonal high-water line within 30 years after the permit
831 application date, the department shall consider the effect
832 ~~impact~~ on the erosion rates of an existing beach nourishment or
833 restoration project or of a beach nourishment or restoration
834 project for which all funding arrangements have been made and
835 all permits have been issued at the time the application is
836 submitted. The department shall consider each year there is sand
837 seaward of the erosion control line whether ~~that~~ ~~no~~ erosion took
838 place that year. However, the seaward extent of the beach
839 nourishment or restoration project beyond the erosion control
840 line may ~~shall~~ not be considered in determining the applicable
841 erosion rates. ~~Nothing in~~ This subsection does not ~~shall~~

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842 prohibit the department from requiring structures to meet the
843 criteria established in subsection (1), subsection (2), or
844 subsection (4) ~~(5)~~ or to be further landward than required by
845 this subsection based on the criteria established in subsection
846 (1), subsection (2), or subsection (4) ~~(5)~~.

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

851 (6) ~~(7)~~ Any coastal structure erected, or excavation
852 created, in violation of ~~the provisions of~~ this section is
853 ~~hereby~~ declared to be a public nuisance, and such structure
854 shall be ~~forthwith~~ removed or such excavation shall be ~~forthwith~~
855 refilled after written notice by the department directing such
856 removal or filling. If ~~In the event~~ the structure is not removed
857 or the excavation refilled within a reasonable time as directed,
858 the department may remove such structure or fill such excavation
859 at its own expense, and the costs thereof shall become a lien on
860 ~~upon~~ the property of the upland owner upon which the ~~such~~
861 unauthorized structure or excavation is located.

862 (7) ~~(8)~~ Any person, firm, corporation, or agent thereof who
863 violates this section commits ~~is guilty of~~ a misdemeanor of the
864 first degree, punishable as provided in s. 775.082 or s.
865 775.083, ~~except~~ that a person driving a any vehicle on, over,
866 or across a any sand dune and damaging or causing to be damaged
867 such sand dune or the vegetation growing thereon in violation of
868 this section commits ~~is guilty of~~ a misdemeanor of the second
869 degree, punishable as provided in s. 775.082 or s. 775.083. A
870 person, firm, corporation, or agent thereof commits ~~shall be~~

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871 ~~deemed guilty of~~ a separate offense for each day during any
872 portion of which a ~~any~~ violation of this section is committed or
873 continued.

874 ~~(8)-(9) The provisions of~~ This section does ~~de~~ not apply to
875 structures intended for shore protection purposes which are
876 regulated by s. 161.041 or to structures existing or under
877 construction before ~~prior to~~ the establishment of the coastal
878 construction control line if the ~~as provided herein, provided~~
879 ~~such~~ structures are ~~may not be~~ materially altered except as
880 provided in subsection (4) ~~(5)~~. Except for structures that have
881 been materially altered, structures ~~determined to be~~ under
882 construction at the time of the establishment or reestablishment
883 of the coastal construction control line are ~~shall be~~ exempt
884 from the provisions of this section. However, unless such an
885 exemption has been judicially confirmed to exist before ~~prior to~~
886 April 10, 1992, the exemption shall last only for a period of 3
887 years from ~~either~~ the date of the determination of the exemption
888 or April 10, 1992, whichever occurs later. The department may
889 extend the exemption period for structures that require longer
890 periods for completion if ~~of their construction, provided that~~
891 construction during the initial exemption period is ~~has been~~
892 continuous. For purposes of this subsection, the term
893 "continuous" means following a reasonable sequence of
894 construction without significant or unreasonable periods of work
895 stoppage.

896 ~~(9)-(10) The department may by regulation exempt~~
897 specifically described portions of the coastline from the
898 provisions of this section if, when ~~in its judgment,~~ such
899 portions of coastline because of their nature are not subject to

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900 erosion of a substantially damaging effect to the public.

901 (10)~~(11)~~ Pending the establishment of coastal construction
902 control lines as provided herein, the provisions of s. 161.052
903 shall remain in force. However, upon the establishment of
904 coastal construction control lines, or the establishment of
905 coastal construction zoning and building codes as provided in
906 subsection (3) ~~(4)~~, the provisions of s. 161.052 shall be
907 superseded by the provisions of this section.

908 (11)~~(12)~~ (a) The coastal construction control requirements
909 defined in subsection (1) and the requirements of the erosion
910 projections in ~~pursuant to~~ subsection (5) ~~(6)~~ do not apply to
911 any modification, maintenance, or repair of ~~to~~ any existing
912 structure within the limits of the existing foundation which
913 does not require, involve, or include any additions to, or
914 repair or modification of, the existing foundation of that
915 structure. Specifically excluded from this exemption are
916 seawalls or other rigid coastal or shore protection structures
917 and any additions or enclosures added, constructed, or installed
918 below the first dwelling floor or lowest deck of the existing
919 structure.

920 (b) Activities seaward of the coastal construction control
921 line which are determined by the department not to cause a
922 measurable interference with the natural functioning of the
923 coastal system are exempt from the requirements of ~~in~~ subsection
924 (4) ~~(5)~~.

925 (c) The department may establish exemptions from the
926 requirements of this section for minor activities determined by
927 the department not to have an adverse effect ~~impacts~~ on the
928 coastal system. Examples of such activities include, but are not

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929 limited to:

930 1. Boat moorings;

931 2. Maintenance of existing beach-dune ~~beach/dune~~
932 vegetation;

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

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

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

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

942 7. Construction of a ~~any~~ new roof overhang extending no
943 more than 4 feet beyond the confines of the existing foundation
944 during modification, renovation, or reconstruction of a
945 habitable structure within the confines of the existing
946 foundation of that structure which does not include any
947 additions to or modification of the existing foundation of that
948 structure;

949 8. Minor and temporary excavation for the purpose of
950 repairs to existing subgrade residential service utilities
951 (e.g., water and sewer lines, septic tanks and drainfields,
952 electrical and telephone cables, and gas lines), if provided
953 ~~that~~ there is minimal disturbance and the ~~that~~ grade is restored
954 with fill compatible in both coloration and grain size to the
955 onsite material and any damaged or destroyed vegetation is
956 restored using similar vegetation; and

957 9. Any other minor construction that has an effect ~~with~~

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958 ~~impacts~~ similar to the above activities.

959 (12)~~(13)~~ (a) Notwithstanding the coastal construction
960 control requirements defined in subsection (1) or the erosion
961 projection determined pursuant to subsection (5) ~~(6)~~, the
962 department may, ~~at its discretion~~, issue a permit for the repair
963 or rebuilding within the confines of the original foundation of
964 a major structure pursuant to ~~the provisions of~~ subsection (4)
965 ~~(5)~~. Alternatively, the department may also, ~~at its discretion~~,
966 issue a permit for a more landward relocation or rebuilding of a
967 damaged or existing structure if such relocation or rebuilding
968 would not cause further harm to the beach-dune system, and if,
969 in the case of rebuilding, the ~~such~~ rebuilding complies with ~~the~~
970 ~~provisions of~~ subsection (4) ~~(5)~~, and otherwise complies with
971 ~~the provisions of~~ this subsection.

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

976 (c) In reviewing applications for relocation or rebuilding,
977 the department shall specifically consider changes in shoreline
978 conditions, the availability of other relocation or rebuilding
979 options, and the design adequacy of the project sought to be
980 rebuilt.

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

984 (13)~~(14)~~ Concurrent with the establishment of a coastal
985 construction control line and the ongoing administration of this
986 chapter, the secretary of the department shall make

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987 recommendations to the Board of Trustees of the Internal
988 Improvement Trust Fund concerning the purchase of the fee or any
989 lesser interest in any lands seaward of the control line
990 pursuant to the state's Save Our Coast, Conservation and
991 Recreation Lands, or Outdoor Recreation Land acquisition
992 programs; and, with respect to those control lines established
993 pursuant to this section before ~~prior to~~ June 14, 1978, the
994 secretary may make such recommendations.

995 (14) ~~(15)~~ A coastal county or municipality fronting on the
996 Gulf of Mexico, the Atlantic Ocean, or the Straits of Florida
997 shall advise the department within 5 days after receipt of any
998 permit application for construction or other activities proposed
999 to be located seaward of the line established by the department
1000 pursuant to ~~the provisions of~~ this section. Within 5 days after
1001 receipt of such application, the county or municipality shall
1002 notify the applicant of the requirements for state permits.

1003 (15) ~~(16)~~ In keeping with the intent of subsection (3) ~~(4)~~,
1004 ~~and at the discretion of the department~~, authority for
1005 permitting certain types of activities that ~~which~~ have been
1006 defined by the department may be delegated by the department to
1007 a coastal county or coastal municipality. Such partial
1008 delegation shall be narrowly construed to those particular
1009 activities specifically named in the delegation and agreed to by
1010 the affected county or municipality. ~~and~~ The delegation may be
1011 revoked by the department at any time if it is determined that
1012 the delegation is improperly or inadequately administered.

1013 (16) ~~(17)~~ The department may, at the request of a property
1014 owner, contract with the ~~such~~ property owner for an agreement,
1015 or modify an existing contractual agreement regulating

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1016 development activities landward of a coastal construction
1017 control line, if provided that nothing within the contractual
1018 agreement is consistent ~~shall be inconsistent~~ with the design
1019 and siting provisions of this section. ~~In no case shall~~ The
1020 contractual agreement may not bind either party for a period
1021 longer than 5 years following ~~from~~ its date of execution. Before
1022 ~~Prior to~~ beginning a any construction activity covered by the
1023 agreement, the property owner must ~~shall~~ obtain the necessary
1024 authorization required by the agreement. The agreement may ~~shall~~
1025 not authorize construction for:

1026 (a) Major habitable structures that ~~which would~~ require
1027 construction beyond the expiration of the agreement, unless such
1028 construction is above the completed foundation; or

1029 (b) Nonhabitable major structures or minor structures,
1030 unless such construction is ~~was~~ authorized at the same time as
1031 the habitable major structure.

1032 (17) ~~(18)~~ The department may ~~is authorized to~~ grant areawide
1033 permits to local governments, other governmental agencies, and
1034 utility companies for special classes of activities in areas
1035 under their general jurisdiction or responsibility if, ~~so long~~
1036 ~~as~~ these activities, due to the type, size, or temporary nature
1037 of the activity, will not cause measurable interference with the
1038 natural functioning of the beach-dune ~~beach-dune~~ system or with
1039 marine turtles or their nesting sites. Such activities ~~shall~~
1040 include, but are not ~~be~~ limited to: road repairs, not including
1041 new construction; utility repairs and replacements, or other
1042 minor activities necessary to provide utility services; beach
1043 cleaning; and emergency response. The department may adopt rules
1044 to establish criteria and guidelines for ~~use by~~ permit

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1045 applicants. The department must ~~shall~~ require notice provisions
1046 appropriate to the type and nature of the activities for which
1047 the areawide permits are sought.

1048 ~~(18)-(19)~~ The department may ~~is authorized to~~ grant general
1049 permits for projects, including dune walkovers, decks, fences,
1050 landscaping, sidewalks, driveways, pool resurfacing, minor pool
1051 repairs, and other nonhabitable structures, if the ~~so long as~~
1052 ~~these~~ projects, due to ~~the~~ type, size, or temporary nature ~~of~~
1053 ~~the project~~, will not cause a measurable interference with the
1054 natural functioning of the beach-dune ~~beach-dune~~ system or with
1055 marine turtles or their nesting sites. ~~In no event shall~~
1056 Multifamily habitable structures do not qualify for general
1057 permits. However, single-family habitable structures that ~~which~~
1058 do not advance the line of existing construction and satisfy all
1059 siting and design requirements of this section may be eligible
1060 for a general permit ~~pursuant to this subsection~~. The department
1061 may adopt rules to establish criteria and guidelines for ~~use by~~
1062 permit applicants.

1063 (a) Persons wishing to use the general permits must ~~set~~
1064 ~~forth in this subsection shall~~, at least 30 days before
1065 beginning any work, notify the department in writing on forms
1066 adopted by the department. The notice must ~~shall~~ include a
1067 description of the proposed project and supporting documents
1068 depicting the proposed project, its location, and other
1069 pertinent information as required by rule, to demonstrate that
1070 the proposed project qualifies for the requested general permit.
1071 Persons who undertake projects without proof of notice to the
1072 department, but whose projects would otherwise qualify for
1073 general permits, shall be considered to have ~~as being~~ undertaken

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1074 a project without a permit and are ~~shall be~~ subject to
1075 enforcement pursuant to s. 161.121.

1076 (b) Persons wishing to use a general permit must provide
1077 notice as required by the applicable local building code where
1078 the project will be located. If a building code requires no
1079 notice, any person wishing to use a general permit must, at a
1080 minimum, post a sign describing the project on the property at
1081 least 5 days before commencing ~~prior to the commencement of~~
1082 construction. The a sign must be at least ~~no smaller than~~ 88
1083 square inches, with letters no smaller than one-quarter inch,
1084 ~~describing the project.~~

1085 ~~(19)-(20)~~ (a) The department may suspend or revoke the use of
1086 a general or areawide permit for good cause, including:
1087 submission of false or inaccurate information in the
1088 notification for use of a general or areawide permit; violation
1089 of law, department orders, or rules relating to permit
1090 conditions; deviation from the specified activity or project
1091 indicated or the conditions for undertaking the activity or
1092 project; refusal of lawful inspection; or any other act by ~~on~~
1093 the permittee ~~permittee's part in using the general or areawide~~
1094 ~~permit~~ which results or may result in harm or injury to human
1095 health or welfare, or which causes harm or injury to animal,
1096 plant, or aquatic life or to property.

1097 (b) The department shall have access to the permitted
1098 activity or project at reasonable times to inspect and determine
1099 compliance with the permit and department rules.

1100 ~~(20)-(21)~~ The department may ~~is authorized to~~ adopt rules
1101 related to the ~~following provisions of this section:~~
1102 establishment of coastal construction control lines; activities

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1103 seaward of the coastal construction control line; exemptions;
1104 property owner agreements; delegation of the program; permitting
1105 programs; and violations and penalties.

1106 ~~(21)-(22)~~ In accordance with ss. 553.73 and 553.79, and upon
1107 the effective date of the Florida Building Code, the provisions
1108 of this section which pertain to and govern the design,
1109 construction, erection, alteration, modification, repair, and
1110 demolition of public and private buildings, structures, and
1111 facilities shall be incorporated into the Florida Building Code.
1112 The Florida Building Commission may ~~shall have the authority to~~
1113 adopt rules pursuant to ss. 120.536 and 120.54 ~~in order to~~
1114 administer ~~implement~~ those provisions. This subsection does not
1115 limit or abrogate the right and authority of the department to
1116 require permits or to adopt and enforce environmental standards,
1117 including, but not limited to, standards for ensuring the
1118 protection of the beach-dune system, proposed or existing
1119 structures, adjacent properties, marine turtles, native salt-
1120 resistant vegetation, endangered plant communities, and the
1121 preservation of public beach access.

1122 Section 41. Subsection (2) of section 161.161, Florida
1123 Statutes, is amended to read:

1124 161.161 Procedure for approval of projects.-

1125 (2) Annually ~~Upon approval of the beach management plan,~~
1126 the secretary shall present to the Legislature ~~President of the~~
1127 ~~Senate, the Speaker of the House of Representatives, and the~~
1128 ~~chairs of the legislative appropriations committees~~
1129 recommendations for funding ~~of~~ beach erosion control projects
1130 prioritized according to the. ~~Such recommendations shall be~~
1131 ~~presented to such members of the Legislature in the priority~~

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1132 ~~order specified in the plan and established pursuant to criteria~~
1133 ~~established contained~~ in s. 161.101(14).

1134 Section 42. Section 163.2526, Florida Statutes, is
1135 repealed.

1136 Section 43. Subsection (2) of section 163.3167, Florida
1137 Statutes, is amended to read:

1138 163.3167 Scope of act.—

1139 (2) Each local government shall prepare a comprehensive
1140 plan of the type and in the manner set out in this part ~~act~~ or
1141 ~~shall~~ prepare amendments to its existing comprehensive plan to
1142 conform it to the requirements of this part and in the manner
1143 set out in this part. ~~Each local government,~~ In accordance with
1144 ~~the procedures in~~ s. 163.3184, each local government shall
1145 submit to the state land planning agency its complete proposed
1146 comprehensive plan or its complete comprehensive plan as
1147 proposed to be amended ~~to the state land planning agency by the~~
1148 ~~date specified in the rule adopted by the state land planning~~
1149 ~~agency pursuant to this subsection. The state land planning~~
1150 ~~agency shall, prior to October 1, 1987, adopt a schedule of~~
1151 ~~local governments required to submit complete proposed~~
1152 ~~comprehensive plans or comprehensive plans as proposed to be~~
1153 ~~amended. Such schedule shall specify the exact date of~~
1154 ~~submission for each local government, shall establish equal,~~
1155 ~~staggered submission dates, and shall be consistent with the~~
1156 ~~following time periods:~~

1157 ~~(a) Beginning on July 1, 1988, and on or before July 1,~~
1158 ~~1990, each county that is required to include a coastal~~
1159 ~~management element in its comprehensive plan and each~~
1160 ~~municipality in such a county; and~~

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1161 ~~(b) Beginning on July 1, 1989, and on or before July 1,~~
1162 ~~1991, all other counties or municipalities.~~

1163
1164 ~~Nothing herein shall preclude the state land planning agency~~
1165 ~~from permitting by rule a county together with each municipality~~
1166 ~~in the county from submitting a proposed comprehensive plan~~
1167 ~~earlier than the dates established in paragraphs (a) and (b).~~
1168 ~~Any county or municipality that fails to meet the schedule set~~
1169 ~~for submission of its proposed comprehensive plan by more than~~
1170 ~~90 days shall be subject to the sanctions described in s.~~
1171 ~~163.3184(11) (a) imposed by the Administration Commission.~~
1172 ~~Notwithstanding the time periods established in this subsection,~~
1173 ~~the state land planning agency may establish later deadlines for~~
1174 ~~the submission of proposed comprehensive plans or comprehensive~~
1175 ~~plans as proposed to be amended for a county or municipality~~
1176 ~~which has all or a part of a designated area of critical state~~
1177 ~~concern within its boundaries; however, such deadlines shall not~~
1178 ~~be extended to a date later than July 1, 1991, or the time of~~
1179 ~~de-designation, whichever is earlier.~~

1180 Section 44. Paragraph (h) of subsection (6) and paragraph
1181 (k) of subsection (10) of section 163.3177, Florida Statutes,
1182 are amended to read:

1183 163.3177 Required and optional elements of comprehensive
1184 plan; studies and surveys.—

1185 (6) In addition to the requirements of subsections (1)-(5)
1186 and (12), the comprehensive plan shall include the following
1187 elements:

1188 (h)1. An intergovernmental coordination element showing
1189 relationships and stating principles and guidelines to be used

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1190 in coordinating ~~the accomplishment of coordination~~ of the
1191 adopted comprehensive plan with the plans of school boards,
1192 regional water supply authorities, and other units of local
1193 government providing services but not having regulatory
1194 authority over the use of land, with the comprehensive plans of
1195 adjacent municipalities, the county, adjacent counties, or the
1196 region, with the state comprehensive plan and with the
1197 applicable regional water supply plan approved pursuant to s.
1198 373.0361, as the case may require and as such adopted plans or
1199 plans in preparation may exist. This element of the local
1200 comprehensive plan must ~~shall~~ demonstrate consideration of the
1201 particular effects of the local plan, when adopted, upon the
1202 development of adjacent municipalities, the county, adjacent
1203 counties, or the region, or upon the state comprehensive plan,
1204 as the case may require.

1205 a. The intergovernmental coordination element must ~~shall~~
1206 provide procedures for identifying and implementing ~~to identify~~
1207 ~~and implement~~ joint planning areas, especially for the purpose
1208 of annexation, municipal incorporation, and joint infrastructure
1209 service areas.

1210 b. The intergovernmental coordination element must ~~shall~~
1211 provide for recognition of campus master plans prepared pursuant
1212 to s. 1013.30 and airport master plans under paragraph (k).

1213 c. The intergovernmental coordination element shall provide
1214 for a dispute resolution process, as established pursuant to s.
1215 186.509, ~~for bringing to closure in a timely manner~~
1216 intergovernmental disputes to closure in a timely manner.

1217 d. The intergovernmental coordination element shall provide
1218 for interlocal agreements as established pursuant to s.

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1219 333.03(1)(b).

1220 2. The intergovernmental coordination element shall also
1221 ~~further~~ state principles and guidelines to be used in
1222 coordinating the accomplishment of coordination of the adopted
1223 comprehensive plan with the plans of school boards and other
1224 units of local government providing facilities and services but
1225 not having regulatory authority over the use of land. In
1226 addition, the intergovernmental coordination element must ~~shall~~
1227 describe joint processes for collaborative planning and
1228 decisionmaking on population projections and public school
1229 siting, the location and extension of public facilities subject
1230 to concurrency, and siting facilities with countywide
1231 significance, including locally unwanted land uses whose nature
1232 and identity are established in an agreement. Within 1 year
1233 after ~~of~~ adopting their intergovernmental coordination elements,
1234 each county, all the municipalities within that county, the
1235 district school board, and any unit of local government service
1236 providers in that county shall establish by interlocal or other
1237 formal agreement executed by all affected entities, the joint
1238 processes described in this subparagraph consistent with their
1239 adopted intergovernmental coordination elements.

1240 3. To foster coordination between special districts and
1241 local general-purpose governments as local general-purpose
1242 governments implement local comprehensive plans, each
1243 independent special district must submit a public facilities
1244 report to the appropriate local government as required by s.
1245 189.415.

1246 4.~~a.~~ Local governments shall execute an interlocal
1247 agreement with the district school board, the county, and

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1248 nonexempt municipalities pursuant to s. 163.31777. The local
1249 government shall amend the intergovernmental coordination
1250 element to ensure ~~provide~~ that coordination between the local
1251 government and school board is pursuant to the agreement and
1252 shall state the obligations of the local government under the
1253 agreement.

1254 ~~b.~~ Plan amendments that comply with this subparagraph are
1255 exempt from the provisions of s. 163.3187(1).

1256 ~~5. The state land planning agency shall establish a~~
1257 ~~schedule for phased completion and transmittal of plan~~
1258 ~~amendments to implement subparagraphs 1., 2., and 3. from all~~
1259 ~~jurisdictions so as to accomplish their adoption by December 31,~~
1260 ~~1999. A local government may complete and transmit its plan~~
1261 ~~amendments to carry out these provisions prior to the scheduled~~
1262 ~~date established by the state land planning agency. The plan~~
1263 ~~amendments are exempt from the provisions of s. 163.3187(1).~~

1264 ~~5.6.~~ By January 1, 2004, any county having a population
1265 greater than 100,000, and the municipalities and special
1266 districts within that county, shall submit a report to the
1267 Department of Community Affairs which identifies:

1268 a. ~~Identifies~~ All existing or proposed interlocal service
1269 delivery agreements relating to ~~regarding the following~~:
1270 education; sanitary sewer; public safety; solid waste; drainage;
1271 potable water; parks and recreation; and transportation
1272 facilities.

1273 b. ~~Identifies~~ Any deficits or duplication in the provision
1274 of services within its jurisdiction, whether capital or
1275 operational. Upon request, the Department of Community Affairs
1276 shall provide technical assistance to the local governments in

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1277 identifying deficits or duplication.

1278 ~~6.7.~~ Within 6 months after submission of the report, the
1279 Department of Community Affairs shall, through the appropriate
1280 regional planning council, coordinate a meeting of all local
1281 governments within the regional planning area to discuss the
1282 reports and potential strategies to remedy any identified
1283 deficiencies or duplications.

1284 ~~7.8.~~ Each local government shall update its
1285 intergovernmental coordination element based upon the findings
1286 in the report submitted pursuant to subparagraph 5. ~~6.~~ The
1287 report may be used as supporting data and analysis for the
1288 intergovernmental coordination element.

1289 (10) The Legislature recognizes the importance and
1290 significance of chapter 9J-5, Florida Administrative Code, the
1291 Minimum Criteria for Review of Local Government Comprehensive
1292 Plans and Determination of Compliance of the Department of
1293 Community Affairs that will be used to determine compliance of
1294 local comprehensive plans. The Legislature reserved unto itself
1295 the right to review chapter 9J-5, Florida Administrative Code,
1296 and to reject, modify, or take no action relative to this rule.
1297 Therefore, pursuant to subsection (9), the Legislature hereby
1298 has reviewed chapter 9J-5, Florida Administrative Code, and
1299 expresses the following legislative intent:

1300 (k) In order for ~~So that~~ local governments ~~are able~~ to
1301 prepare and adopt comprehensive plans with knowledge of the
1302 rules that are ~~will be~~ applied to determine consistency of the
1303 plans with ~~provisions of~~ this part, ~~it is the intent of the~~
1304 ~~Legislature that~~ there should be no doubt as to the legal
1305 standing of chapter 9J-5, Florida Administrative Code, at the

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1306 close of the 1986 legislative session. Therefore, the
1307 Legislature declares that changes made to chapter 9J-5 before,
1308 ~~Florida Administrative Code, prior to October 1, 1986, are shall~~
1309 not ~~be~~ subject to rule challenges under s. 120.56(2), or to
1310 drawout proceedings under s. 120.54(3)(c)2. The entire chapter
1311 9J-5, Florida Administrative Code, as amended, is shall be
1312 subject to rule challenges under s. 120.56(3), as nothing herein
1313 indicates shall be construed to indicate approval or disapproval
1314 of any portion of chapter 9J-5, ~~Florida Administrative Code,~~ not
1315 specifically addressed herein. ~~No challenge pursuant to s.~~
1316 ~~120.56(3) may be filed from July 1, 1987, through April 1, 1993.~~
1317 ~~Any amendments to chapter 9J-5, Florida Administrative Code,~~
1318 ~~exclusive of the amendments adopted prior to October 1, 1986,~~
1319 ~~pursuant to this act, shall be subject to the full chapter 120~~
1320 ~~process. All amendments shall have effective dates as provided~~
1321 ~~in chapter 120 and submission to the President of the Senate and~~
1322 ~~Speaker of the House of Representatives shall not be required.~~

1323 Section 45. Subsection (6) of section 163.3178, Florida
1324 Statutes, is amended to read:

1325 163.3178 Coastal management.—

1326 (6) Local governments are encouraged to adopt countywide
1327 marina siting plans to designate sites for existing and future
1328 marinas. The Coastal Resources Interagency Management Committee,
1329 at the direction of the Legislature, shall identify incentives
1330 to encourage local governments to adopt such siting plans and
1331 uniform criteria and standards to be used by local governments
1332 to implement state goals, objectives, and policies relating to
1333 marina siting. These criteria must ensure that priority is given
1334 to water-dependent land uses. ~~The Coastal Resources Interagency~~

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1335 ~~Management Committee shall submit its recommendations regarding~~
1336 ~~local government incentives to the Legislature by December 1,~~
1337 ~~1993.~~ Countywide marina siting plans must be consistent with
1338 state and regional environmental planning policies and
1339 standards. Each local government in the coastal area which
1340 participates in the adoption of a countywide marina siting plan
1341 shall incorporate the plan into the coastal management element
1342 of its local comprehensive plan.

1343 Section 46. Subsection (12) of section 163.519, Florida
1344 Statutes, is repealed.

1345 Section 47. Subsection (9) of section 186.007, Florida
1346 Statutes, is repealed.

1347 Section 48. Subsection (5) of section 189.4035, Florida
1348 Statutes, is amended to read:

1349 189.4035 Preparation of official list of special
1350 districts.—

1351 (5) The official list of special districts shall be
1352 available on the department's website ~~distributed by the~~
1353 ~~department on October 1 of each year to the President of the~~
1354 ~~Senate, the Speaker of the House of Representatives, the Auditor~~
1355 ~~General, the Department of Revenue, the Department of Financial~~
1356 ~~Services, the Department of Management Services, the State Board~~
1357 ~~of Administration, counties, municipalities, county property~~
1358 ~~appraisers, tax collectors, and supervisors of elections and to~~
1359 ~~all interested parties who request the list.~~

1360 Section 49. Subsection (2) of section 189.412, Florida
1361 Statutes, is amended to read:

1362 189.412 Special District Information Program; duties and
1363 responsibilities.—The Special District Information Program of

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1364 the Department of Community Affairs is created and has the
1365 following special duties:

1366 (2) The maintenance of a master list of independent and
1367 dependent special districts which shall be available on the
1368 department's website ~~annually updated and distributed to the~~
1369 ~~appropriate officials in state and local governments.~~

1370 Section 50. Paragraph (b) of subsection (1) of section
1371 206.606, Florida Statutes, is amended to read:

1372 206.606 Distribution of certain proceeds.—

1373 (1) Moneys collected pursuant to ss. 206.41(1)(g) and
1374 206.87(1)(e) shall be deposited in the Fuel Tax Collection Trust
1375 Fund. Such moneys, after deducting the service charges imposed
1376 by s. 215.20, the refunds granted pursuant to s. 206.41, and the
1377 administrative costs incurred by the department in collecting,
1378 administering, enforcing, and distributing the tax, which
1379 administrative costs may not exceed 2 percent of collections,
1380 shall be distributed monthly to the State Transportation Trust
1381 Fund, except that:

1382 (b) Annually, \$2.5 million shall be transferred to the
1383 State Game Trust Fund in the Fish and Wildlife Conservation
1384 Commission ~~in each fiscal year~~ and used for recreational boating
1385 activities, and freshwater fisheries management and research.
1386 The transfers must be made in equal monthly amounts beginning on
1387 July 1 of each fiscal year. The commission shall annually
1388 determine where unmet needs exist for boating-related
1389 activities, and may fund such activities in counties where, due
1390 to the number of vessel registrations, sufficient financial
1391 resources are unavailable.

1392 1. A minimum of \$1.25 million shall be used to fund local

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1393 projects to provide recreational channel marking and other
1394 uniform waterway markers, public boat ramps, lifts, and hoists,
1395 marine railways, and other public launching facilities, derelict
1396 vessel removal, and other local boating-related activities. In
1397 funding the projects, the commission shall give priority
1398 consideration to ~~as follows~~:

1399 a. Unmet needs in counties having ~~with~~ populations of
1400 100,000 or fewer ~~less~~.

1401 b. Unmet needs in coastal counties having ~~with~~ a high level
1402 of boating-related activities from individuals residing in other
1403 counties.

1404 2. The remaining \$1.25 million may be used for recreational
1405 boating activities and freshwater fisheries management and
1406 research.

1407 3. The commission may ~~is authorized to~~ adopt rules pursuant
1408 ~~to ss. 120.536(1) and 120.54~~ to administer ~~implement~~ a Florida
1409 Boating Improvement Program.

1410
1411 ~~On February 1 of each year,~~ The commission shall prepare and
1412 make available on its Internet website ~~file~~ an annual report
1413 ~~with the President of the Senate and the Speaker of the House of~~
1414 ~~Representatives~~ outlining the status of its Florida Boating
1415 Improvement Program, including the projects funded, and a list
1416 of counties whose needs are unmet due to insufficient financial
1417 resources from vessel registration fees.

1418 Section 51. Paragraph (b) of subsection (4) of section
1419 212.054, Florida Statutes, is amended to read:

1420 212.054 Discretionary sales surtax; limitations,
1421 administration, and collection.-

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1422 (4)

1423 (b) The proceeds of a discretionary sales surtax collected

1424 by the selling dealer located in a county imposing ~~which imposes~~

1425 the surtax shall be returned, less the cost of administration,

1426 to the county where the selling dealer is located. The proceeds

1427 shall be transferred to the Discretionary Sales Surtax Clearing

1428 Trust Fund. A separate account shall be established in the ~~such~~

1429 trust fund for each county imposing a discretionary surtax. The

1430 amount deducted for the costs of administration may ~~shall~~ not

1431 exceed 3 percent of the total revenue generated for all counties

1432 levying a surtax authorized in s. 212.055. The amount deducted

1433 for the costs of administration may ~~shall~~ be used only for ~~those~~

1434 costs that ~~which~~ are solely and directly attributable to the

1435 surtax. The total cost of administration shall be prorated among

1436 those counties levying the surtax on the basis of the amount

1437 collected for a particular county to the total amount collected

1438 for all counties. ~~No later than March 1 of each year, the~~

1439 ~~department shall submit a written report which details the~~

1440 ~~expenses and amounts deducted for the costs of administration to~~

1441 ~~the President of the Senate, the Speaker of the House of~~

1442 ~~Representatives, and the governing authority of each county~~

1443 ~~levying a surtax.~~ The department shall distribute the moneys in

1444 the trust fund ~~each month~~ to the appropriate counties each

1445 month, unless otherwise provided in s. 212.055.

1446 Section 52. Paragraph (j) of subsection (5) of section

1447 212.08, Florida Statutes, is amended to read:

1448 212.08 Sales, rental, use, consumption, distribution, and

1449 storage tax; specified exemptions.—The sale at retail, the

1450 rental, the use, the consumption, the distribution, and the

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1451 storage to be used or consumed in this state of the following
1452 are hereby specifically exempt from the tax imposed by this
1453 chapter.

1454 (5) EXEMPTIONS; ACCOUNT OF USE.—

1455 (j) *Machinery and equipment used in semiconductor, defense,*
1456 *or space technology production.*—

1457 1.a. Industrial machinery and equipment used in
1458 semiconductor technology facilities certified under subparagraph
1459 5. to manufacture, process, compound, or produce semiconductor
1460 technology products for sale or for use by these facilities are
1461 exempt from the tax imposed by this chapter. For purposes of
1462 this paragraph, industrial machinery and equipment includes
1463 molds, dies, machine tooling, other appurtenances or accessories
1464 to machinery and equipment, testing equipment, test beds,
1465 computers, and software, whether purchased or self-fabricated,
1466 and, if self-fabricated, includes materials and labor for
1467 design, fabrication, and assembly.

1468 b. Industrial machinery and equipment used in defense or
1469 space technology facilities certified under subparagraph 5. to
1470 design, manufacture, assemble, process, compound, or produce
1471 defense technology products or space technology products for
1472 sale or for use by these facilities are exempt from the tax
1473 imposed by this chapter.

1474 2. Building materials purchased for use in manufacturing or
1475 expanding clean rooms in semiconductor-manufacturing facilities
1476 are exempt from the tax imposed by this chapter.

1477 3. In addition to meeting the criteria mandated by
1478 subparagraph 1. or subparagraph 2., a business must be certified
1479 by the Office of Tourism, Trade, and Economic Development ~~as~~

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1480 ~~authorized in this paragraph~~ in order to qualify for exemption
1481 under this paragraph.

1482 4. For items purchased tax-exempt pursuant to this
1483 paragraph, possession of a written certification from the
1484 purchaser, certifying the purchaser's entitlement to the
1485 exemption ~~pursuant to this paragraph~~, relieves the seller of the
1486 responsibility of collecting the tax on the sale of such items,
1487 and the department shall look solely to the purchaser for
1488 recovery of the tax if it determines that the purchaser was not
1489 entitled to the exemption.

1490 5.a. To be eligible to receive the exemption provided by
1491 subparagraph 1. or subparagraph 2., a qualifying business entity
1492 shall ~~apply~~ initially apply to Enterprise Florida, Inc. The
1493 original certification is ~~shall be~~ valid for a period of 2
1494 years. In lieu of submitting a new application, the original
1495 certification may be renewed biennially by submitting to the
1496 Office of Tourism, Trade, and Economic Development a statement,
1497 certified under oath, that there has been no material change in
1498 the conditions or circumstances entitling the business entity to
1499 the original certification. The initial application and the
1500 certification renewal statement shall be developed by the Office
1501 of Tourism, Trade, and Economic Development in consultation with
1502 Enterprise Florida, Inc.

1503 b. Enterprise Florida, Inc., shall review each submitted
1504 initial application ~~and information~~ and determine whether or not
1505 the application is complete within 5 working days. Once ~~an~~
1506 ~~application is~~ complete, Enterprise Florida, Inc., shall, within
1507 10 working days, evaluate the application and recommend approval
1508 or disapproval ~~of the application~~ to the Office of Tourism,

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1509 Trade, and Economic Development.

1510 c. Upon receipt of the initial application and
1511 recommendation from Enterprise Florida, Inc., or upon receipt of
1512 a certification renewal statement, the Office of Tourism, Trade,
1513 and Economic Development shall certify within 5 working days
1514 those applicants who are found to meet the requirements of this
1515 section and notify the applicant, Enterprise Florida, Inc., and
1516 the department of the original certification or certification
1517 renewal. If the Office of Tourism, Trade, and Economic
1518 Development finds that the applicant does not meet the
1519 requirements ~~of this section~~, it shall notify the applicant and
1520 Enterprise Florida, Inc., within 10 working days that the
1521 application for certification has been denied and the reasons
1522 for denial. The Office of Tourism, Trade, and Economic
1523 Development has final approval authority for certification under
1524 this section.

1525 d. The initial application and certification renewal
1526 statement must indicate, for program evaluation purposes only,
1527 the average number of full-time equivalent employees at the
1528 facility over the preceding calendar year, the average wage and
1529 benefits paid to those employees over the preceding calendar
1530 year, the total investment made in real and tangible personal
1531 property over the preceding calendar year, and the total value
1532 of tax-exempt purchases and taxes exempted during the previous
1533 year. The department shall assist the Office of Tourism, Trade,
1534 and Economic Development in evaluating and verifying information
1535 provided in the application for exemption.

1536 e. The Office of Tourism, Trade, and Economic Development
1537 may use the information reported on the initial application and

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1538 certification renewal statement for evaluation purposes only ~~and~~
1539 ~~shall prepare an annual report on the exemption program and its~~
1540 ~~cost and impact. The annual report for the preceding fiscal year~~
1541 ~~shall be submitted to the Governor, the President of the Senate,~~
1542 ~~and the Speaker of the House of Representatives by September 30~~
1543 ~~of each fiscal year.~~

1544 6. A business certified to receive this exemption may elect
1545 to designate one or more state universities or community
1546 colleges as recipients of up to 100 percent of the amount of the
1547 exemption ~~for which they may qualify~~. To receive these funds,
1548 the institution must agree to match the funds ~~so earned~~ with
1549 equivalent cash, programs, services, or other in-kind support on
1550 a one-to-one basis for ~~in the pursuit of~~ research and
1551 development projects ~~as~~ requested by the certified business. The
1552 rights to any patents, royalties, or real or intellectual
1553 property must be vested in the business unless otherwise agreed
1554 to by the business and the university or community college.

1555 7. As used in this paragraph, the term:

1556 a. "Semiconductor technology products" means raw
1557 semiconductor wafers or semiconductor thin films that are
1558 transformed into semiconductor memory or logic wafers, including
1559 wafers containing mixed memory and logic circuits; related
1560 assembly and test operations; active-matrix flat panel displays;
1561 semiconductor chips; semiconductor lasers; optoelectronic
1562 elements; and related semiconductor technology products as
1563 determined by the Office of Tourism, Trade, and Economic
1564 Development.

1565 b. "Clean rooms" means manufacturing facilities enclosed in
1566 a manner that meets the clean manufacturing requirements

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1567 necessary for high-technology semiconductor-manufacturing
1568 environments.

1569 c. "Defense technology products" means products that have a
1570 military application, including, but not limited to, weapons,
1571 weapons systems, guidance systems, surveillance systems,
1572 communications or information systems, munitions, aircraft,
1573 vessels, or boats, or components thereof, which are intended for
1574 military use and manufactured in performance of a contract with
1575 the United States Department of Defense or the military branch
1576 of a recognized foreign government or a subcontract thereunder
1577 which relates to matters of national defense.

1578 d. "Space technology products" means products that are
1579 specifically designed or manufactured for application in space
1580 activities, including, but not limited to, space launch
1581 vehicles, space flight vehicles, missiles, satellites or
1582 research payloads, avionics, and associated control systems and
1583 processing systems and components of any of the foregoing. The
1584 term does not include products that are designed or manufactured
1585 for general commercial aviation or other uses even though those
1586 products may also serve an incidental use in space applications.

1587 Section 53. Section 213.0452, Florida Statutes, is
1588 repealed.

1589 Section 54. Section 213.054, Florida Statutes, is repealed.

1590 Section 55. Subsection (3) of section 215.70, Florida
1591 Statutes, is amended to read:

1592 215.70 State Board of Administration to act in case of
1593 defaults.—

1594 (3) ~~It shall be the duty of~~ The State Board of
1595 Administration shall ~~to~~ monitor the debt service accounts for

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1596 bonds issued pursuant to this act. The board shall advise the
1597 Governor and Legislature of any projected need to appropriate
1598 funds to honor the pledge of full faith and credit of the state.
1599 The report must ~~shall~~ include the estimated amount of
1600 appropriations needed, the estimated maximum amount of
1601 appropriations needed, and a contingency appropriation request
1602 for each bond issue.

1603 Section 56. Paragraph (z) of subsection (1) of section
1604 216.011, Florida Statutes, is amended to read:

1605 216.011 Definitions.—

1606 (1) For the purpose of fiscal affairs of the state,
1607 appropriations acts, legislative budgets, and approved budgets,
1608 each of the following terms has the meaning indicated:

1609 (z) "Long-range program plan" means a plan developed
1610 pursuant to s. 216.013 ~~on an annual basis by each state agency~~
1611 ~~that is policy based, priority driven, accountable, and~~
1612 ~~developed through careful examination and justification of all~~
1613 ~~programs and their associated costs. Each plan is developed by~~
1614 ~~examining the needs of agency customers and clients and~~
1615 ~~proposing programs and associated costs to address those needs~~
1616 ~~based on state priorities as established by law, the agency~~
1617 ~~mission, and legislative authorization. The plan provides the~~
1618 ~~framework and context for preparing the legislative budget~~
1619 ~~request and includes performance indicators for evaluating the~~
1620 ~~impact of programs and agency performance.~~

1621 Section 57. Paragraph (c) of subsection (10) of section
1622 216.181, Florida Statutes, is repealed.

1623 Section 58. Subsection (5) of section 252.55, Florida
1624 Statutes, is amended to read:

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1625 252.55 Civil Air Patrol, Florida Wing.-

1626 (5) The wing commander of the Florida Wing of the Civil Air
1627 Patrol shall biennially furnish the Bureau of Emergency
1628 Management a 2-year ~~an annual~~ projection of the goals and
1629 objectives of the Civil Air Patrol which shall ~~for the following~~
1630 ~~year. These will~~ be reported ~~to the Governor~~ in the division's
1631 biennial ~~annual~~ report submitted pursuant to s. 252.35 ~~of the~~
1632 ~~division on February 1 of each year.~~

1633 Section 59. Subsection (1) of section 253.7825, Florida
1634 Statutes, is amended to read:

1635 253.7825 Recreational uses.-

1636 (1) The Cross Florida Greenways State Recreation and
1637 Conservation Area must be managed as a multiple-use area
1638 pursuant to s. 253.034(2)(a), and as ~~further~~ provided in this
1639 section herein. ~~The University of Florida Management Plan~~
1640 ~~provides a conceptual recreational plan that may ultimately be~~
1641 ~~developed at various locations throughout the greenways~~
1642 ~~corridor. The plan proposes to locate a number of the larger,~~
1643 ~~more comprehensive and complex recreational facilities in~~
1644 ~~sensitive, natural resource areas.~~ Future site-specific studies
1645 and investigations must be conducted by the department to
1646 determine compatibility with, and potential for adverse impact
1647 to, existing natural resources, need for the facility, the
1648 availability of other alternative locations with reduced adverse
1649 impacts to existing natural resources, and the proper specific
1650 sites and locations for the more comprehensive and complex
1651 facilities. Furthermore, it is appropriate, with the approval of
1652 the department, to allow more fishing docks, boat launches, and
1653 other user-oriented facilities to be developed and maintained by

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1654 local governments.

1655 Section 60. Section 253.7826, Florida Statutes, is
1656 repealed.

1657 Section 61. Section 253.7829, Florida Statutes, is
1658 repealed.

1659 Section 62. Subsection (4) of section 259.037, Florida
1660 Statutes, is amended to read:

1661 259.037 Land Management Uniform Accounting Council.—

1662 (4) The council shall provide a report of the agencies'
1663 expenditures pursuant to the adopted categories to the President
1664 of the Senate and the Speaker of the House of Representatives
1665 annually, beginning July 1, 2001. The council shall also provide
1666 this report to the Acquisition and Restoration Council and the
1667 division for inclusion in its annual report required pursuant to
1668 s. 259.036.

1669 Section 63. Subsection (4) of section 267.074, Florida
1670 Statutes, is repealed.

1671 Section 64. Subsection (3) of section 284.50, Florida
1672 Statutes, is repealed.

1673 Section 65. Subsection (11) of section 287.045, Florida
1674 Statutes, is repealed.

1675 Section 66. Subsection (7) of section 288.108, Florida
1676 Statutes, is repealed.

1677 Section 67. Section 288.1185, Florida Statutes, is
1678 repealed.

1679 Section 68. Paragraph (e) of subsection (8) of section
1680 288.1229, Florida Statutes, is amended to read:

1681 288.1229 Promotion and development of sports-related
1682 industries and amateur athletics; direct-support organization;

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1683 powers and duties.—

1684 (8) To promote amateur sports and physical fitness, the
1685 direct-support organization shall:

1686 (e) Promote Florida as a host for national and
1687 international amateur athletic competitions. ~~As part of this~~
1688 ~~effort, the direct-support organization shall:~~

1689 ~~1. Assist and support Florida cities or communities bidding~~
1690 ~~or seeking to host the Summer Olympics or Pan American Games.~~

1691 ~~2. Annually report to the Governor, the President of the~~
1692 ~~Senate, and the Speaker of the House of Representatives on the~~
1693 ~~status of the efforts of cities or communities bidding to host~~
1694 ~~the Summer Olympics or Pan American Games, including, but not~~
1695 ~~limited to, current financial and infrastructure status,~~
1696 ~~projected financial and infrastructure needs, and~~
1697 ~~recommendations for satisfying the unmet needs and fulfilling~~
1698 ~~the requirements for a successful bid in any year that the~~
1699 ~~Summer Olympics or Pan American Games are held in this state.~~

1700 Section 69. Subsection (4) of section 288.7015, Florida
1701 Statutes, is repealed.

1702 Section 70. Section 288.7771, Florida Statutes, is amended
1703 to read:

1704 288.7771 Annual report of Florida Export Finance
1705 Corporation. ~~By March 31 of each year, The corporation shall~~
1706 annually prepare and submit to Enterprise Florida, Inc., for
1707 inclusion in its annual report required by s. 288.095 the
1708 ~~Governor, the President of the Senate, the Speaker of the House~~
1709 ~~of Representatives, the Senate Minority Leader, and the House~~
1710 ~~Minority Leader~~ a complete and detailed report setting forth:

1711 (1) The report required in s. 288.776(3).

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1712 (2) Its assets and liabilities at the end of its most
1713 recent fiscal year.

1714 Section 71. Subsections (8), (10), and (11) of section
1715 288.8175, Florida Statutes, are repealed.

1716 Section 72. Subsection (5) of section 288.853, Florida
1717 Statutes, is repealed.

1718 Section 73. Paragraph (1) of subsection (1) of section
1719 288.904, Florida Statutes, is amended to read:

1720 288.904 Powers of the board of directors of Enterprise
1721 Florida, Inc.—

1722 (1) The board of directors of Enterprise Florida, Inc.,
1723 shall have the power to:

1724 (1) Create and dissolve advisory committees, working
1725 groups, task forces, or similar organizations, as necessary to
1726 carry out the mission of Enterprise Florida, Inc. ~~By August 1,~~
1727 ~~1999, Enterprise Florida, Inc., shall establish an advisory~~
1728 ~~committee on international business issues, and an advisory~~
1729 ~~committee on small business issues. These committees shall be~~
1730 ~~comprised of individuals representing the private sector and the~~
1731 ~~public sector with expertise in the respective subject areas.~~
1732 ~~The purpose of the committees shall be to guide and advise~~
1733 ~~Enterprise Florida, Inc., on the development and implementation~~
1734 ~~of policies, strategies, programs, and activities affecting~~
1735 ~~international business and small business. The advisory~~
1736 ~~committee on international business and the advisory committee~~
1737 ~~on small business shall meet at the call of the chairperson or~~
1738 ~~vice chairperson of the board of directors of Enterprise~~
1739 ~~Florida, Inc., but shall meet at least quarterly. Meetings of~~
1740 ~~the advisory committee on international business and the~~

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1741 ~~advisory committee on small business may be held telephonically,~~
1742 ~~however, meetings of the committees that are held in person~~
1743 ~~shall be rotated at different locations around the state to~~
1744 ~~ensure participation of local and regional economic development~~
1745 ~~practitioners and other members of the public.~~ Members of
1746 advisory committees, working groups, task forces, or similar
1747 organizations created by Enterprise Florida, Inc., shall serve
1748 without compensation, but may be reimbursed for reasonable,
1749 necessary, and actual expenses, as determined by the board of
1750 directors of Enterprise Florida, Inc.

1751 Section 74. Subsection (5) of section 288.95155, Florida
1752 Statutes, is amended to read:

1753 288.95155 Florida Small Business Technology Growth
1754 Program.—

1755 (5) ~~By January 1 of each year,~~ Enterprise Florida, Inc.,
1756 shall prepare and include in its annual report required by s.
1757 288.095 a report on the financial status of the program ~~and the~~
1758 ~~account and shall submit a copy of the report to the board of~~
1759 ~~directors of Enterprise Florida, Inc., the appropriate~~
1760 ~~legislative committees responsible for economic development~~
1761 ~~oversight, and the appropriate legislative appropriations~~
1762 ~~subcommittees.~~ The report must ~~shall~~ specify the assets and
1763 liabilities of the program ~~account~~ within the current fiscal
1764 year and must ~~shall~~ include a portfolio update that lists all of
1765 the businesses assisted, the private dollars leveraged by each
1766 business assisted, and the growth in sales and in employment of
1767 each business assisted.

1768 Section 75. Paragraph (c) of subsection (4) of section
1769 288.9604, Florida Statutes, is amended to read:

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1770 288.9604 Creation of the authority.—

1771 (4)

1772 (c) The directors of the corporation shall annually elect
1773 one of their members as chair and one as vice chair. The
1774 corporation may employ a president, technical experts, and such
1775 other agents and employees, permanent and temporary, as it
1776 requires and determine their qualifications, duties, and
1777 compensation. For such legal services as it requires, the
1778 corporation may employ or retain its own counsel and legal
1779 staff. ~~The corporation shall file with the governing body of~~
1780 ~~each public agency with which it has entered into an interlocal~~
1781 ~~agreement and with the Governor, the Speaker of the House of~~
1782 ~~Representatives, the President of the Senate, the Minority~~
1783 ~~Leaders of the Senate and House of Representatives, and the~~
1784 ~~Auditor General, on or before 90 days after the close of the~~
1785 ~~fiscal year of the corporation, a report of its activities for~~
1786 ~~the preceding fiscal year, which report shall include a complete~~
1787 ~~financial statement setting forth its assets, liabilities,~~
1788 ~~income, and operating expenses as of the end of such fiscal~~
1789 ~~year.~~

1790 Section 76. Section 288.9610, Florida Statutes, is amended
1791 to read:

1792 288.9610 Annual reports of Florida Development Finance
1793 Corporation.—On or before 90 days after the close of ~~By December~~
1794 ~~1 of each year,~~ the Florida Development Finance Corporation's
1795 fiscal year, the corporation shall submit to the Governor, the
1796 Legislature ~~President of the Senate, the Speaker of the House of~~
1797 ~~Representatives, the Senate Minority Leader, the House Minority~~
1798 ~~Leader,~~ the Auditor General, and the governing body of each

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1799 public entity with which it has entered into an interlocal
 1800 agreement city or county activating the Florida Development
 1801 Finance Corporation a complete and detailed report setting
 1802 forth:

1803 (1) The results of any audit conducted pursuant to s. 11.45
 1804 evaluation required in s. 11.45(3)(j).

1805 (2) The activities, operations, and accomplishments of the
 1806 Florida Development Finance Corporation, including the number of
 1807 businesses assisted by the corporation.

1808 (3) Its assets, and liabilities, income, and operating
 1809 expenses at the end of its most recent fiscal year, including a
 1810 description of all of its outstanding revenue bonds.

1811 Section 77. Subsection (6) of section 292.05, Florida
 1812 Statutes, is amended to read:

1813 292.05 Duties of Department of Veterans' Affairs.—

1814 (6) The department shall, by ~~on~~ December 31 of each year,
 1815 submit ~~make~~ an annual written report to the Governor, the
 1816 Cabinet, and the Legislature which describes: of the state, the
 1817 Speaker of the House of Representatives, and the President of
 1818 the Senate, which report shall show

1819 (a) The expenses incurred in veteran service work in the
 1820 state; the number, nature, and kind of cases handled by the
 1821 department and by county and city veteran service officers of
 1822 the state; the amounts of benefits obtained for veterans; the
 1823 names and addresses of all certified veteran service officers,
 1824 including county and city veteran service officers. The report
 1825 must ~~shall~~ also describe the actions taken by the department in
 1826 implementing subsections (4), (5), and (7) and include ~~shall~~
 1827 ~~contain such~~ other information and recommendations as ~~may appear~~

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1828 ~~to~~ the department requires ~~to be right and proper.~~

1829 (b) The current status of the department's domiciliary and
1830 nursing homes established pursuant to chapter 296, including all
1831 receipts and expenditures, the condition of the homes, the
1832 number of residents received and discharged during the preceding
1833 year, occupancy rates, staffing, and any other information
1834 necessary to provide an understanding of the management,
1835 conduct, and operation of the homes.

1836 Section 78. Section 296.16, Florida Statutes, is repealed.

1837 Section 79. Section 296.39, Florida Statutes, is repealed.

1838 Section 80. Paragraph (c) of subsection (12) of section
1839 315.03, Florida Statutes, is repealed.

1840 Section 81. Subsection (2) of section 319.324, Florida
1841 Statutes, is amended to read:

1842 319.324 Odometer fraud prevention and detection; funding.-

1843 (2) Moneys deposited into the Highway Safety Operating
1844 Trust Fund under this section shall be used to implement and
1845 maintain efforts by the department to prevent and detect
1846 odometer fraud, including the prompt investigation of alleged
1847 instances of odometer mileage discrepancies reported by licensed
1848 motor vehicle dealers, auctions, or purchasers of motor
1849 vehicles. ~~Such moneys shall also be used to fund an annual~~
1850 ~~report to the Legislature by the Department of Highway Safety~~
1851 ~~and Motor Vehicles, summarizing the department's investigations~~
1852 ~~and findings.~~ In addition, moneys deposited into the fund may be
1853 used by the department for general operations.

1854 Section 82. Section 322.181, Florida Statutes, is repealed.

1855 Section 83. Paragraph (c) of subsection (7) of section
1856 322.251, Florida Statutes, is repealed.

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1857 Section 84. Section 373.0391, Florida Statutes, is amended
1858 to read:

1859 373.0391 Technical assistance to local governments.—

1860 ~~(1) The water management districts shall assist local~~
1861 ~~governments in the development and future revision of local~~
1862 ~~government comprehensive plan elements or public facilities~~
1863 ~~report as required by s. 189.415, related to water resource~~
1864 ~~issues.~~

1865 ~~(2) By July 1, 1991, each water management district shall~~
1866 ~~prepare and provide information and data to assist local~~
1867 ~~governments in the preparation and implementation of their local~~
1868 ~~government comprehensive plans or public facilities report as~~
1869 ~~required by s. 189.415, whichever is applicable. Such~~
1870 ~~information and data shall include, but not be limited to:~~

1871 ~~(a) All information and data required in a public~~
1872 ~~facilities report pursuant to s. 189.415.~~

1873 ~~(b) A description of regulations, programs, and schedules~~
1874 ~~implemented by the district.~~

1875 ~~(c) Identification of regulations, programs, and schedules~~
1876 ~~undertaken or proposed by the district to further the State~~
1877 ~~Comprehensive Plan.~~

1878 ~~(d) A description of surface water basins, including~~
1879 ~~regulatory jurisdictions, flood-prone areas, existing and~~
1880 ~~projected water quality in water management district operated~~
1881 ~~facilities, as well as surface water runoff characteristics and~~
1882 ~~topography regarding flood plains, wetlands, and recharge areas.~~

1883 ~~(e) A description of groundwater characteristics, including~~
1884 ~~existing and planned wellfield sites, existing and anticipated~~
1885 ~~cones of influence, highly productive groundwater areas, aquifer~~

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1886 ~~recharge areas, deep well injection zones, contaminated areas,~~
1887 ~~an assessment of regional water resource needs and sources for~~
1888 ~~the next 20 years, and water quality.~~

1889 ~~(f) The identification of existing and potential water~~
1890 ~~management district land acquisitions.~~

1891 ~~(g) Information reflecting the minimum flows for surface~~
1892 ~~watercourses to avoid harm to water resources or the ecosystem~~
1893 ~~and information reflecting the minimum water levels for aquifers~~
1894 ~~to avoid harm to water resources or the ecosystem.~~

1895 Section 85. Subsection (4) of section 373.046, Florida
1896 Statutes, is amended to read:

1897 373.046 Interagency agreements.—

1898 (4) The Legislature recognizes and affirms the division of
1899 responsibilities between the department and the water management
1900 districts as set forth in ss. III. and X. of each of the
1901 operating agreements codified as rules 17-101.040(12)(a)3., 4.,
1902 and 5., Florida Administrative Code. Section IV.A.2.a. of each
1903 operating agreement regarding individual permit oversight is
1904 rescinded. The department is ~~shall be~~ responsible for permitting
1905 those activities under part IV of this chapter which, because of
1906 their complexity and magnitude, need to be economically and
1907 efficiently evaluated at the state level, including, but not
1908 limited to, mining, hazardous waste management facilities, and
1909 solid waste management facilities that do not qualify for a
1910 general permit under chapter 403. With regard to
1911 postcertification information submittals for activities
1912 authorized under chapters 341 and 403 siting act certifications,
1913 the department, after consultation with the appropriate water
1914 management district and other agencies having applicable

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1915 regulatory jurisdiction, shall determine ~~be responsible for~~
1916 ~~determining~~ the permittee's compliance with conditions of
1917 certification which are ~~were~~ based upon the nonprocedural
1918 requirements of part IV of this chapter. ~~The Legislature~~
1919 ~~authorizes~~ The water management districts and the department may
1920 ~~to~~ modify the division of responsibilities referenced in this
1921 section and enter into further interagency agreements by
1922 rulemaking, including incorporation by reference, pursuant to
1923 chapter 120, to provide for greater efficiency and to avoid
1924 duplication in the administration of part IV of this chapter by
1925 designating ~~certain~~ activities that ~~which~~ will be regulated by
1926 either the water management districts or the department. In
1927 developing such interagency agreements, the water management
1928 districts and the department shall consider ~~should take into~~
1929 ~~consideration~~ the technical and fiscal ability of each water
1930 management district to implement all or some of the provisions
1931 of part IV of this chapter. This subsection does not rescind or
1932 restrict ~~Nothing herein rescinds or restricts~~ the authority of
1933 the districts to regulate silviculture and agriculture pursuant
1934 to part IV of this chapter or s. 403.927. ~~By December 10, 1993,~~
1935 ~~the secretary of the department shall submit a report to the~~
1936 ~~President of the Senate and the Speaker of the House of~~
1937 ~~Representatives regarding the efficiency of the procedures and~~
1938 ~~the division of responsibilities contemplated by this subsection~~
1939 ~~and regarding progress toward the execution of further~~
1940 ~~interagency agreements and the integration of permitting with~~
1941 ~~sovereignty lands approval. The report also will consider the~~
1942 ~~feasibility of improving the protection of the environment~~
1943 ~~through comprehensive criteria for protection of natural~~

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1944 ~~systems.~~1945 Section 86. Subsection (14) of section 376.121, Florida
1946 Statutes, is repealed.1947 Section 87. Section 376.17, Florida Statutes, is repealed.1948 Section 88. Subsection (5) of section 376.30713, Florida
1949 Statutes, is repealed.1950 Section 89. Subsection (2) of section 379.2211, Florida
1951 Statutes, is amended to read:

1952 379.2211 Florida waterfowl permit revenues.—

1953 (2) The intent of this section is to expand waterfowl
1954 research and management and increase waterfowl populations in
1955 the state without detracting from other programs. The commission
1956 shall prepare and make available on its Internet website an
1957 annual report documenting the use of funds generated under ~~the~~
1958 ~~provisions of this section, to be submitted to the Governor, the~~
1959 ~~Speaker of the House of Representatives, and the President of~~
1960 ~~the Senate on or before September 1 of each year.~~1961 Section 90. Subsection (2) of section 379.2212, Florida
1962 Statutes, is amended to read:

1963 379.2212 Florida wild turkey permit revenues.—

1964 (2) The intent of this section is to expand wild turkey
1965 research and management and to increase wild turkey populations
1966 in the state without detracting from other programs. The
1967 commission shall prepare and make available on its Internet
1968 website an annual report documenting the use of funds generated
1969 under ~~the provisions of this section, to be submitted to the~~
1970 ~~Governor, the Speaker of the House of Representatives, and the~~
1971 ~~President of the Senate on or before September 1 of each year.~~1972 Section 91. Subsection (8) of section 379.2523, Florida

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1973 Statutes, is repealed.

1974 Section 92. Paragraph (a) of subsection (2) of section
1975 380.06, Florida Statutes, is amended to read:

1976 380.06 Developments of regional impact.—

1977 (2) STATEWIDE GUIDELINES AND STANDARDS.—

1978 (a) The state land planning agency shall recommend to the
1979 Administration Commission specific statewide guidelines and
1980 standards for adoption pursuant to this subsection. The
1981 Administration Commission shall by rule adopt statewide
1982 guidelines and standards to be used in determining whether
1983 particular developments shall undergo development-of-regional-
1984 impact review. The statewide guidelines and standards previously
1985 adopted by the Administration Commission and approved by the
1986 Legislature shall remain in effect unless revised pursuant to
1987 this section or superseded by other provisions of law. ~~Revisions~~
1988 ~~to the present statewide guidelines and standards, after~~
1989 ~~adoption by the Administration Commission, shall be transmitted~~
1990 ~~on or before March 1 to the President of the Senate and the~~
1991 ~~Speaker of the House of Representatives for presentation at the~~
1992 ~~next regular session of the Legislature. Unless approved by law~~
1993 ~~by the Legislature, the revisions to the present guidelines and~~
1994 ~~standards shall not become effective.~~

1995 Section 93. Subsection (3) of section 380.0677, Florida
1996 Statutes, is repealed.

1997 Section 94. Subsection (3) of section 381.0011, Florida
1998 Statutes, is repealed.

1999 Section 95. Section 381.0036, Florida Statutes, is
2000 repealed.

2001 Section 96. Section 381.731, Florida Statutes, is repealed.

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2002 Section 97. Section 381.795, Florida Statutes, is amended
2003 to read:

2004 381.795 Long-term community-based supports.—The department
2005 shall, contingent upon specific appropriations for these
2006 purposes, establish—

2007 ~~(1) Study the long-term needs for community-based supports~~
2008 ~~and services for individuals who have sustained traumatic brain~~
2009 ~~or spinal cord injuries. The purpose of this study is to prevent~~
2010 ~~inappropriate residential and institutional placement of these~~
2011 ~~individuals, and promote placement in the most cost effective~~
2012 ~~and least restrictive environment. Any placement recommendations~~
2013 ~~for these individuals shall ensure full utilization of and~~
2014 ~~collaboration with other state agencies, programs, and community~~
2015 ~~partners. This study shall be submitted to the Governor, the~~
2016 ~~President of the Senate, and the Speaker of the House of~~
2017 ~~Representatives not later than December 31, 2000.~~

2018 ~~(2) Based upon the results of this study, establish a plan~~
2019 ~~for the implementation of a program of long-term community-based~~
2020 ~~supports and services for individuals who have sustained~~
2021 ~~traumatic brain or spinal cord injuries and who may be subject~~
2022 ~~to inappropriate residential and institutional placement as a~~
2023 ~~direct result of such injuries.~~

2024 (1)(a) The program shall be payor of last resort for
2025 program services₇ and expenditures for ~~such~~ services shall be
2026 considered funded services for purposes of s. 381.785; however,
2027 notwithstanding s. 381.79(5), proceeds resulting from this
2028 subsection shall be used solely for this program.

2029 (2)(b) The department shall adopt ~~create~~₇ by rule₇
2030 procedures to ensure₇ that if ~~in the event~~ the program is unable

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2031 to directly or indirectly provide ~~such~~ services to all eligible
2032 individuals due to lack of funds, those individuals most at risk
2033 of suffering to suffer the greatest harm from an imminent
2034 inappropriate residential or institutional placement are served
2035 first.

2036 (3) ~~(e)~~ Every applicant or recipient of the long-term
2037 community-based supports and services program must ~~shall~~ have
2038 been a resident of the state for 1 year immediately preceding
2039 application and be a resident of the state at the time of
2040 application.

2041 (4) ~~(d)~~ The department shall adopt rules ~~pursuant to ss.~~
2042 ~~120.536(1) and 120.54 to~~ administer ~~implement the provision of~~
2043 ~~this~~ section ~~subsection~~.

2044 Section 98. Section 381.931, Florida Statutes, is amended
2045 to read:

2046 381.931 Annual report on Medicaid expenditures.—The
2047 Department of Health and the Agency for Health Care
2048 Administration shall monitor the total Medicaid expenditures for
2049 services made under this act. If Medicaid expenditures are
2050 projected to exceed the amount appropriated by the Legislature,
2051 the Department of Health shall limit the number of screenings to
2052 ensure Medicaid expenditures do not exceed the amount
2053 appropriated. ~~The Department of Health, in cooperation with the~~
2054 ~~Agency for Health Care Administration, shall prepare an annual~~
2055 ~~report that must include the number of women screened; the~~
2056 ~~percentage of positive and negative outcomes; the number of~~
2057 ~~referrals to Medicaid and other providers for treatment~~
2058 ~~services; the estimated number of women who are not screened or~~
2059 ~~not served by Medicaid due to funding limitations, if any; the~~

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2060 ~~cost of Medicaid treatment services; and the estimated cost of~~
2061 ~~treatment services for women who were not screened or referred~~
2062 ~~for treatment due to funding limitations. The report shall be~~
2063 ~~submitted to the President of the Senate, the Speaker of the~~
2064 ~~House of Representatives, and the Executive Office of the~~
2065 ~~Governor by March 1 of each year.~~

2066 Section 99. Subsection (6) of section 383.19, Florida
2067 Statutes, is amended to read:

2068 383.19 Standards; funding; ineligibility.-

2069 (6) Each hospital that ~~which~~ contracts with the department
2070 to provide services under the terms of ss. 383.15-383.21 shall
2071 prepare and submit to the department an annual report that
2072 includes, but is not limited to, the number of clients served
2073 and the costs of services in the center. The department shall
2074 annually conduct a programmatic and financial evaluation of each
2075 center.

2076 Section 100. Section 383.21, Florida Statutes, is repealed.

2077 Section 101. Section 383.2161, Florida Statutes, is amended
2078 to read:

2079 383.2161 Maternal and child health report.-The Department
2080 of Health ~~annually~~ shall annually compile and analyze the risk
2081 information collected by the Office of Vital Statistics and the
2082 district prenatal and infant care coalitions and shall maintain
2083 county and statewide data on ~~prepare and submit to the~~
2084 ~~Legislature by January 2 a report that includes, but is not~~
2085 ~~limited to:~~

2086 (1) The number of families identified as families at
2087 potential risk;

2088 (2) The number of families receiving ~~that receive~~ family

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2089 outreach services;

2090 (3) The increase in demand for services; and

2091 (4) The unmet need for services for identified target
2092 groups.

2093 Section 102. Subsection (4) of section 394.4573, Florida
2094 Statutes, is repealed.

2095 Section 103. Subsection (1) of section 394.4985, Florida
2096 Statutes, is amended to read:

2097 394.4985 Districtwide information and referral network;
2098 implementation.—

2099 (1) Each service district of the Department of Children and
2100 Family Services shall develop a detailed implementation plan for
2101 a districtwide comprehensive child and adolescent mental health
2102 information and referral network to be operational by July 1,
2103 1999. The plan must include an operating budget that
2104 demonstrates cost efficiencies and identifies funding sources
2105 for the district information and referral network. ~~The plan must~~
2106 ~~be submitted by the department to the Legislature by October 1,~~
2107 ~~1998.~~ The district shall use existing district information and
2108 referral providers if, in the development of the plan, it is
2109 concluded that these providers would deliver information and
2110 referral services in a more efficient and effective manner when
2111 compared to other alternatives. The district information and
2112 referral network must include:

2113 (a) A resource file that contains information about the
2114 child and adolescent mental health services as described in s.
2115 394.495, including, but not limited to:

- 2116 1. Type of program;
2117 2. Hours of service;

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- 2118 3. Ages of persons served;
2119 4. Program description;
2120 5. Eligibility requirements; and
2121 6. Fees.

2122 (b) Information about private providers and professionals
2123 in the community who ~~which~~ serve children and adolescents with
2124 an emotional disturbance.

2125 (c) A system to document requests for services which ~~that~~
2126 are received through the network referral process, including,
2127 but not limited to:

- 2128 1. Number of calls by type of service requested;
2129 2. Ages of the children and adolescents for whom services
2130 are requested; and
2131 3. Type of referral made by the network.

2132 (d) The ability to share client information with the
2133 appropriate community agencies.

2134 ~~(e) The submission of an annual report to the department,~~
2135 ~~the Agency for Health Care Administration, and appropriate local~~
2136 ~~government entities, which contains information about the~~
2137 ~~sources and frequency of requests for information, types and~~
2138 ~~frequency of services requested, and types and frequency of~~
2139 ~~referrals made.~~

2140 Section 104. Section 394.82, Florida Statutes, is repealed.

2141 Section 105. Subsection (9) of section 394.9082, Florida
2142 Statutes, is repealed.

2143 Section 106. Section 394.9083, Florida Statutes, is
2144 repealed.

2145 Section 107. Paragraph (c) of subsection (2) of section
2146 395.807, Florida Statutes, is repealed.

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2147 Section 108. Subsection (3) of section 397.332, Florida
2148 Statutes, is repealed.

2149 Section 109. Subsection (1) of section 397.94, Florida
2150 Statutes, is repealed.

2151 Section 110. Subsection (2) of section 400.148, Florida
2152 Statutes, is repealed.

2153 Section 111. Paragraph (a) of subsection (2) of section
2154 400.967, Florida Statutes, is amended to read:

2155 400.967 Rules and classification of deficiencies.—

2156 (2) Pursuant to the intention of the Legislature, the
2157 agency, in consultation with the Agency for Persons with
2158 Disabilities and the Department of Elderly Affairs, shall adopt
2159 and enforce rules to administer this part and part II of chapter
2160 408, which shall include reasonable and fair criteria governing:

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

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2176 ~~criteria recommended by nationally recognized, reputable~~
2177 ~~professional groups and associations having knowledge concerning~~
2178 ~~such subject matters.~~ The agency shall update or revise the such
2179 criteria as the need arises. All facilities must comply with
2180 those lifesafety code requirements and building code standards
2181 applicable at the time of approval of their construction plans.
2182 The agency may require alterations to a building if it
2183 determines that an existing condition constitutes a distinct
2184 hazard to life, health, or safety. The agency shall adopt fair
2185 and reasonable rules setting forth conditions under which
2186 existing facilities undergoing additions, alterations,
2187 conversions, renovations, or repairs are required to comply with
2188 the most recent updated or revised standards.

2189 Section 112. Subsection (3) of section 402.3016, Florida
2190 Statutes, is repealed.

2191 Section 113. Subsection (9) of section 402.40, Florida
2192 Statutes, is repealed.

2193 Section 114. Subsection (1) of section 403.4131, Florida
2194 Statutes, is amended to read:

2195 403.4131 Litter control.—

2196 (1) The Department of Transportation shall establish an
2197 "adopt-a-highway" program to allow local organizations to be
2198 identified with specific highway cleanup and highway
2199 beautification projects authorized under s. 339.2405. ~~The~~
2200 ~~department shall report to the Governor and the Legislature on~~
2201 ~~the progress achieved and the savings incurred by the "adopt-a-~~
2202 ~~highway" program.~~ The department shall also monitor ~~and report~~
2203 ~~on~~ compliance with the provisions of the adopt-a-highway program
2204 to ensure that organizations participating ~~that participate~~ in

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2205 the program comply with the goals identified by the department.

2206 Section 115. Paragraph (d) of subsection (2) of section
2207 403.706, Florida Statutes, is repealed.

2208 Section 116. Paragraph (a) of subsection (4) of section
2209 406.02, Florida Statutes, is repealed.

2210 Section 117. Paragraph (g) of subsection (1) of section
2211 408.033, Florida Statutes, is amended to read:

2212 408.033 Local and state health planning.-

2213 (1) LOCAL HEALTH COUNCILS.-

2214 (g) Each local health council may ~~is authorized to~~ accept
2215 and receive, in furtherance of its health planning functions,
2216 funds, grants, and services from governmental agencies and from
2217 private or civic sources and to perform studies related to local
2218 health planning in exchange for such funds, grants, or services.
2219 ~~Each local health council shall, no later than January 30 of~~
2220 ~~each year, render an accounting of the receipt and disbursement~~
2221 ~~of such funds received by it to the Department of Health. The~~
2222 ~~department shall consolidate all such reports and submit such~~
2223 ~~consolidated report to the Legislature no later than March 1 of~~
2224 ~~each year.~~

2225 Section 118. Subsection (4) of section 408.914, Florida
2226 Statutes, is repealed.

2227 Section 119. Paragraph (i) of subsection (3) of section
2228 408.915, Florida Statutes, is repealed.

2229 Section 120. Section 408.917, Florida Statutes, is
2230 repealed.

2231 Section 121. Paragraph (b) of subsection (7) of section
2232 409.1451, Florida Statutes, is amended to read:

2233 409.1451 Independent living transition services.-

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2234 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The
2235 Secretary of Children and Family Services shall establish the
2236 Independent Living Services Advisory Council for the purpose of
2237 reviewing and making recommendations concerning the
2238 implementation and operation of the independent living
2239 transition services. This advisory council shall continue to
2240 function as specified in this subsection until the Legislature
2241 determines that the advisory council can no longer provide a
2242 valuable contribution to the department's efforts to achieve the
2243 goals of the independent living transition services.

2244 (b) The advisory council shall report to the secretary
2245 ~~appropriate substantive committees of the Senate and the House~~
2246 ~~of Representatives~~ on the status of the implementation of the
2247 system of independent living transition services; efforts to
2248 publicize the availability of aftercare support services, the
2249 Road-to-Independence Program, and transitional support services;
2250 the success of the services; problems identified;
2251 recommendations for department or legislative action; and the
2252 department's implementation of the recommendations contained in
2253 the Independent Living Services Integration Workgroup Report
2254 submitted to the appropriate Senate and the House substantive
2255 committees of the Legislature by December 31, 2002. The
2256 department shall submit a report by December 31 of each year to
2257 the Governor and the Legislature ~~This advisory council report~~
2258 ~~shall be submitted by December 31 of each year that the council~~
2259 ~~is in existence and shall be accompanied by a report from the~~
2260 ~~department~~ which includes a summary of the factors reported on
2261 by the council and identifies the recommendations of the
2262 advisory council and either describes the department's actions

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2263 to implement the ~~these~~ recommendations or provides the
2264 department's rationale for not implementing the recommendations.

2265 Section 122. Section 409.152, Florida Statutes, is
2266 repealed.

2267 Section 123. Subsections (1) and (2) of section 409.1679,
2268 Florida Statutes, are repealed.

2269 Section 124. Section 409.1685, Florida Statutes, is amended
2270 to read:

2271 409.1685 Children in foster care; annual report to
2272 Legislature.—The Department of Children and Family Services
2273 shall submit a written report to the Governor and ~~substantive~~
2274 ~~committees~~ of the Legislature concerning the status of children
2275 in foster care and ~~concerning~~ the judicial review mandated by
2276 part X of chapter 39. The ~~This~~ report shall be submitted by May
2277 ~~March~~ 1 of each year and must ~~shall~~ include the following
2278 information for the prior calendar year:

2279 (1) The number of 6-month and annual judicial reviews
2280 completed during that period.

2281 (2) The number of children in foster care returned to a
2282 parent, guardian, or relative as a result of a 6-month or annual
2283 judicial review hearing during that period.

2284 (3) The number of termination of parental rights
2285 proceedings instituted during that period, including ~~which shall~~
2286 ~~include~~:

2287 (a) The number of termination of parental rights
2288 proceedings initiated pursuant to former s. 39.703; and

2289 (b) The total number of terminations of parental rights
2290 ordered.

2291 (4) The number of foster care children placed for adoption

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2292 ~~during that period.~~

2293 Section 125. Paragraph (k) of subsection (4) of section
2294 409.221, Florida Statutes, is repealed.

2295 Section 126. Paragraph (a) of subsection (3) of section
2296 409.25575, Florida Statutes, is amended to read:

2297 409.25575 Support enforcement; privatization.—

2298 (3) (a) The department shall establish a quality assurance
2299 program for the privatization of services. ~~The quality assurance~~
2300 program must include standards for each specific component of
2301 these services. The department shall establish minimum
2302 thresholds for each component. Each program operated pursuant to
2303 contract must be evaluated annually by the department or by an
2304 objective competent entity designated by the department under
2305 the provisions of the quality assurance program. The evaluation
2306 must be financed from cost savings associated with the
2307 privatization of services. ~~The department shall submit an annual~~
2308 ~~report regarding quality performance, outcome measure~~
2309 ~~attainment, and cost efficiency to the President of the Senate,~~
2310 ~~the Speaker of the House of Representatives, the Minority leader~~
2311 ~~of each house of the Legislature, and the Governor no later than~~
2312 ~~January 31 of each year, beginning in 1999.~~ The quality
2313 assurance program must be financed through administrative
2314 savings generated by this act.

2315 Section 127. Subsection (9) of section 409.2558, Florida
2316 Statutes, is amended to read:

2317 409.2558 Support distribution and disbursement.—

2318 (9) RULEMAKING AUTHORITY.—The department may adopt rules to
2319 administer this section. ~~The department shall provide a draft of~~
2320 ~~the proposed concepts for the rule for the undistributable~~

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2321 ~~collections to interested parties for review and recommendations~~
2322 ~~prior to full development of the rule and initiating the formal~~
2323 ~~rule-development process. The department shall consider but is~~
2324 ~~not required to implement the recommendations. The department~~
2325 ~~shall provide a report to the President of the Senate and the~~
2326 ~~Speaker of the House of Representatives containing the~~
2327 ~~recommendations received from interested parties and the~~
2328 ~~department's response regarding incorporating the~~
2329 ~~recommendations into the rule.~~

2330 Section 128. Subsection (3) of section 409.441, Florida
2331 Statutes, is repealed.

2332 Section 129. Subsection (24) of section 409.906, Florida
2333 Statutes, is amended to read:

2334 409.906 Optional Medicaid services.—Subject to specific
2335 appropriations, the agency may make payments for services which
2336 are optional to the state under Title XIX of the Social Security
2337 Act and are furnished by Medicaid providers to recipients who
2338 are determined to be eligible on the dates on which the services
2339 were provided. Any optional service that is provided shall be
2340 provided only when medically necessary and in accordance with
2341 state and federal law. Optional services rendered by providers
2342 in mobile units to Medicaid recipients may be restricted or
2343 prohibited by the agency. Nothing in this section shall be
2344 construed to prevent or limit the agency from adjusting fees,
2345 reimbursement rates, lengths of stay, number of visits, or
2346 number of services, or making any other adjustments necessary to
2347 comply with the availability of moneys and any limitations or
2348 directions provided for in the General Appropriations Act or
2349 chapter 216. If necessary to safeguard the state's systems of

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2350 providing services to elderly and disabled persons and subject
2351 to the notice and review provisions of s. 216.177, the Governor
2352 may direct the Agency for Health Care Administration to amend
2353 the Medicaid state plan to delete the optional Medicaid service
2354 known as "Intermediate Care Facilities for the Developmentally
2355 Disabled." Optional services may include:

2356 (24) CHILD-WELFARE-TARGETED CASE MANAGEMENT.—The Agency for
2357 Health Care Administration, in consultation with the Department
2358 of Children and Family Services, may establish a targeted case-
2359 management project in those counties identified by the
2360 Department of Children and Family Services and for all counties
2361 with a community-based child welfare project, as authorized
2362 under s. 409.1671, which have been specifically approved by the
2363 department. ~~Results of targeted case management projects shall~~
2364 ~~be reported to the Social Services Estimating Conference~~
2365 ~~established under s. 216.136.~~ The covered group of individuals
2366 who are eligible to receive targeted case management include
2367 children who are eligible for Medicaid; who are between the ages
2368 of birth through 21; and who are under protective supervision or
2369 postplacement supervision, under foster-care supervision, or in
2370 shelter care or foster care. The number of individuals who are
2371 eligible to receive targeted case management is ~~shall be~~ limited
2372 to the number for whom the Department of Children and Family
2373 Services has ~~available~~ matching funds to cover the costs. The
2374 general revenue funds required to match the funds for services
2375 provided by the community-based child welfare projects are
2376 limited to funds available for services described under s.
2377 409.1671. The Department of Children and Family Services may
2378 transfer the general revenue matching funds as billed by the

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2379 Agency for Health Care Administration.

2380 Section 130. Subsections (29) and (44), and paragraph (c)
2381 of subsection (49) of section 409.912, Florida Statutes, are
2382 amended to read:

2383 409.912 Cost-effective purchasing of health care.—The
2384 agency shall purchase goods and services for Medicaid recipients
2385 in the most cost-effective manner consistent with the delivery
2386 of quality medical care. To ensure that medical services are
2387 effectively utilized, the agency may, in any case, require a
2388 confirmation or second physician's opinion of the correct
2389 diagnosis for purposes of authorizing future services under the
2390 Medicaid program. This section does not restrict access to
2391 emergency services or poststabilization care services as defined
2392 in 42 C.F.R. part 438.114. Such confirmation or second opinion
2393 shall be rendered in a manner approved by the agency. The agency
2394 shall maximize the use of prepaid per capita and prepaid
2395 aggregate fixed-sum basis services when appropriate and other
2396 alternative service delivery and reimbursement methodologies,
2397 including competitive bidding pursuant to s. 287.057, designed
2398 to facilitate the cost-effective purchase of a case-managed
2399 continuum of care. The agency shall also require providers to
2400 minimize the exposure of recipients to the need for acute
2401 inpatient, custodial, and other institutional care and the
2402 inappropriate or unnecessary use of high-cost services. The
2403 agency shall contract with a vendor to monitor and evaluate the
2404 clinical practice patterns of providers in order to identify
2405 trends that are outside the normal practice patterns of a
2406 provider's professional peers or the national guidelines of a
2407 provider's professional association. The vendor must be able to

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2408 provide information and counseling to a provider whose practice
2409 patterns are outside the norms, in consultation with the agency,
2410 to improve patient care and reduce inappropriate utilization.
2411 The agency may mandate prior authorization, drug therapy
2412 management, or disease management participation for certain
2413 populations of Medicaid beneficiaries, certain drug classes, or
2414 particular drugs to prevent fraud, abuse, overuse, and possible
2415 dangerous drug interactions. The Pharmaceutical and Therapeutics
2416 Committee shall make recommendations to the agency on drugs for
2417 which prior authorization is required. The agency shall inform
2418 the Pharmaceutical and Therapeutics Committee of its decisions
2419 regarding drugs subject to prior authorization. The agency is
2420 authorized to limit the entities it contracts with or enrolls as
2421 Medicaid providers by developing a provider network through
2422 provider credentialing. The agency may competitively bid single-
2423 source-provider contracts if procurement of goods or services
2424 results in demonstrated cost savings to the state without
2425 limiting access to care. The agency may limit its network based
2426 on the assessment of beneficiary access to care, provider
2427 availability, provider quality standards, time and distance
2428 standards for access to care, the cultural competence of the
2429 provider network, demographic characteristics of Medicaid
2430 beneficiaries, practice and provider-to-beneficiary standards,
2431 appointment wait times, beneficiary use of services, provider
2432 turnover, provider profiling, provider licensure history,
2433 previous program integrity investigations and findings, peer
2434 review, provider Medicaid policy and billing compliance records,
2435 clinical and medical record audits, and other factors. Providers
2436 shall not be entitled to enrollment in the Medicaid provider

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2437 network. The agency shall determine instances in which allowing
2438 Medicaid beneficiaries to purchase durable medical equipment and
2439 other goods is less expensive to the Medicaid program than long-
2440 term rental of the equipment or goods. The agency may establish
2441 rules to facilitate purchases in lieu of long-term rentals in
2442 order to protect against fraud and abuse in the Medicaid program
2443 as defined in s. 409.913. The agency may seek federal waivers
2444 necessary to administer these policies.

2445 (29) The agency shall perform enrollments and
2446 disenrollments for Medicaid recipients who are eligible for
2447 MediPass or managed care plans. Notwithstanding the prohibition
2448 contained in paragraph (21)(f), managed care plans may perform
2449 preenrollments of Medicaid recipients under the supervision of
2450 the agency or its agents. For the purposes of this section, the
2451 term "preenrollment" means the provision of marketing and
2452 educational materials to a Medicaid recipient and assistance in
2453 completing the application forms, but does ~~shall~~ not include
2454 actual enrollment into a managed care plan. An application for
2455 enrollment may ~~shall~~ not be deemed complete until the agency or
2456 its agent verifies that the recipient made an informed,
2457 voluntary choice. The agency, in cooperation with the Department
2458 of Children and Family Services, may test new marketing
2459 initiatives to inform Medicaid recipients about their managed
2460 care options at selected sites. ~~The agency shall report to the~~
2461 ~~Legislature on the effectiveness of such initiatives.~~ The agency
2462 may contract with a third party to perform managed care plan and
2463 MediPass enrollment and disenrollment services for Medicaid
2464 recipients and may ~~is authorized to~~ adopt rules to administer
2465 ~~implement~~ such services. The agency may adjust the capitation

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2466 rate only to cover the costs of a third-party enrollment and
2467 disenrollment contract, and for agency supervision and
2468 management of the managed care plan enrollment and disenrollment
2469 contract.

2470 (44) The Agency for Health Care Administration shall ensure
2471 that any Medicaid managed care plan as defined in s.
2472 409.9122(2)(f), whether paid on a capitated basis or a shared
2473 savings basis, is cost-effective. For purposes of this
2474 subsection, the term "cost-effective" means that a network's
2475 per-member, per-month costs to the state, including, but not
2476 limited to, fee-for-service costs, administrative costs, and
2477 case-management fees, if any, must be no greater than the
2478 state's costs associated with contracts for Medicaid services
2479 established under subsection (3), which may be adjusted for
2480 health status. The agency shall conduct actuarially sound
2481 adjustments for health status in order to ensure such cost-
2482 effectiveness and shall annually publish the results on its
2483 Internet website ~~and submit the results annually to the~~
2484 ~~Governor, the President of the Senate, and the Speaker of the~~
2485 ~~House of Representatives no later than December 31 of each year.~~
2486 Contracts established pursuant to this subsection which are not
2487 cost-effective may not be renewed.

2488 (49) The agency shall contract with established minority
2489 physician networks that provide services to historically
2490 underserved minority patients. The networks must provide cost-
2491 effective Medicaid services, comply with the requirements to be
2492 a MediPass provider, and provide their primary care physicians
2493 with access to data and other management tools necessary to
2494 assist them in ensuring the appropriate use of services,

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2495 including inpatient hospital services and pharmaceuticals.

2496 (c) For purposes of this subsection, the term "cost-
2497 effective" means that a network's per-member, per-month costs to
2498 the state, including, but not limited to, fee-for-service costs,
2499 administrative costs, and case-management fees, if any, must be
2500 no greater than the state's costs associated with contracts for
2501 Medicaid services established under subsection (3), which shall
2502 be actuarially adjusted for case mix, model, and service area.
2503 The agency shall conduct actuarially sound audits adjusted for
2504 case mix and model in order to ensure such cost-effectiveness
2505 and shall annually publish the audit results on its Internet
2506 website ~~and submit the audit results annually to the Governor,~~
2507 ~~the President of the Senate, and the Speaker of the House of~~
2508 ~~Representatives no later than December 31.~~ Contracts established
2509 pursuant to this subsection which are not cost-effective may not
2510 be renewed.

2511 Section 131. Section 410.0245, Florida Statutes, is
2512 repealed.

2513 Section 132. Subsection (10) of section 410.604, Florida
2514 Statutes, is repealed.

2515 Section 133. Paragraph (d) of subsection (5) of section
2516 411.0102, Florida Statutes, is amended to read:

2517 411.0102 Child Care Executive Partnership Act; findings and
2518 intent; grant; limitation; rules.-

2519 (5)

2520 (d) Each early learning coalition shall ~~be required to~~
2521 establish a community child care task force for each child care
2522 purchasing pool. The task force must be composed of employers,
2523 parents, private child care providers, and one representative

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2524 from the local children's services council, if one exists in the
2525 area of the purchasing pool. The early learning coalition is
2526 expected to recruit the task force members from existing child
2527 care councils, commissions, or task forces already operating in
2528 the area of a purchasing pool. A majority of the task force
2529 shall consist of employers. ~~Each task force shall develop a plan~~
2530 ~~for the use of child care purchasing pool funds. The plan must~~
2531 ~~show how many children will be served by the purchasing pool,~~
2532 ~~how many will be new to receiving child care services, and how~~
2533 ~~the early learning coalition intends to attract new employers~~
2534 ~~and their employees to the program.~~

2535 Section 134. Section 411.221, Florida Statutes, is
2536 repealed.

2537 Section 135. Section 411.242, Florida Statutes, is
2538 repealed.

2539 Section 136. Section 414.14, Florida Statutes, is amended
2540 to read:

2541 414.14 Public assistance policy simplification.—To the
2542 extent possible, the department shall align the requirements for
2543 eligibility under this chapter with the food stamp program and
2544 medical assistance eligibility policies and procedures to
2545 simplify the budgeting process and reduce errors. If the
2546 department determines that s. 414.075, relating to resources, or
2547 s. 414.085, relating to income, is inconsistent with ~~related~~
2548 ~~provisions of federal law governing which govern~~ the food stamp
2549 program or medical assistance, and that conformance to federal
2550 law would simplify administration of the WAGES Program or reduce
2551 errors without materially increasing the cost of the program to
2552 the state, the secretary of the department may propose a change

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2553 in the resource or income requirements of the program by rule.
2554 ~~The secretary shall provide written notice to the President of~~
2555 ~~the Senate, the Speaker of the House of Representatives, and the~~
2556 ~~chairpersons of the relevant committees of both houses of the~~
2557 ~~Legislature summarizing the proposed modifications to be made by~~
2558 ~~rule and changes necessary to conform state law to federal law.~~
2559 ~~The proposed rule shall take effect 14 days after written notice~~
2560 ~~is given unless the President of the Senate or the Speaker of~~
2561 ~~the House of Representatives advises the secretary that the~~
2562 ~~proposed rule exceeds the delegated authority of the~~
2563 ~~Legislature.~~

2564 Section 137. Subsection (1) of section 414.36, Florida
2565 Statutes, is repealed.

2566 Section 138. Subsection (3) of section 414.391, Florida
2567 Statutes, is repealed.

2568 Section 139. Subsection (6) of section 415.1045, Florida
2569 Statutes, is amended to read:

2570 415.1045 Photographs, videotapes, and medical examinations;
2571 abrogation of privileged communications; confidential records
2572 and documents.—

2573 (6) WORKING AGREEMENTS. ~~By March 1, 2004,~~ The department
2574 shall enter into working agreements with the jurisdictionally
2575 responsible county sheriff's ~~sheriffs'~~ office or local police
2576 department that will be the lead agency for ~~when~~ conducting any
2577 criminal investigation arising from an allegation of abuse,
2578 neglect, or exploitation of a vulnerable adult. The working
2579 agreement must specify how the requirements of this chapter will
2580 be met. ~~The Office of Program Policy Analysis and Government~~
2581 ~~Accountability shall conduct a review of the efficacy of the~~

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2582 ~~agreements and report its findings to the Legislature by March~~
2583 ~~1, 2005.~~ For the purposes of such agreement, the
2584 jurisdictionally responsible law enforcement entity may ~~is~~
2585 ~~authorized to~~ share Florida criminal history and local criminal
2586 history information that is not otherwise exempt from s.
2587 119.07(1) with the district personnel. A law enforcement entity
2588 entering into such agreement must comply with s. 943.0525.
2589 Criminal justice information provided by the ~~such~~ law
2590 enforcement entity may ~~shall~~ be used only for the purposes
2591 specified in the agreement and shall be provided at no charge.
2592 Notwithstanding any other provision of law, the Department of
2593 Law Enforcement shall provide to the department electronic
2594 access to Florida criminal justice information that ~~which~~ is
2595 lawfully available and not exempt from s. 119.07(1), only for
2596 the purpose of protective investigations and emergency
2597 placement. As a condition of access to the ~~such~~ information, the
2598 department shall ~~be required to~~ execute an appropriate user
2599 agreement addressing the access, use, dissemination, and
2600 destruction of such information and ~~to~~ comply with all
2601 applicable laws and rules of the Department of Law Enforcement.

2602 Section 140. Subsection (9) of section 420.622, Florida
2603 Statutes, is amended to read:

2604 420.622 State Office on Homelessness; Council on
2605 Homelessness.—

2606 (9) The council shall, by June 30 of each year, beginning
2607 in 2010, provide ~~issue~~ to the Governor, the Legislature
2608 ~~President of the Senate, the Speaker of the House of~~
2609 ~~Representatives,~~ and the Secretary of Children and Family
2610 Services ~~an evaluation of the executive director's performance~~

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2611 ~~in fulfilling the statutory duties of the office,~~ a report
2612 summarizing the extent of homelessness in the state and the
2613 ~~council's recommendations to the office and the corresponding~~
2614 ~~actions taken by the office, and any recommendations to the~~
2615 ~~Legislature for~~ reducing proposals to reduce homelessness in
2616 this state.

2617 Section 141. Subsection (4) of section 420.623, Florida
2618 Statutes, is repealed.

2619 Section 142. Subsection (9) of section 427.704, Florida
2620 Statutes, is amended to read:

2621 427.704 Powers and duties of the commission.—

2622 (9) The commission shall prepare ~~provide to the President~~
2623 ~~of the Senate and to the Speaker of the House of Representatives~~
2624 an annual report on the operation of the telecommunications
2625 access system which shall be available on the commission's
2626 Internet website. ~~The first report shall be provided no later~~
2627 ~~than January 1, 1992, and successive reports shall be provided~~
2628 ~~by January 1 of each year thereafter.~~ Reports must ~~shall~~ be
2629 prepared in consultation with the administrator and the advisory
2630 committee appointed pursuant to s. 427.706. The reports must
2631 ~~shall~~, at a minimum, briefly outline the status of developments
2632 in ~~of~~ the telecommunications access system, the number of
2633 persons served, the call volume, revenues and expenditures, the
2634 allocation of the revenues and expenditures between provision of
2635 specialized telecommunications devices to individuals and
2636 operation of statewide relay service, other major policy or
2637 operational issues, and proposals for improvements or changes to
2638 the telecommunications access system.

2639 Section 143. Subsection (2) of section 427.706, Florida

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2640 Statutes, is amended to read:

2641 427.706 Advisory committee.—

2642 (2) The advisory committee shall provide the expertise,
2643 experience, and perspective of persons who are hearing impaired
2644 or speech impaired to the commission and to the administrator
2645 during all phases of the development and operation of the
2646 telecommunications access system. The advisory committee shall
2647 advise the commission and the administrator on ~~any matter~~
2648 ~~relating to~~ the quality and cost-effectiveness of the
2649 telecommunications relay service and the specialized
2650 telecommunications devices distribution system. The advisory
2651 committee may submit material for inclusion in the annual report
2652 prepared pursuant to s. 427.704 ~~to the President of the Senate~~
2653 ~~and the Speaker of the House of Representatives.~~

2654 Section 144. Paragraph (b) of subsection (3) of section
2655 429.07, Florida Statutes, is amended to read:

2656 429.07 License required; fee.—

2657 (3) In addition to the requirements of s. 408.806, each
2658 license granted by the agency must state the type of care for
2659 which the license is granted. Licenses shall be issued for one
2660 or more of the following categories of care: standard, extended
2661 congregate care, limited nursing services, or limited mental
2662 health.

2663 (b) An extended congregate care license shall be issued to
2664 facilities providing, directly or through contract, services
2665 beyond those authorized in paragraph (a), including services
2666 performed by persons licensed under acts performed pursuant to
2667 part I of chapter 464 by persons licensed thereunder, and
2668 supportive services, as defined by rule, to persons who would

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2669 otherwise ~~would~~ be disqualified from continued residence in a
2670 facility licensed under this part.

2671 1. In order for extended congregate care services to be
2672 provided ~~in a facility licensed under this part~~, the agency must
2673 first determine that all requirements established in law and
2674 rule are met and must specifically designate, on the facility's
2675 license, that such services may be provided and whether the
2676 designation applies to all or part of the ~~a~~ facility. Such
2677 designation may be made at the time of initial licensure or
2678 relicensure, or upon request in writing by a licensee under this
2679 part and part II of chapter 408. The notification of approval or
2680 the denial of the ~~such~~ request shall be made in accordance with
2681 part II of chapter 408. Existing facilities qualifying to
2682 provide extended congregate care services must have maintained a
2683 standard license and may not have been subject to administrative
2684 sanctions during the previous 2 years, or since initial
2685 licensure if the facility has been licensed for less than 2
2686 years, for any of the following reasons:

2687 a. A class I or class II violation;

2688 b. Three or more repeat or recurring class III violations
2689 of identical or similar resident care standards ~~as specified in~~
2690 ~~rule~~ from which a pattern of noncompliance is found by the
2691 agency;

2692 c. Three or more class III violations that were not
2693 corrected in accordance with the corrective action plan approved
2694 by the agency;

2695 d. Violation of resident care standards which results in
2696 requiring the facility ~~resulting in a requirement~~ to employ the
2697 services of a consultant pharmacist or consultant dietitian;

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2698 e. Denial, suspension, or revocation of a license for
2699 another facility licensed under this part in which the applicant
2700 for an extended congregate care license has at least 25 percent
2701 ownership interest; or

2702 f. Imposition of a moratorium pursuant to this part or part
2703 II of chapter 408 or initiation of injunctive proceedings.

2704 2. A facility that is ~~Facilities that are~~ licensed to
2705 provide extended congregate care services shall maintain a
2706 written progress report on each person who receives ~~such~~
2707 ~~services,~~ which ~~report~~ describes the type, amount, duration,
2708 scope, and outcome of services that are rendered and the general
2709 status of the resident's health. A registered nurse, or
2710 appropriate designee, representing the agency shall visit the
2711 facility ~~such facilities~~ at least quarterly to monitor residents
2712 who are receiving extended congregate care services and to
2713 determine if the facility is in compliance with this part, part
2714 II of chapter 408, and relevant rules ~~that relate to extended~~
2715 ~~congregate care~~. One of the ~~these~~ visits may be in conjunction
2716 with the regular survey. The monitoring visits may be provided
2717 through contractual arrangements with appropriate community
2718 agencies. A registered nurse shall serve as part of the team
2719 that inspects the ~~such~~ facility. The agency may waive one of the
2720 required yearly monitoring visits for a facility that has been
2721 licensed for at least 24 months to provide extended congregate
2722 care services, if, during the inspection, the registered nurse
2723 determines that extended congregate care services are being
2724 provided appropriately, and if the facility has no class I or
2725 class II violations and no uncorrected class III violations.
2726 ~~Before such decision is made,~~ The agency must first ~~shall~~

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2727 consult with the long-term care ombudsman council for the area
2728 in which the facility is located to determine if any complaints
2729 have been made and substantiated about the quality of services
2730 or care. The agency may not waive one of the required yearly
2731 monitoring visits if complaints have been made and
2732 substantiated.

2733 3. A facility ~~Facilities~~ that is ~~are~~ licensed to provide
2734 extended congregate care services must ~~shall~~:

2735 a. Demonstrate the capability to meet unanticipated
2736 resident service needs.

2737 b. Offer a physical environment that promotes a homelike
2738 setting, provides for resident privacy, promotes resident
2739 independence, and allows sufficient congregate space as defined
2740 by rule.

2741 c. Have sufficient staff available, taking into account the
2742 physical plant and firesafety features of the building, to
2743 assist with the evacuation of residents in an emergency, ~~as~~
2744 necessary.

2745 d. Adopt and follow policies and procedures that maximize
2746 resident independence, dignity, choice, and decisionmaking to
2747 permit residents to age in place ~~to the extent possible~~, so that
2748 moves due to changes in functional status are minimized or
2749 avoided.

2750 e. Allow residents or, if applicable, a resident's
2751 representative, designee, surrogate, guardian, or attorney in
2752 fact to make a variety of personal choices, participate in
2753 developing service plans, and share responsibility in
2754 decisionmaking.

2755 f. Implement the concept of managed risk.

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2756 g. Provide, ~~either~~ directly or through contract, the
2757 services of a person licensed under ~~pursuant to~~ part I of
2758 chapter 464.

2759 h. In addition to the training mandated in s. 429.52,
2760 provide specialized training as defined by rule for facility
2761 staff.

2762 4. A facility that is ~~Facilities~~ licensed to provide
2763 extended congregate care services is ~~are~~ exempt from the
2764 criteria for continued residency ~~as~~ set forth in rules adopted
2765 under s. 429.41. A licensed facility must ~~Facilities so licensed~~
2766 ~~shall~~ adopt its ~~their~~ own requirements within guidelines for
2767 continued residency set forth by rule. However, the facility
2768 ~~such facilities~~ may not serve residents who require 24-hour
2769 nursing supervision. A licensed facility that provides
2770 ~~Facilities licensed to provide~~ extended congregate care services
2771 must also ~~shall~~ provide each resident with a written copy of
2772 facility policies governing admission and retention.

2773 5. The primary purpose of extended congregate care services
2774 is to allow residents, as they become more impaired, the option
2775 of remaining in a familiar setting from which they would
2776 otherwise be disqualified for continued residency. A facility
2777 licensed to provide extended congregate care services may also
2778 admit an individual who exceeds the admission criteria for a
2779 facility with a standard license, if the individual is
2780 determined appropriate for admission to the extended congregate
2781 care facility.

2782 6. Before the admission of an individual to a facility
2783 licensed to provide extended congregate care services, the
2784 individual must undergo a medical examination as provided in s.

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2785 429.26(4) and the facility must develop a preliminary service
2786 plan for the individual.

2787 7. When a facility can no longer provide or arrange for
2788 services in accordance with the resident's service plan and
2789 needs and the facility's policy, the facility shall make
2790 arrangements for relocating the person in accordance with s.
2791 429.28(1)(k).

2792 8. Failure to provide extended congregate care services may
2793 result in denial of extended congregate care license renewal.

2794 ~~9. No later than January 1 of each year, the department, in~~
2795 ~~consultation with the agency, shall prepare and submit to the~~
2796 ~~Governor, the President of the Senate, the Speaker of the House~~
2797 ~~of Representatives, and the chairs of appropriate legislative~~
2798 ~~committees, a report on the status of, and recommendations~~
2799 ~~related to, extended congregate care services. The status report~~
2800 ~~must include, but need not be limited to, the following~~
2801 ~~information:~~

2802 ~~a. A description of the facilities licensed to provide such~~
2803 ~~services, including total number of beds licensed under this~~
2804 ~~part.~~

2805 ~~b. The number and characteristics of residents receiving~~
2806 ~~such services.~~

2807 ~~c. The types of services rendered that could not be~~
2808 ~~provided through a standard license.~~

2809 ~~d. An analysis of deficiencies cited during licensure~~
2810 ~~inspections.~~

2811 ~~e. The number of residents who required extended congregate~~
2812 ~~care services at admission and the source of admission.~~

2813 ~~f. Recommendations for statutory or regulatory changes.~~

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2814 ~~g. The availability of extended congregate care to state~~
2815 ~~clients residing in facilities licensed under this part and in~~
2816 ~~need of additional services, and recommendations for~~
2817 ~~appropriations to subsidize extended congregate care services~~
2818 ~~for such persons.~~

2819 ~~h. Such other information as the department considers~~
2820 ~~appropriate.~~

2821 Section 145. Subsection (5) of section 429.41, Florida
2822 Statutes, is amended to read:

2823 429.41 Rules establishing standards.—

2824 (5) The agency may use an abbreviated biennial standard
2825 licensure inspection that consists of a review of key quality-
2826 of-care standards in lieu of a full inspection in a facility
2827 that has facilities ~~which have~~ a good record of past
2828 performance. However, a full inspection must ~~shall~~ be conducted
2829 in a facility that has facilities ~~which have had~~ a history of
2830 class I or class II violations, uncorrected class III
2831 violations, confirmed ombudsman council complaints, or confirmed
2832 licensure complaints, within the previous licensure period
2833 immediately preceding the inspection or if when ~~when~~ a potentially
2834 serious problem is identified during the abbreviated inspection.
2835 The agency, in consultation with the department, shall develop
2836 the key quality-of-care standards with input from the State
2837 Long-Term Care Ombudsman Council and representatives of provider
2838 groups for incorporation into its rules. ~~The department, in~~
2839 ~~consultation with the agency, shall report annually to the~~
2840 ~~Legislature concerning its implementation of this subsection.~~
2841 ~~The report shall include, at a minimum, the key quality-of-care~~
2842 ~~standards which have been developed; the number of facilities~~

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2843 ~~identified as being eligible for the abbreviated inspection; the~~
2844 ~~number of facilities which have received the abbreviated~~
2845 ~~inspection and, of those, the number that were converted to full~~
2846 ~~inspection; the number and type of subsequent complaints~~
2847 ~~received by the agency or department on facilities which have~~
2848 ~~had abbreviated inspections; any recommendations for~~
2849 ~~modification to this subsection; any plans by the agency to~~
2850 ~~modify its implementation of this subsection; and any other~~
2851 ~~information which the department believes should be reported.~~

2852 Section 146. Subsections (3) through (17) of section
2853 430.04, Florida Statutes, are amended to read:

2854 430.04 Duties and responsibilities of the Department of
2855 Elderly Affairs.—The Department of Elderly Affairs shall:

2856 ~~(3) Prepare and submit to the Governor, each Cabinet~~
2857 ~~member, the President of the Senate, the Speaker of the House of~~
2858 ~~Representatives, the minority leaders of the House and Senate,~~
2859 ~~and chairpersons of appropriate House and Senate committees a~~
2860 ~~master plan for policies and programs in the state related to~~
2861 ~~aging. The plan must identify and assess the needs of the~~
2862 ~~elderly population in the areas of housing, employment,~~
2863 ~~education and training, medical care, long-term care, preventive~~
2864 ~~care, protective services, social services, mental health,~~
2865 ~~transportation, and long term care insurance, and other areas~~
2866 ~~considered appropriate by the department. The plan must assess~~
2867 ~~the needs of particular subgroups of the population and evaluate~~
2868 ~~the capacity of existing programs, both public and private and~~
2869 ~~in state and local agencies, to respond effectively to~~
2870 ~~identified needs. If the plan recommends the transfer of any~~
2871 ~~program or service from the Department of Children and Family~~

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2872 ~~Services to another state department, the plan must also include~~
2873 ~~recommendations that provide for an independent third-party~~
2874 ~~mechanism, as currently exists in the Florida advocacy councils~~
2875 ~~established in ss. 402.165 and 402.166, for protecting the~~
2876 ~~constitutional and human rights of recipients of departmental~~
2877 ~~services. The plan must include policy goals and program~~
2878 ~~strategies designed to respond efficiently to current and~~
2879 ~~projected needs. The plan must also include policy goals and~~
2880 ~~program strategies to promote intergenerational relationships~~
2881 ~~and activities. Public hearings and other appropriate processes~~
2882 ~~shall be utilized by the department to solicit input for the~~
2883 ~~development and updating of the master plan from parties~~
2884 ~~including, but not limited to, the following:~~

2885 ~~(a) Elderly citizens and their families and caregivers.~~

2886 ~~(b) Local-level public and private service providers,~~
2887 ~~advocacy organizations, and other organizations relating to the~~
2888 ~~elderly.~~

2889 ~~(c) Local governments.~~

2890 ~~(d) All state agencies that provide services to the~~
2891 ~~elderly.~~

2892 ~~(e) University centers on aging.~~

2893 ~~(f) Area agency on aging and community care for the elderly~~
2894 ~~lead agencies.~~

2895 (3)~~(4)~~ Serve as an information clearinghouse at the state
2896 level, and assist local-level information and referral resources
2897 as a repository and means for the dissemination of information
2898 regarding all federal, state, and local resources for assistance
2899 to the elderly in the areas of, but not limited to, health,
2900 social welfare, long-term care, protective services, consumer

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2901 protection, education and training, housing, employment,
 2902 recreation, transportation, insurance, and retirement.

2903 ~~(4)-(5)~~ Recommend guidelines for the development of roles
 2904 for state agencies that provide services for the aging, review
 2905 plans of agencies that provide such services, and relay the
 2906 ~~these plans to the Governor and the Legislature, each Cabinet~~
 2907 ~~member, the President of the Senate, the Speaker of the House of~~
 2908 ~~Representatives, the minority leaders of the House and Senate,~~
 2909 ~~and chairpersons of appropriate House and Senate committees.~~

2910 ~~(5)-(6)~~ Recommend to the Governor and the Legislature, each
 2911 ~~Cabinet member, the President of the Senate, the Speaker of the~~
 2912 ~~House of Representatives, the minority leaders of the House and~~
 2913 ~~Senate, and chairpersons of appropriate House and Senate~~
 2914 ~~committees~~ an organizational framework for the planning,
 2915 coordination, implementation, and evaluation of programs related
 2916 to aging, with the purpose of expanding and improving programs
 2917 and opportunities available to the state's elderly population
 2918 and enhancing a continuum of long-term care. This framework must
 2919 ensure ~~assure~~ that:

2920 (a) Performance objectives are established.

2921 (b) Program reviews are conducted statewide.

2922 (c) Each major program related to aging is reviewed every 3
 2923 years.

2924 ~~(d) Agency budget requests reflect the results and~~
 2925 ~~recommendations of such program reviews.~~

2926 ~~(d)-(e)~~ Program decisions reinforce ~~lead to~~ the distinctive
 2927 roles established for state agencies that provide aging
 2928 services.

2929 ~~(6)-(7)~~ Advise the Governor and the Legislature, each

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2930 ~~Cabinet member, the President of the Senate, the Speaker of the~~
2931 ~~House of Representatives, the minority leaders of the House and~~
2932 ~~Senate, and the chairpersons of appropriate House and Senate~~
2933 ~~committees~~ regarding the need for and location of programs
2934 related to aging.

2935 (7)~~(8)~~ Review and coordinate aging research plans of all
2936 state agencies to ensure that ~~the conformance of~~ research
2937 objectives address ~~to~~ issues and needs of the state's elderly
2938 population ~~addressed in the master plan for policies and~~
2939 ~~programs related to aging.~~ The research activities that must be
2940 reviewed and coordinated by the department include, but are not
2941 limited to, contracts with academic institutions, development of
2942 educational and training curriculums, Alzheimer's disease and
2943 other medical research, studies of long-term care and other
2944 personal assistance needs, and design of adaptive or modified
2945 living environments.

2946 (8)~~(9)~~ Review budget requests for programs related to aging
2947 to ensure the most cost-effective use of state funding for the
2948 state's elderly population ~~for compliance with the master plan~~
2949 ~~for policies and programs related to aging~~ before submission to
2950 the Governor and the Legislature.

2951 ~~(10)~~ Update the master plan for policies and programs
2952 related to aging every 3 years.

2953 ~~(11)~~ Review implementation of the master plan for programs
2954 and policies related to aging and annually report to the
2955 Governor, ~~each Cabinet member, the President of the Senate, the~~
2956 ~~Speaker of the House of Representatives, the minority leaders of~~
2957 ~~the House and Senate, and the chairpersons of appropriate House~~
2958 ~~and Senate committees~~ the progress towards implementation of the

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2959 ~~plan.~~

2960 (9)~~(12)~~ Request other departments that administer programs
2961 affecting the state's elderly population to amend their plans,
2962 rules, policies, and research objectives as necessary to ensure
2963 that programs and other initiatives are coordinated and maximize
2964 the state's efforts to address the needs of the elderly ~~conform~~
2965 ~~with the master plan for policies and programs related to aging.~~

2966 (10)~~(13)~~ Hold public meetings regularly throughout the
2967 state to receive ~~for purposes of receiving~~ information and
2968 maximize ~~maximizing~~ the visibility of important issues relating
2969 to aging and the elderly.

2970 (11)~~(14)~~ Conduct policy analysis and program evaluation
2971 studies assigned by the Legislature.

2972 (12)~~(15)~~ Assist the Governor, each Cabinet member, and
2973 members of the Legislature ~~the President of the Senate, the~~
2974 ~~Speaker of the House of Representatives, the minority leaders of~~
2975 ~~the House and Senate, and the chairpersons of appropriate House~~
2976 ~~and Senate committees in~~ conducting ~~the conduct of~~ their
2977 responsibilities ~~in such capacities~~ as they consider
2978 appropriate.

2979 (13)~~(16)~~ Call upon appropriate agencies of state government
2980 for such assistance as is needed in the discharge of its duties.
2981 All agencies shall cooperate in assisting the department in
2982 carrying out its responsibilities as prescribed by this section.
2983 However, the ~~no provision of law~~ regarding ~~with respect to~~
2984 confidentiality of information may not be violated.

2985 (14)~~(17)~~ Be designated as a state agency that is eligible
2986 to receive federal funds for adults who are eligible for
2987 assistance through the portion of the federal Child and Adult

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2988 Care Food Program for adults, which is referred to as the Adult
2989 Care Food Program, and that is responsible for establishing and
2990 administering the program. The purpose of the Adult Care Food
2991 Program is to provide nutritious and wholesome meals and snacks
2992 for adults in nonresidential day care centers or residential
2993 treatment facilities. To ensure the quality and integrity of the
2994 program, the department shall develop standards and procedures
2995 that govern sponsoring organizations and adult day care centers.
2996 The department shall follow federal requirements and may adopt
2997 any rules necessary to administer ~~pursuant to ss. 120.536(1) and~~
2998 ~~120.54 for the implementation of the Adult Care Food program~~
2999 ~~and. With respect to the Adult Care Food Program, the department~~
3000 ~~shall adopt rules pursuant to ss. 120.536(1) and 120.54 that~~
3001 implement relevant federal regulations, including 7 C.F.R. part
3002 226. The rules may address, at a minimum, the program
3003 requirements and procedures identified in this subsection.

3004 Section 147. Subsections (3) and (8) of section 430.502,
3005 Florida Statutes, are amended to read:

3006 430.502 Alzheimer's disease; memory disorder clinics and
3007 day care and respite care programs.—

3008 (3) The Alzheimer's Disease Advisory Committee shall ~~must~~
3009 evaluate and make recommendations to the department and the
3010 Legislature concerning the need for additional memory disorder
3011 clinics in the state. ~~The first report will be due by December~~
3012 ~~31, 1995.~~

3013 (8) The department shall ~~will~~ implement the waiver program
3014 specified in subsection (7). The agency and the department shall
3015 ensure that providers who ~~are selected that~~ have a history of
3016 successfully serving persons with Alzheimer's disease are

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3017 selected. The department and the agency shall develop
3018 specialized standards for providers and services tailored to
3019 persons in the early, middle, and late stages of Alzheimer's
3020 disease and designate a level of care determination process and
3021 standard that is most appropriate to this population. The
3022 department and the agency shall include in the waiver services
3023 designed to assist the caregiver in continuing to provide in-
3024 home care. The department shall implement this waiver program
3025 subject to a specific appropriation or as provided in the
3026 General Appropriations Act. ~~The department and the agency shall~~
3027 ~~submit their program design to the President of the Senate and~~
3028 ~~the Speaker of the House of Representatives for consultation~~
3029 ~~during the development process.~~

3030 Section 148. Subsection (1) and paragraph (a) of subsection
3031 (6) of section 445.006, Florida Statutes, are amended to read:

3032 445.006 Strategic and operational plans for workforce
3033 development.—

3034 (1) Workforce Florida, Inc., in conjunction with state and
3035 local partners in the workforce system, shall develop a
3036 strategic plan that produces ~~for workforce, with the goal of~~
3037 ~~producing~~ skilled employees for employers in the state. ~~The~~
3038 ~~strategic plan shall be submitted to the Governor, the President~~
3039 ~~of the Senate, and the Speaker of the House of Representatives~~
3040 ~~by February 1, 2001.~~ The strategic plan shall be updated or
3041 modified by January 1 of each year ~~thereafter~~. The plan must
3042 include, but need not be limited to, strategies for:

3043 (a) Fulfilling the workforce system goals and strategies
3044 prescribed in s. 445.004;

3045 (b) Aggregating, integrating, and leveraging workforce

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3046 system resources;

3047 (c) Coordinating the activities of federal, state, and
3048 local workforce system partners;

3049 (d) Addressing the workforce needs of small businesses; and

3050 (e) Fostering the participation of rural communities and
3051 distressed urban cores in the workforce system.

3052 (6) (a) The operational plan must include strategies that
3053 are designed to prevent or reduce the need for a person to
3054 receive public assistance. The ~~These~~ strategies must include:

3055 1. A teen pregnancy prevention component that includes, but
3056 is not limited to, a plan for implementing the ~~Florida Education~~
3057 ~~Now and Babies Later (ENABL) program under s. 411.242 and the~~
3058 Teen Pregnancy Prevention Community Initiative within each
3059 county of the services area in which the teen birth rate is
3060 higher than the state average;

3061 2. A component that encourages creation of community-based
3062 welfare prevention and reduction initiatives that increase
3063 support provided by noncustodial parents to their welfare-
3064 dependent children and are consistent with program and financial
3065 guidelines developed by Workforce Florida, Inc., and the
3066 Commission on Responsible Fatherhood. These initiatives may
3067 include, ~~but are not limited to,~~ improved paternity
3068 establishment, work activities for noncustodial parents,
3069 programs aimed at decreasing out-of-wedlock pregnancies,
3070 encouraging involvement of fathers with their children which
3071 includes ~~including~~ court-ordered supervised visitation, and
3072 increasing child support payments;

3073 3. A component that encourages formation and maintenance of
3074 two-parent families through, among other things, court-ordered

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3075 supervised visitation;

3076 4. A component that fosters responsible fatherhood in
3077 families receiving assistance; and

3078 5. A component that fosters the provision of services that
3079 reduce the incidence and effects of domestic violence on women
3080 and children in families receiving assistance.

3081 Section 149. Subsection (8) of section 455.2226, Florida
3082 Statutes, is repealed.

3083 Section 150. Subsection (6) of section 455.2228, Florida
3084 Statutes, is repealed.

3085 Section 151. Section 456.005, Florida Statutes, is amended
3086 to read:

3087 456.005 Long-range policy planning; ~~plans, reports, and~~
3088 ~~recommendations.~~-To facilitate efficient and cost-effective
3089 regulation, the department and the board, if where appropriate,
3090 shall develop and implement a long-range policy planning and
3091 monitoring process that includes ~~to include~~ recommendations
3092 specific to each profession. The ~~Such~~ process shall include
3093 estimates of revenues, expenditures, cash balances, and
3094 performance statistics for each profession. The period covered
3095 may shall not be less than 5 years. The department, with input
3096 from the boards and licensees, shall develop and adopt the long-
3097 range plan ~~and must obtain the approval of the State Surgeon~~
3098 ~~General~~. The department shall monitor compliance with the
3099 ~~approved long-range~~ plan and, with input from the boards and
3100 licensees, shall annually update the plans ~~for approval by the~~
3101 ~~State Surgeon General~~. The department shall provide concise
3102 management reports to the boards quarterly. As part of the
3103 review process, the department shall evaluate:

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3104 (1) Whether the department, including the boards and the
3105 various functions performed by the department, is operating
3106 efficiently and effectively and if there is a need for a board
3107 or council to assist in cost-effective regulation.

3108 (2) How and why the various professions are regulated.

3109 (3) Whether there is a need to continue regulation, and to
3110 what degree.

3111 (4) Whether or not consumer protection is adequate, and how
3112 it can be improved.

3113 (5) Whether there is consistency between the various
3114 practice acts.

3115 (6) Whether unlicensed activity is adequately enforced.
3116

3117 The ~~Such~~ plans shall ~~should~~ include conclusions and
3118 recommendations on these and other issues as appropriate. ~~Such~~
3119 ~~plans shall be provided to the Governor and the Legislature by~~
3120 ~~November 1 of each year.~~

3121 Section 152. Subsection (9) of section 456.025, Florida
3122 Statutes, is amended to read:

3123 456.025 Fees; receipts; disposition.—

3124 (9) The department shall provide a ~~condensed~~ management
3125 report of revenues and expenditures ~~budgets, finances,~~
3126 performance measures ~~statistics,~~ and recommendations to each
3127 board at least once a quarter. ~~The department shall identify and~~
3128 ~~include in such presentations any changes, or projected changes,~~
3129 ~~made to the board's budget since the last presentation.~~

3130 Section 153. Subsection (6) of section 456.034, Florida
3131 Statutes, is repealed.

3132 Section 154. Subsections (3) and (4) of section 517.302,

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3133 Florida Statutes, are amended to read:

3134 517.302 Criminal penalties; alternative fine; Anti-Fraud
3135 Trust Fund; time limitation for criminal prosecution.—

3136 (3) In lieu of a fine otherwise authorized by law, a person
3137 who has been convicted of or who has pleaded guilty or no
3138 contest to having engaged in conduct in violation of ~~the~~
3139 ~~provisions of~~ this chapter may be sentenced to pay a fine that
3140 does not exceed the greater of three times the gross value
3141 gained or three times the gross loss caused by such conduct,
3142 plus court costs and the costs of investigation and prosecution
3143 reasonably incurred.

3144 (4) ~~(a)~~ There is created within the office a trust fund to
3145 be known as the Anti-Fraud Trust Fund. Any amounts assessed as
3146 costs of investigation and prosecution under this subsection
3147 shall be deposited in the trust fund. Funds deposited in the
3148 ~~such~~ trust fund must ~~shall~~ be used, when authorized by
3149 appropriation, for investigation and prosecution of
3150 administrative, civil, and criminal actions arising under ~~the~~
3151 ~~provisions of~~ this chapter. Funds may also be used to improve
3152 the public's awareness and understanding of prudent investing.

3153 ~~(b) The office shall report to the Executive Office of the~~
3154 ~~Governor annually by November 15, the amounts deposited into the~~
3155 ~~Anti-Fraud Trust Fund during the previous fiscal year. The~~
3156 ~~Executive Office of the Governor shall distribute these reports~~
3157 ~~to the President of the Senate and the Speaker of the House of~~
3158 ~~Representatives.~~

3159 (5) ~~(4)~~ Criminal prosecution for offenses under this chapter
3160 is subject to the time limitations in ~~of~~ s. 775.15.

3161 Section 155. Subsection (3) of section 531.415, Florida

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3162 Statutes, is repealed.

3163 Section 156. Subsection (3) of section 570.0705, Florida
3164 Statutes, is repealed.

3165 Section 157. Subsection (5) of section 570.0725, Florida
3166 Statutes, is amended to read:

3167 570.0725 Food recovery; legislative intent; department
3168 functions.—

3169 (5) The department shall account for the direct and
3170 indirect costs associated with supporting food recovery programs
3171 throughout the state. It shall submit an electronic ~~a~~ report to
3172 the President of the Senate and the Speaker of the House of
3173 Representatives by November 1, for the previous fiscal year,
3174 when state funds are spent for this purpose. The report must
3175 include, but need not be limited to, the identity of
3176 organizations receiving funds, the amount of funds disbursed to
3177 these organizations, other uses of food recovery funds, and
3178 estimates of the amount of fresh produce recovered.

3179 Section 158. Subsection (3) of section 570.543, Florida
3180 Statutes, is repealed.

3181 Section 159. Section 590.33, Florida Statutes, is amended
3182 to read:

3183 590.33 State compact administrator; compact advisory
3184 committee.—In pursuance of art. III of the compact, the director
3185 of the division shall act as compact administrator for Florida
3186 of the Southeastern Interstate Forest Fire Protection Compact
3187 during his or her term of office as director, and his or her
3188 successor as compact administrator shall be his or her successor
3189 as director of the division. As compact administrator he or she
3190 shall be an ex officio member of the advisory committee of the

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3191 Southeastern Interstate Forest Fire Protection Compact, and
3192 chair ex officio of the Florida members of the advisory
3193 committee. There shall be four members of the Southeastern
3194 Interstate Forest Fire Protection Compact Advisory Committee
3195 from Florida. Two of the members from Florida shall be members
3196 of the Legislature of Florida, one from the Senate and one from
3197 the House of Representatives, ~~designated by the Florida~~
3198 ~~Commission on Interstate Cooperation,~~ and the terms of any such
3199 members shall terminate at the time they cease to hold
3200 legislative office, and their successors as members shall be
3201 named in like manner. The Governor shall appoint the other two
3202 members from Florida, one of whom shall be associated with
3203 forestry or forest products industries. The terms of such
3204 members shall be 3 years and such members shall hold office
3205 until their respective successors shall be appointed and
3206 qualified. Vacancies occurring in the office of such members
3207 from any reason or cause shall be filled by appointment by the
3208 Governor for the unexpired term. The director of the division as
3209 compact administrator for Florida may delegate, from time to
3210 time, to any deputy or other subordinate in his or her
3211 department or office, the power to be present and participate,
3212 including voting as his or her representative or substitute at
3213 any meeting of or hearing by or other proceeding of the compact
3214 administrators or of the advisory committee. The terms of each
3215 of the initial four memberships, whether appointed at said time
3216 or not, shall begin upon the date upon which the compact shall
3217 become effective in accordance with art. II of said compact. Any
3218 member of the advisory committee may be removed from office by
3219 the Governor upon charges and after a hearing.

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3220 Section 160. Section 603.204, Florida Statutes, is amended
3221 to read:

3222 603.204 South Florida Tropical Fruit Plan.—

3223 ~~(1)~~ The Commissioner of Agriculture, in consultation with
3224 the Tropical Fruit Advisory Council, shall develop and update,
3225 ~~at least 90 days prior to the 1991 legislative session, submit~~
3226 ~~to the President of the Senate, the Speaker of the House of~~
3227 ~~Representatives, and the chairs of appropriate Senate and House~~
3228 ~~of Representatives committees,~~ a South Florida Tropical Fruit
3229 Plan, which shall identify problems and constraints of the
3230 tropical fruit industry, propose possible solutions to such
3231 problems, and develop planning mechanisms for orderly growth of
3232 the industry, including:

3233 (1) ~~(a)~~ Criteria for tropical fruit research, service, and
3234 management priorities.

3235 (2) ~~(b)~~ Additional Proposed legislation that ~~which~~ may be
3236 required.

3237 (3) ~~(c)~~ Plans relating to other tropical fruit programs and
3238 related disciplines in the State University System.

3239 (4) ~~(d)~~ Potential tropical fruit products in terms of market
3240 and needs for development.

3241 (5) ~~(e)~~ Evaluation of production and fresh fruit policy
3242 alternatives, including, but not limited to, setting minimum
3243 grades and standards, promotion and advertising, development of
3244 production and marketing strategies, and setting minimum
3245 standards on types and quality of nursery plants.

3246 (6) ~~(f)~~ Evaluation of policy alternatives for processed
3247 tropical fruit products, including, but not limited to, setting
3248 minimum quality standards and development of production and

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3249 marketing strategies.

3250 (7)~~(g)~~ Research and service priorities for further
3251 development of the tropical fruit industry.

3252 (8)~~(h)~~ Identification of state agencies and public and
3253 private institutions concerned with research, education,
3254 extension, services, planning, promotion, and marketing
3255 functions related to tropical fruit development, and delineation
3256 of contributions and responsibilities. The recommendations in
3257 the ~~South Florida Tropical Fruit~~ plan relating to education or
3258 research shall be submitted to the Institute of Food and
3259 Agricultural Sciences. ~~The recommendations relating to~~
3260 ~~regulation or marketing shall be submitted to the Department of~~
3261 ~~Agriculture and Consumer Services.~~

3262 (9)~~(i)~~ Business planning, investment potential, financial
3263 risks, and economics of production and use utilization.

3264 ~~(2) A revision and update of the South Florida Tropical~~
3265 ~~Fruit Plan shall be submitted biennially, and a progress report~~
3266 ~~and budget request shall be submitted annually, to the officials~~
3267 ~~specified in subsection (1).~~

3268 Section 161. Subsection (6) of section 627.64872, Florida
3269 Statutes, is amended to read:

3270 627.64872 Florida Health Insurance Plan.—

3271 (6) ~~INTERIM REPORT~~; ANNUAL REPORT.—

3272 ~~(a) By no later than December 1, 2004, the board shall~~
3273 ~~report to the Governor, the President of the Senate, and the~~
3274 ~~Speaker of the House of Representatives the results of an~~
3275 ~~actuarial study conducted by the board to determine, including,~~
3276 ~~but not limited to:~~

3277 1. ~~The impact the creation of the plan will have on the~~

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3278 ~~small group insurance market and the individual market on~~
3279 ~~premiums paid by insureds. This shall include an estimate of the~~
3280 ~~total anticipated aggregate savings for all small employers in~~
3281 ~~the state.~~

3282 ~~2. The number of individuals the pool could reasonably~~
3283 ~~cover at various funding levels, specifically, the number of~~
3284 ~~people the pool may cover at each of those funding levels.~~

3285 ~~3. A recommendation as to the best source of funding for~~
3286 ~~the anticipated deficits of the pool.~~

3287 ~~4. The effect on the individual and small group market by~~
3288 ~~including in the Florida Health Insurance Plan persons eligible~~
3289 ~~for coverage under s. 627.6487, as well as the cost of including~~
3290 ~~these individuals.~~

3291
3292 ~~The board shall take no action to implement the Florida Health~~
3293 ~~Insurance Plan, other than the completion of the actuarial study~~
3294 ~~authorized in this paragraph, until funds are appropriated for~~
3295 ~~startup cost and any projected deficits.~~

3296 ~~(b) No later than December 1, 2005, and annually~~
3297 ~~thereafter, The board shall annually submit to the Governor, the~~
3298 ~~President of the Senate, and the Speaker of the House of~~
3299 ~~Representatives, and the substantive legislative committees of~~
3300 ~~the Legislature a report that which includes an independent~~
3301 ~~actuarial study to determine, without limitation, the following~~
3302 ~~including, but not be limited to:~~

3303 ~~(a)1. The effect ~~impact~~ the creation of the plan has on the~~
3304 ~~small group and individual insurance market, specifically on the~~
3305 ~~premiums paid by insureds, including. This shall include an~~
3306 ~~estimate of the total anticipated aggregate savings for all~~

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3307 small employers in the state.

3308 (b)2. The actual number of individuals covered at the
3309 current funding and benefit level, the projected number of
3310 individuals that may seek coverage in the forthcoming fiscal
3311 year, and the projected funding needed to cover anticipated
3312 increase or decrease in plan participation.

3313 (c)3. A recommendation as to the best source of funding for
3314 the anticipated deficits of the pool.

3315 (d)4. A summary ~~summarization~~ of the activities of the plan
3316 in the preceding calendar year, including the net written and
3317 earned premiums, plan enrollment, the expense of administration,
3318 and the paid and incurred losses.

3319 (e)5. A review of the operation of the plan as to whether
3320 the plan has met the intent of this section.

3321

3322 The board may not implement the Florida Health Insurance Plan
3323 until funds are appropriated for startup costs and any projected
3324 deficits; however, the board may complete the actuarial study
3325 authorized in this subsection.

3326 Section 162. Subsections (5) and (7) of section 744.708,
3327 Florida Statutes, are amended to read:

3328 744.708 Reports and standards.—

3329 (5) (a) Each office of public guardian shall undergo an
3330 independent audit by a qualified certified public accountant at
3331 least once every 2 years. A copy of the audit report shall be
3332 submitted to the Statewide Public Guardianship Office.

3333 (b) In addition to regular monitoring activities, the
3334 Statewide Public Guardianship Office shall conduct an
3335 investigation into the practices of each office of public

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3336 guardian related to the managing of each ward's personal affairs
3337 and property. If ~~When~~ feasible, the investigation ~~required under~~
3338 ~~this paragraph~~ shall be conducted in conjunction with the
3339 financial audit of each office of public guardian under
3340 paragraph (a).

3341 ~~(c) In addition, each office of public guardian shall be~~
3342 ~~subject to audits or examinations by the Auditor General and the~~
3343 ~~Office of Program Policy Analysis and Government Accountability~~
3344 ~~pursuant to law.~~

3345 (7) The ratio for professional staff to wards shall be 1
3346 professional to 40 wards. The Statewide Public Guardianship
3347 Office may increase or decrease the ratio after consultation
3348 with the local public guardian and the chief judge of the
3349 circuit court. The basis for ~~of~~ the decision to increase or
3350 decrease the prescribed ratio must ~~shall~~ be included ~~reported~~ in
3351 the annual report to the secretary ~~of Elderly Affairs, the~~
3352 ~~Governor, the President of the Senate, the Speaker of the House~~
3353 ~~of Representatives, and the Chief Justice of the Supreme Court.~~

3354 Section 163. Subsection (6) of section 768.295, Florida
3355 Statutes, is amended to read:

3356 768.295 Strategic Lawsuits Against Public Participation
3357 (SLAPP) suits by governmental entities prohibited.—

3358 (6) In any case filed by a governmental entity which is
3359 found by a court to be in violation of this section, the
3360 governmental entity shall report such finding and provide a copy
3361 of the court's order to the Attorney General no later than 30
3362 days after the ~~such~~ order is final. The Attorney General shall
3363 maintain a record of the court orders ~~report any violation of~~
3364 ~~this section by a governmental entity to the Cabinet, the~~

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3365 ~~President of the Senate, and the Speaker of the House of~~
3366 ~~Representatives. A copy of such report shall be provided to the~~
3367 ~~affected governmental entity.~~

3368 Section 164. Subsection (8) of section 790.22, Florida
3369 Statutes, is amended to read:

3370 790.22 Use of BB guns, air or gas-operated guns, or
3371 electric weapons or devices by minor under 16; limitation;
3372 possession of firearms by minor under 18 prohibited; penalties.-

3373 (8) Notwithstanding s. 985.24 or s. 985.25(1), if a minor
3374 ~~under 18 years of age~~ is charged with an offense that involves
3375 the use or possession of a firearm, ~~as defined in s. 790.001,~~
3376 including a violation of subsection (3), or is charged for any
3377 offense during the commission of which the minor possessed a
3378 firearm, the minor shall be detained in secure detention, unless
3379 the state attorney authorizes the release of the minor, and
3380 shall be given a hearing within 24 hours after being taken into
3381 custody. At the hearing, the court may order that the minor
3382 continue to be held in secure detention in accordance with the
3383 applicable time periods specified in s. 985.26(1)-(5), if the
3384 court finds that the minor meets the criteria specified in s.
3385 985.255, or if the court finds by clear and convincing evidence
3386 that the minor is a clear and present danger to himself or
3387 herself or the community. The Department of Juvenile Justice
3388 shall prepare a form for all minors charged under this
3389 subsection which ~~that~~ states the period of detention and the
3390 relevant demographic information, including, but not limited to,
3391 the gender ~~sex~~, age, and race of the minor; whether or not the
3392 minor was represented by private counsel or a public defender;
3393 the current offense; and the minor's complete prior record,

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3394 including any pending cases. The form shall be provided to the
3395 judge for ~~to be considered when~~ determining whether the minor
3396 should be continued in secure detention under this subsection.
3397 An order placing a minor in secure detention because the minor
3398 is a clear and present danger to himself or herself or the
3399 community must be in writing, must specify the need for
3400 detention and the benefits derived by the minor or the community
3401 by placing the minor in secure detention, and must include a
3402 copy of the form provided by the department. ~~The Department of~~
3403 ~~Juvenile Justice must send the form, including a copy of any~~
3404 ~~order, without client-identifying information, to the Office of~~
3405 ~~Economic and Demographic Research.~~

3406 Section 165. Section 943.125, Florida Statutes, is amended
3407 to read:

3408 943.125 Law enforcement agency accreditation; intent.-

3409 ~~(1) LEGISLATIVE INTENT.-~~

3410 (1)(a) It is the intent of the Legislature that law
3411 enforcement agencies in the state be upgraded and strengthened
3412 through the adoption of meaningful standards of operation for
3413 those agencies.

3414 (2)(b) It is the further intent of the Legislature that law
3415 enforcement agencies voluntarily adopt standards designed to
3416 promote equal and fair law enforcement, to maximize the
3417 capability of law enforcement agencies to prevent and control
3418 criminal activities, and to increase interagency cooperation
3419 throughout the state.

3420 (3)(c) It is further the intent of the Legislature to
3421 encourage the Florida Sheriffs Association and the Florida
3422 Police Chiefs Association to develop, either jointly or

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3423 separately, a law enforcement agency accreditation program. The
3424 ~~Such~~ program must ~~shall~~ be independent of any law enforcement
3425 agency, the Florida Sheriffs Association, or the Florida Police
3426 Chiefs Association. The ~~Any such law enforcement agency~~
3427 accreditation program must ~~should~~ address, at a minimum, the
3428 following aspects of law enforcement:

- 3429 (a)~~1.~~ Vehicle pursuits.
3430 (b)~~2.~~ Seizure and forfeiture of contraband articles.
3431 (c)~~3.~~ Recording and processing citizens' complaints.
3432 (d)~~4.~~ Use of force.
3433 (e)~~5.~~ Traffic stops.
3434 (f)~~6.~~ Handling natural and manmade disasters.
3435 (g)~~7.~~ Special operations.
3436 (h)~~8.~~ Prisoner transfer.
3437 (i)~~9.~~ Collection and preservation of evidence.
3438 (j)~~10.~~ Recruitment and selection.
3439 (k)~~11.~~ Officer training.
3440 (l)~~12.~~ Performance evaluations.
3441 (m)~~13.~~ Law enforcement disciplinary procedures and rights.
3442 (n)~~14.~~ Use of criminal investigative funds.

3443 ~~(2) FEASIBILITY AND STATUS REPORT. The Florida Sheriffs~~
3444 ~~Association and the Florida Police Chiefs Association, either~~
3445 ~~jointly or separately, shall report to the Speaker of the House~~
3446 ~~of Representatives and the President of the Senate regarding the~~
3447 ~~feasibility of a law enforcement agency accreditation program~~
3448 ~~and the status of the efforts of the Florida Sheriffs~~
3449 ~~Association and the Florida Police Chiefs Association to develop~~
3450 ~~a law enforcement agency accreditation program as provided in~~
3451 ~~this section.~~

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3452 Section 166. Subsection (9) of section 943.68, Florida
3453 Statutes, is amended to read:

3454 943.68 Transportation and protective services.—

3455 (9) The department shall submit a report each July 15 to
3456 ~~the President of the Senate, Speaker of the House of~~
3457 ~~Representatives,~~ Governor, the Legislature, and ~~members of the~~
3458 Cabinet, detailing all transportation and protective services
3459 provided under subsections (1), (5), and (6) within the
3460 preceding fiscal year. Each report shall include a detailed
3461 accounting of the cost of such transportation and protective
3462 services, including the names of persons provided such services
3463 and the nature of state business performed.

3464 Section 167. Paragraph (f) of subsection (3) of section
3465 944.801, Florida Statutes, is amended to read:

3466 944.801 Education for state prisoners.—

3467 (3) The responsibilities of the Correctional Education
3468 Program shall be to:

3469 (f) Report annual activities to the Secretary of
3470 ~~Corrections, the Commissioner of Education, the Governor, and~~
3471 ~~the Legislature.~~

3472 Section 168. Subsection (10) of section 945.35, Florida
3473 Statutes, is repealed.

3474 Section 169. Subsection (9) of section 958.045, Florida
3475 Statutes, is repealed.

3476 Section 170. Paragraph (c) of subsection (1) of section
3477 960.045, Florida Statutes, is amended to read:

3478 960.045 Department of Legal Affairs; powers and duties.—It
3479 shall be the duty of the department to assist persons who are
3480 victims of crime.

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3481 (1) The department shall:

3482 (c) Prepare an annual Report, ~~prior to January 1 of each~~
3483 ~~year, to the presiding officers of the Senate and House of~~
3484 ~~Representatives~~ a written report of the activities of the Crime
3485 Victims' Services Office, which shall be available on the
3486 department's Internet website.

3487 Section 171. Paragraph (c) of subsection (8) of section
3488 985.02, Florida Statutes, is repealed.

3489 Section 172. Subsections (3), (4), and (5) of section
3490 985.047, Florida Statutes, are amended to read:

3491 985.047 Information systems.—

3492 ~~(3) In order to assist in the integration of the~~
3493 ~~information to be shared, the sharing of information obtained,~~
3494 ~~the joint planning on diversion and early intervention~~
3495 ~~strategies for juveniles at risk of becoming serious habitual~~
3496 ~~juvenile offenders, and the intervention strategies for serious~~
3497 ~~habitual juvenile offenders, a multiagency task force should be~~
3498 ~~organized and utilized by the law enforcement agency or county~~
3499 ~~in conjunction with the initiation of the information system~~
3500 ~~described in subsections (1) and (2). The multiagency task force~~
3501 ~~shall be composed of representatives of those agencies and~~
3502 ~~persons providing information for the central identification~~
3503 ~~file and the multiagency information sheet.~~

3504 ~~(4) This multiagency task force shall develop a plan for~~
3505 ~~the information system that includes measures which identify and~~
3506 ~~address any disproportionate representation of ethnic or racial~~
3507 ~~minorities in the information systems and shall develop~~
3508 ~~strategies that address the protection of individual~~
3509 ~~constitutional rights.~~

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3510 (3)~~(5)~~ A Any law enforcement agency, or county that ~~which~~
3511 implements a juvenile offender information system ~~and the~~
3512 ~~multiagency task force which maintain the information system~~
3513 must annually provide ~~any~~ information gathered during the
3514 previous year to the delinquency and gang prevention council of
3515 the judicial circuit in which the county is located. This
3516 information must ~~shall~~ include the number, types, and patterns
3517 of delinquency tracked by the juvenile offender information
3518 system.

3519 Section 173. Paragraph (a) of subsection (8) of section
3520 985.47, Florida Statutes, is amended to read:

3521 985.47 Serious or habitual juvenile offender.—

3522 (8) ASSESSMENT AND TREATMENT SERVICES.—Pursuant to this
3523 chapter and the establishment of appropriate program guidelines
3524 and standards, contractual instruments, which shall include
3525 safeguards of all constitutional rights, shall be developed as
3526 follows:

3527 (a) The department shall provide for:

3528 1. ~~The~~ Oversight of the implementation of assessment and
3529 treatment approaches.

3530 2. ~~The~~ Identification and prequalification of appropriate
3531 individuals or not-for-profit organizations, including minority
3532 individuals or organizations when possible, to provide
3533 assessment and treatment services to serious or habitual
3534 delinquent children.

3535 3. ~~The~~ Monitoring and evaluation of assessment and
3536 treatment services for compliance with this chapter and all
3537 applicable rules and guidelines pursuant thereto.

3538 4. ~~The development of an annual report on the performance~~

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3539 ~~of assessment and treatment to be presented to the Governor, the~~
3540 ~~Attorney General, the President of the Senate, the Speaker of~~
3541 ~~the House of Representatives, and the Auditor General no later~~
3542 ~~than January 1 of each year.~~

3543 Section 174. Paragraph (a) of subsection (8) of section
3544 985.483, Florida Statutes, is amended to read:

3545 985.483 Intensive residential treatment program for
3546 offenders less than 13 years of age.-

3547 (8) ASSESSMENT AND TREATMENT SERVICES.-Pursuant to this
3548 chapter and the establishment of appropriate program guidelines
3549 and standards, contractual instruments, which shall include
3550 safeguards of all constitutional rights, shall be developed for
3551 intensive residential treatment programs for offenders less than
3552 13 years of age as follows:

3553 (a) The department shall provide for:

3554 1. ~~The~~ Oversight of the implementation of assessment and
3555 treatment approaches.

3556 2. ~~The~~ Identification and prequalification of appropriate
3557 individuals or not-for-profit organizations, including minority
3558 individuals or organizations when possible, to provide
3559 assessment and treatment services to intensive offenders less
3560 than 13 years of age.

3561 3. ~~The~~ Monitoring and evaluation of assessment and
3562 treatment services for compliance with this chapter and all
3563 applicable rules and guidelines pursuant thereto.

3564 ~~4. The development of an annual report on the performance~~
3565 ~~of assessment and treatment to be presented to the Governor, the~~
3566 ~~Attorney General, the President of the Senate, the Speaker of~~
3567 ~~the House of Representatives, the Auditor General, and the~~

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3568 ~~Office of Program Policy Analysis and Government Accountability~~
3569 ~~no later than January 1 of each year.~~

3570 Section 175. Subsection (5) of section 985.61, Florida
3571 Statutes, is repealed.

3572 Section 176. Subsection (1) of section 985.622, Florida
3573 Statutes, is amended to read:

3574 985.622 Multiagency plan for vocational education.—

3575 (1) The Department of Juvenile Justice and the Department
3576 of Education shall, in consultation with the statewide Workforce
3577 Development Youth Council, school districts, providers, and
3578 others, jointly develop a multiagency plan for vocational
3579 education that establishes the curriculum, goals, and outcome
3580 measures for vocational programs in juvenile commitment
3581 facilities. The plan must include:

3582 (a) Provisions for maximizing appropriate state and federal
3583 funding sources, including funds under the Workforce Investment
3584 Act and the Perkins Act;

3585 (b) The responsibilities of both departments and all other
3586 appropriate entities; and

3587 (c) A detailed implementation schedule.

3588
3589 ~~The plan must be submitted to the Governor, the President of the~~
3590 ~~Senate, and the Speaker of the House of Representatives by May~~
3591 ~~1, 2001.~~

3592 Section 177. Subsection (7) of section 985.632, Florida
3593 Statutes, is repealed.

3594 Section 178. Subsection (19) of section 1002.34, Florida
3595 Statutes, is repealed.

3596 Section 179. Subsection (4) of section 1003.61, Florida

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3597 Statutes, is repealed.

3598 Section 180. Subsections (5) through (13) of section
3599 1004.22, Florida Statutes, are amended to read:

3600 1004.22 Divisions of sponsored research at state
3601 universities.—

3602 (5) Moneys deposited in the permanent sponsored research
3603 development fund of a university shall be disbursed in
3604 accordance with the terms of the contract, grant, or donation
3605 under which they are received. Moneys received for overhead or
3606 indirect costs and other moneys not required for the payment of
3607 direct costs shall be applied to the cost of operating the
3608 division of sponsored research. Any surplus moneys shall be used
3609 to support other research or sponsored training programs in any
3610 area of the university. Transportation and per diem expense
3611 allowances are ~~shall be~~ the same as those provided ~~by law~~ in s.
3612 112.061, except that personnel performing travel under a
3613 sponsored research subcontract may be reimbursed for travel
3614 expenses in accordance with ~~the provisions of~~ the applicable
3615 prime contract or grant and the travel allowances established by
3616 the subcontractor, subject to the requirements of subsection (6)
3617 ~~(7)~~, or except as provided in subsection (10) ~~(11)~~.

3618 ~~(6) (a) Each university shall submit to the Board of~~
3619 ~~Governors a report of the activities of each division of~~
3620 ~~sponsored research together with an estimated budget for the~~
3621 ~~next fiscal year.~~

3622 ~~(b) Not less than 90 days prior to the convening of each~~
3623 ~~regular session of the Legislature in which an appropriation~~
3624 ~~shall be made, the Board of Governors shall submit to the chair~~
3625 ~~of the appropriations committee of each house of the Legislature~~

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3626 a compiled report, together with a compiled estimated budget for
3627 the next fiscal year. A copy of such report and estimated budget
3628 shall be furnished to the Governor, as the chief budget officer
3629 of the state.

3630 (6)~~(7)~~ All purchases of a division of sponsored research
3631 shall be made in accordance with the policies and procedures of
3632 the university pursuant to guidelines of the Board of Governors;
3633 however, upon certification addressed to the university
3634 president that it is necessary for the efficient or expeditious
3635 prosecution of a research project, the president may exempt the
3636 purchase of material, supplies, equipment, or services for
3637 research purposes from the general purchasing requirement of
3638 state law ~~the Florida Statutes~~.

3639 (7)~~(8)~~ The university may authorize the construction,
3640 alteration, or remodeling of buildings if ~~when~~ the funds used
3641 are derived entirely from the sponsored research development
3642 fund of a university or from that fund in combination with other
3643 nonstate sources and if, ~~provided that~~ such construction,
3644 alteration, or remodeling is for use exclusively in the area of
3645 research. The university may; ~~it~~ also may authorize the
3646 acquisition of real property if ~~when~~ the cost is entirely from
3647 the said funds. Title to all real property purchased before
3648 ~~prior to~~ January 7, 2003, or with funds appropriated by the
3649 Legislature shall vest in the Board of Trustees of the Internal
3650 Improvement Trust Fund and may ~~shall only~~ be transferred or
3651 conveyed only by it.

3652 (8)~~(9)~~ The sponsored research programs of the Institute of
3653 Food and Agricultural Sciences, the University of Florida Health
3654 Science Center, and the engineering and industrial experiment

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3655 station shall continue to be centered at the University of
3656 Florida as ~~heretofore~~ provided by law. Indirect cost
3657 reimbursements of all grants deposited in the Division of
3658 Sponsored Research shall be distributed directly to the above
3659 units in direct proportion to the amounts earned by each unit.

3660 (9) ~~(10)~~ The operation of the divisions of sponsored
3661 research and the conduct of the sponsored research program are
3662 exempt ~~expressly exempted~~ from the provisions of any law ~~other~~
3663 ~~laws or portions of laws~~ in conflict with this subsection
3664 ~~herewith~~ and are, subject to the requirements of subsection (6)
3665 ~~(7)~~, exempt ~~exempted~~ from the provisions of chapters 215, 216,
3666 and 283.

3667 (10) ~~(11)~~ The divisions of sponsored research may pay, by
3668 advancement or reimbursement, or a combination thereof, the
3669 costs of per diem of university employees and of other
3670 authorized persons, as defined in s. 112.061(2)(e), for foreign
3671 travel up to the current rates as stated in the grant and
3672 contract ~~terms~~ and may also pay incidental expenses as
3673 authorized by s. 112.061(8). This subsection applies to any
3674 university employee traveling in foreign countries for sponsored
3675 programs of the university, if such travel expenses are approved
3676 ~~in the terms of~~ the contract or grant. The provisions of s.
3677 112.061, other than those relating to per diem, apply to the
3678 travel described in this subsection. As used in this subsection,
3679 the term "foreign travel" means any travel outside the United
3680 States and its territories and possessions and Canada. Persons
3681 traveling in foreign countries pursuant to this section are
3682 ~~shall not be~~ entitled to reimbursements or advancements pursuant
3683 to s. 112.061(6)(a)2. for such travel.

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3684 (11)~~(12)~~ Each division of sponsored research may ~~is~~
3685 ~~authorized to~~ advance funds to any principal investigator who,
3686 under the contract or grant ~~terms~~, will be performing a portion
3687 of his or her research at a site that is remote from the
3688 university. Funds may ~~shall~~ be advanced only to employees who
3689 have executed a proper power of attorney with the university to
3690 ensure the proper collection of the ~~such~~ advanced funds if it
3691 becomes necessary. As used in this subsection, the term "remote"
3692 means so far removed from the university as to render normal
3693 purchasing and payroll functions ineffective.

3694 (12)~~(13)~~ Each university board of trustees may ~~is~~
3695 ~~authorized to~~ adopt rules, as necessary, to administer this
3696 section.

3697 Section 181. Subsection (6) of section 1004.50, Florida
3698 Statutes, is repealed.

3699 Section 182. Subsections (2) and (4) of section 1004.94,
3700 Florida Statutes, are repealed.

3701 Section 183. Subsection (4) of section 1004.95, Florida
3702 Statutes, is amended to read:

3703 1004.95 Adult literacy centers.—

3704 (4) The State Board of Education shall develop rules for
3705 implementing this section, ~~including criteria for evaluating the~~
3706 ~~performance of the centers, and shall submit an evaluation~~
3707 ~~report of the centers to the Legislature on or before February 1~~
3708 ~~of each year.~~

3709 Section 184. Section 1006.0605, Florida Statutes, is
3710 repealed.

3711 Section 185. Section 1006.67, Florida Statutes, is
3712 repealed.

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3713 Section 186. Subsection (8) of section 1009.70, Florida
3714 Statutes, is amended to read:

3715 1009.70 Florida Education Fund.—

3716 (8) There is created a legal education component of the
3717 Florida Education Fund to provide the opportunity for minorities
3718 to attain representation within the legal profession
3719 proportionate to their representation within the general
3720 population. The legal education component of the Florida
3721 Education Fund includes a law school program and a pre-law
3722 program.

3723 (a) The law school scholarship program of the Florida
3724 Education Fund is to be administered by the Board of Directors
3725 of the Florida Education Fund for the purpose of increasing ~~by~~
3726 ~~200~~ the number of minority students enrolled in law schools in
3727 this state by 200. Implementation of this program is to be
3728 phased in over a 3-year period.

3729 1. The board of directors shall provide financial,
3730 academic, and other support to students selected for
3731 participation in this program from funds appropriated by the
3732 Legislature.

3733 2. Student selection must be made in accordance with rules
3734 adopted by the board of directors for that purpose and must be
3735 based, at least in part, on an assessment of potential for
3736 success, merit, and financial need.

3737 3. Support must be made available to students who enroll in
3738 private, as well as public, law schools in this state which are
3739 accredited by the American Bar Association.

3740 4. Scholarships must be paid directly to the participating
3741 students.

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3742 5. Students who participate in this program must agree in
3743 writing to sit for The Florida Bar examination and, upon
3744 successful admission to The Florida Bar, to ~~either~~ practice law
3745 in the state for a period ~~of time~~ equal to the amount of time
3746 for which the student received aid, up to 3 years, or repay the
3747 amount of aid received.

3748 ~~6. Annually, the board of directors shall compile a report~~
3749 ~~that includes a description of the selection process, an~~
3750 ~~analysis of the academic progress of all scholarship recipients,~~
3751 ~~and an analysis of expenditures. This report must be submitted~~
3752 ~~to the President of the Senate, the Speaker of the House of~~
3753 ~~Representatives, and the Governor.~~

3754 (b) The minority pre-law scholarship loan program of the
3755 Florida Education Fund is to be administered by the Board of
3756 Directors of the Florida Education Fund for the purpose of
3757 increasing the opportunity of minority students to prepare for
3758 law school.

3759 1. From funds appropriated by the Legislature, the board of
3760 directors shall provide for student fees, room, board, books,
3761 supplies, and academic and other support to selected minority
3762 undergraduate students matriculating at eligible public and
3763 independent colleges and universities in Florida.

3764 2. Student selection must be made in accordance with rules
3765 adopted by the board of directors for that purpose and must be
3766 based, at least in part, on an assessment of potential for
3767 success, merit, and financial need.

3768 3. To be eligible, a student must make a written agreement
3769 to enter or be accepted to enter a law school in this state
3770 within 2 years after graduation or repay the scholarship loan

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3771 amount plus interest at the prevailing rate.

3772 4. Recipients who fail to gain admission to a law school
3773 within the specified period ~~of time~~, may, upon admission to law
3774 school, be eligible to have their loans canceled.

3775 5. Minority pre-law scholarship loans shall be provided to
3776 34 minority students per year for up to 4 years each, for a
3777 total of 136 scholarship loans. To continue receiving ~~receipt of~~
3778 scholarship loans, recipients must maintain a 2.75 grade point
3779 average for the freshman year and a 3.25 grade point average
3780 thereafter. Participants must also take specialized courses to
3781 enhance competencies in English and logic.

3782 6. The board of directors shall maintain records on all
3783 scholarship loan recipients. Participating institutions shall
3784 submit academic progress reports to the board of directors
3785 following each academic term. ~~Annually, the board of directors~~
3786 ~~shall compile a report that includes a description of the~~
3787 ~~selection process, an analysis of the academic progress of all~~
3788 ~~scholarship loan recipients, and an analysis of expenditures.~~
3789 ~~This report must be submitted to the President of the Senate,~~
3790 ~~the Speaker of the House of Representatives, and the Governor.~~

3791 Section 187. Subsection (8) of section 1011.32, Florida
3792 Statutes, is amended to read:

3793 1011.32 Community College Facility Enhancement Challenge
3794 Grant Program.—

3795 (8) By September 1 of each year, the State Board of
3796 Education shall transmit to the Governor and the Legislature a
3797 list of projects that ~~which~~ meet all eligibility requirements to
3798 participate in the Community College Facility Enhancement
3799 Challenge Grant Program and a budget request that ~~which~~ includes

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3800 the recommended schedule necessary to complete each project.

3801 Section 188. Paragraph (s) of subsection (1) of section
3802 1011.62, Florida Statutes, is amended to read:

3803 1011.62 Funds for operation of schools.—If the annual
3804 allocation from the Florida Education Finance Program to each
3805 district for operation of schools is not determined in the
3806 annual appropriations act or the substantive bill implementing
3807 the annual appropriations act, it shall be determined as
3808 follows:

3809 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
3810 OPERATION.—The following procedure shall be followed in
3811 determining the annual allocation to each district for
3812 operation:

3813 (s) *Extended-school-year program.*—It is the intent of the
3814 Legislature that students be provided additional instruction by
3815 extending the school year to 210 days or more. Districts may
3816 apply to the Commissioner of Education for funds to be used in
3817 planning and implementing an extended-school-year program. ~~The~~
3818 ~~Department of Education shall recommend to the Legislature the~~
3819 ~~policies necessary for full implementation of an extended school~~
3820 ~~year.~~

3821 Section 189. Paragraph (1) of subsection (2) of section
3822 1012.05, Florida Statutes, is repealed.

3823 Section 190. Subsection (1) of section 1012.42, Florida
3824 Statutes, is amended to read:

3825 1012.42 Teacher teaching out-of-field.—

3826 (1) ASSISTANCE.—Each district school board shall adopt and
3827 implement a plan to assist any teacher teaching out-of-field,
3828 and priority consideration in professional development

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3829 activities shall be given to a teacher ~~teachers~~ who is ~~are~~
3830 teaching out-of-field. The district school board shall require
3831 that the teacher ~~such teachers~~ participate in a certification or
3832 staff development program designed to provide the teacher with
3833 the competencies required for the assigned duties. The board-
3834 approved assistance plan must include duties of administrative
3835 personnel and other instructional personnel to provide students
3836 with instructional services. ~~Each district school board shall~~
3837 ~~contact its regional workforce board, created pursuant to s.~~
3838 ~~445.007, to identify resources that may assist teachers who are~~
3839 ~~teaching out-of-field and who are pursuing certification.~~

3840 Section 191. Section 1013.11, Florida Statutes, is amended
3841 to read:

3842 1013.11 Postsecondary institutions assessment of physical
3843 plant safety.—The president of each postsecondary institution
3844 shall conduct or cause to be conducted an annual assessment of
3845 physical plant safety. An annual report shall incorporate the
3846 assessment findings ~~obtained through such assessment~~ and
3847 recommendations for the improvement of safety on each campus.
3848 The annual report shall be submitted to the respective governing
3849 or licensing board of jurisdiction no later than January 1 of
3850 each year. Each board shall compile the individual institutional
3851 reports and convey the aggregate institutional reports to the
3852 Commissioner of Education or the Chancellor of the State
3853 University System, as appropriate. ~~The Commissioner of Education~~
3854 ~~and the Chancellor of the State University System shall convey~~
3855 ~~these reports and the reports required in s. 1006.67 to the~~
3856 ~~President of the Senate and the Speaker of the House of~~
3857 ~~Representatives no later than March 1 of each year.~~

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3858 Section 192. Subsection (3) of section 161.142, Florida
3859 Statutes, is amended to read:

3860 161.142 Declaration of public policy relating to improved
3861 navigation inlets.—The Legislature recognizes the need for
3862 maintaining navigation inlets to promote commercial and
3863 recreational uses of our coastal waters and their resources. The
3864 Legislature further recognizes that inlets interrupt or alter
3865 the natural drift of beach-quality sand resources, which often
3866 results in these sand resources being deposited in nearshore
3867 areas or in the inlet channel, or in the inland waterway
3868 adjacent to the inlet, instead of providing natural nourishment
3869 to the adjacent eroding beaches. Accordingly, the Legislature
3870 finds it is in the public interest to replicate the natural
3871 drift of sand which is interrupted or altered by inlets to be
3872 replaced and for each level of government to undertake all
3873 reasonable efforts to maximize inlet sand bypassing to ensure
3874 that beach-quality sand is placed on adjacent eroding beaches.
3875 Such activities cannot make up for the historical sand deficits
3876 caused by inlets but shall be designed to balance the sediment
3877 budget of the inlet and adjacent beaches and extend the life of
3878 proximate beach-restoration projects so that periodic
3879 nourishment is needed less frequently. Therefore, in furtherance
3880 of this declaration of public policy and the Legislature's
3881 intent to redirect and recommit the state's comprehensive beach
3882 management efforts to address the beach erosion caused by
3883 inlets, the department shall ensure that:

3884 (3) Construction waterward of the coastal construction
3885 control line on downdrift coastal areas, on islands
3886 substantially created by the deposit of spoil, located within 1

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3887 mile of the centerline of navigation channels or inlets,
3888 providing access to ports listed in s. 403.021(9)(b), which
3889 suffers or has suffered erosion caused by such navigation
3890 channel maintenance or construction shall be exempt from the
3891 permitting requirements and prohibitions of s. 161.053 (4) ~~(5)~~ or
3892 (5) ~~(6)~~; however, such construction shall comply with the
3893 applicable Florida Building Code adopted pursuant to s. 553.73.
3894 The timing and sequence of any construction activities
3895 associated with inlet management projects shall provide
3896 protection to nesting sea turtles and their hatchlings and
3897 habitats, to nesting shorebirds, and to native salt-resistant
3898 vegetation and endangered plant communities. Beach-quality sand
3899 placed on the beach as part of an inlet management project must
3900 be suitable for marine turtle nesting.

3901 Section 193. Paragraph (a) of subsection (4) of section
3902 163.065, Florida Statutes, is amended to read:

3903 163.065 Miami River Improvement Act.—

3904 (4) PLAN.—The Miami River Commission, working with the City
3905 of Miami and Miami-Dade County, shall consider the merits of the
3906 following:

3907 (a) Development and adoption of an urban infill and
3908 redevelopment plan, under ss. 163.2511-163.2523 ~~ss. 163.2511-~~
3909 ~~163.2526~~, which ~~and~~ participating state and regional agencies
3910 shall review ~~the proposed plan~~ for the purposes of determining
3911 consistency with applicable law.

3912 Section 194. Subsection (1) of section 163.2511, Florida
3913 Statutes, is amended to read:

3914 163.2511 Urban infill and redevelopment.—

3915 (1) Sections 163.2511-163.2523 ~~163.2511-163.2526~~ may be

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3916 cited as the "Growth Policy Act."

3917 Section 195. Section 163.2514, Florida Statutes, is amended
3918 to read:

3919 163.2514 Growth Policy Act; definitions.—As used in ss.
3920 163.2511-163.2523, the term ~~ss. 163.2511-163.2526~~:

3921 (1) "Local government" means any county or municipality.

3922 (2) "Urban infill and redevelopment area" means an area or
3923 areas designated by a local government where:

3924 (a) Public services such as water and wastewater,
3925 transportation, schools, and recreation are already available or
3926 are scheduled to be provided in an adopted 5-year schedule of
3927 capital improvements;

3928 (b) The area, or one or more neighborhoods within the area,
3929 suffers from pervasive poverty, unemployment, and general
3930 distress as defined by s. 290.0058;

3931 (c) The area exhibits a proportion of properties that are
3932 substandard, overcrowded, dilapidated, vacant or abandoned, or
3933 functionally obsolete which is higher than the average for the
3934 local government;

3935 (d) More than 50 percent of the area is within 1/4 mile of
3936 a transit stop, or a sufficient number of ~~such~~ transit stops
3937 will be made available concurrent with the designation; and

3938 (e) The area includes or is adjacent to community
3939 redevelopment areas, brownfields, enterprise zones, or Main
3940 Street programs, or has been designated by the state or Federal
3941 Government as an urban redevelopment, revitalization, or infill
3942 area under empowerment zone, enterprise community, or brownfield
3943 showcase community programs or similar programs.

3944 Section 196. Subsection (2) of section 163.3202, Florida

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3945 Statutes, is amended to read:

3946 163.3202 Land development regulations.—

3947 (2) Local land development regulations shall contain
3948 specific and detailed provisions necessary or desirable to
3949 implement the adopted comprehensive plan and shall at ~~as~~ a
3950 minimum:

3951 (a) Regulate the subdivision of land.

3952 (b) Regulate the use of land and water for those land use
3953 categories included in the land use element and ensure the
3954 compatibility of adjacent uses and provide for open space.

3955 (c) Provide for protection of potable water wellfields.

3956 (d) Regulate areas subject to seasonal and periodic
3957 flooding and provide for drainage and stormwater management.

3958 (e) Ensure the protection of environmentally sensitive
3959 lands designated in the comprehensive plan.

3960 (f) Regulate signage.

3961 (g) Provide that public facilities and services meet or
3962 exceed the standards established in the capital improvements
3963 element required by s. 163.3177 and are available when needed
3964 for the development, or that development orders and permits are
3965 conditioned on the availability of these public facilities and
3966 services necessary to serve the proposed development. ~~Not later~~
3967 ~~than 1 year after its due date established by the state land~~
3968 ~~planning agency's rule for submission of local comprehensive~~
3969 ~~plans pursuant to s. 163.3167(2),~~ A local government may ~~shall~~
3970 not issue a development order or permit that ~~which~~ results in a
3971 reduction in the level of services for the affected public
3972 facilities below the level of services provided in the local
3973 government's comprehensive plan ~~of the local government.~~

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3974 (h) Ensure safe and convenient onsite traffic flow,
3975 considering needed vehicle parking.

3976 Section 197. Paragraph (b) of subsection (11) of section
3977 259.041, Florida Statutes, is amended to read:

3978 259.041 Acquisition of state-owned lands for preservation,
3979 conservation, and recreation purposes.—

3980 (11)

3981 (b) All project applications shall identify, within their
3982 acquisition plans, ~~these projects that~~ which require a full fee
3983 simple interest to achieve the public policy goals, together
3984 with the reasons full title is determined to be necessary. The
3985 state agencies and the water management districts may use
3986 alternatives to fee simple acquisition to bring the remaining
3987 projects in their acquisition plans under public protection. For
3988 the purposes of this subsection, the term "alternatives to fee
3989 simple acquisition" includes, but is not limited to: purchase of
3990 development rights; obtaining conservation easements; obtaining
3991 flowage easements; purchase of timber rights, mineral rights, or
3992 hunting rights; purchase of agricultural interests or
3993 silvicultural interests; entering into land protection
3994 agreements as defined in s. 380.0677(3) ~~s. 380.0677(4)~~; fee
3995 simple acquisitions with reservations; creating life estates; or
3996 any other acquisition technique that ~~which~~ achieves the public
3997 policy goals listed in paragraph (a). It is presumed that a
3998 private landowner retains the full range of uses for all the
3999 rights or interests in the landowner's land which are not
4000 specifically acquired by the public agency. The lands upon which
4001 hunting rights are specifically acquired pursuant to this
4002 paragraph shall be available for hunting in accordance with the

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4003 management plan or hunting regulations adopted by the Florida
4004 Fish and Wildlife Conservation Commission, unless the hunting
4005 rights are purchased specifically to protect activities on
4006 adjacent lands.

4007 Section 198. Paragraph (c) of subsection (3) of section
4008 259.101, Florida Statutes, is amended to read:

4009 259.101 Florida Preservation 2000 Act.—

4010 (3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.—Less the costs
4011 of issuance, the costs of funding reserve accounts, and other
4012 costs with respect to the bonds, the proceeds of bonds issued
4013 pursuant to this act shall be deposited into the Florida
4014 Preservation 2000 Trust Fund created by s. 375.045. In fiscal
4015 year 2000-2001, for each Florida Preservation 2000 program
4016 described in paragraphs (a)-(g), that portion of each program's
4017 total remaining cash balance which, as of June 30, 2000, is in
4018 excess of that program's total remaining appropriation balances
4019 shall be redistributed by the department and deposited into the
4020 Save Our Everglades Trust Fund for land acquisition. For
4021 purposes of calculating the total remaining cash balances for
4022 this redistribution, the Florida Preservation 2000 Series 2000
4023 bond proceeds, including interest thereon, and the fiscal year
4024 1999-2000 General Appropriations Act amounts shall be deducted
4025 from the remaining cash and appropriation balances,
4026 respectively. The remaining proceeds shall be distributed by the
4027 Department of Environmental Protection in the following manner:

4028 (c) Ten percent to the Department of Community Affairs to
4029 provide land acquisition grants and loans to local governments
4030 through the Florida Communities Trust pursuant to part III of
4031 chapter 380. From funds allocated to the trust, \$3 million

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4032 annually shall be used by the Division of State Lands within the
4033 Department of Environmental Protection to implement the Green
4034 Swamp Land Protection Initiative specifically for the purchase
4035 of conservation easements, as defined in s. 380.0677(3) ~~s.~~
4036 ~~380.0677(4)~~, of lands, or severable interests or rights in
4037 lands, in the Green Swamp Area of Critical State Concern. From
4038 funds allocated to the trust, \$3 million annually shall be used
4039 by the Monroe County Comprehensive Plan Land Authority
4040 specifically for the purchase of a ~~any~~ real property interest in
4041 ~~either~~ those lands subject to the Rate of Growth Ordinances
4042 adopted by local governments in Monroe County or those lands
4043 within the boundary of an approved Conservation and Recreation
4044 Lands project located within the Florida Keys or Key West Areas
4045 of Critical State Concern; however, title to lands acquired
4046 within the boundary of an approved Conservation and Recreation
4047 Lands project may, in accordance with an approved joint
4048 acquisition agreement, vest in the Board of Trustees of the
4049 Internal Improvement Trust Fund. Of the remaining funds
4050 ~~allocated to the trust after the above transfers occur~~, one-half
4051 shall be matched by local governments on a dollar-for-dollar
4052 basis. To the extent allowed by federal requirements for the use
4053 of bond proceeds, the trust shall expend Preservation 2000 funds
4054 to carry out the purposes of part III of chapter 380.

4055
4056 Local governments may use federal grants or loans, private
4057 donations, or environmental mitigation funds, including
4058 environmental mitigation funds required pursuant to s. 338.250,
4059 for any part or all of any local match required for the purposes
4060 described in this subsection. Bond proceeds allocated pursuant

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4061 to paragraph (c) may be used to purchase lands on the priority
4062 lists developed pursuant to s. 259.035. Title to lands purchased
4063 pursuant to paragraphs (a), (d), (e), (f), and (g) shall be
4064 vested in the Board of Trustees of the Internal Improvement
4065 Trust Fund. Title to lands purchased pursuant to paragraph (c)
4066 may be vested in the Board of Trustees of the Internal
4067 Improvement Trust Fund. The board of trustees shall hold title
4068 to land protection agreements and conservation easements that
4069 were or will be acquired pursuant to s. 380.0677, and the
4070 Southwest Florida Water Management District and the St. Johns
4071 River Water Management District shall monitor such agreements
4072 and easements within their respective districts until the state
4073 assumes this responsibility.

4074 Section 199. Subsections (1) and (5) of section 369.305,
4075 Florida Statutes, are amended to read:

4076 369.305 Review of local comprehensive plans, land
4077 development regulations, Wekiva River development permits, and
4078 amendments.—

4079 ~~(1) It is the intent of the Legislature that comprehensive~~
4080 ~~plans and land development regulations of Orange, Lake, and~~
4081 ~~Seminole Counties be revised to protect the Wekiva River~~
4082 ~~Protection Area prior to the due dates established in ss.~~
4083 ~~163.3167(2) and 163.3202 and chapter 9J-12, Florida~~
4084 ~~Administrative Code. It is also the intent of the Legislature~~
4085 ~~that Orange, Lake, and Seminole the Counties emphasize the~~
4086 ~~Wekiva River Protection Area this important state resource in~~
4087 ~~their planning and regulation efforts. Therefore, each county's~~
4088 ~~county shall, by April 1, 1989, review and amend those portions~~
4089 ~~of its local comprehensive plan and its land development~~

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4090 regulations applicable to the Wekiva River Protection Area must,
4091 ~~and, if necessary, adopt additional land development regulations~~
4092 ~~which are applicable to the Wekiva River Protection Area to meet~~
4093 the following criteria:

4094 (a) Each county's local comprehensive plan must ~~shall~~
4095 contain goals, policies, and objectives that ~~which~~ result in the
4096 protection of the:

4097 1. Water quantity, water quality, and hydrology of the
4098 Wekiva River System;

4099 2. Wetlands associated with the Wekiva River System;

4100 3. Aquatic and wetland-dependent wildlife species
4101 associated with the Wekiva River System;

4102 4. Habitat within the Wekiva River Protection Area of
4103 species designated pursuant to rules 39-27.003, 39-27.004, and
4104 39-27.005, Florida Administrative Code; and

4105 5. Native vegetation within the Wekiva River Protection
4106 Area.

4107 (b) The various land uses and densities and intensities of
4108 development permitted by the local comprehensive plan shall
4109 protect the resources enumerated in paragraph (a) and the rural
4110 character of the Wekiva River Protection Area. The plan must
4111 ~~shall~~ also include:

4112 1. Provisions that ~~to~~ ensure the preservation of sufficient
4113 habitat for feeding, nesting, roosting, and resting so as to
4114 maintain viable populations of species designated pursuant to
4115 rules 39-27.003, 39-27.004, and 39-27.005, Florida
4116 Administrative Code, within the Wekiva River Protection Area.

4117 2. Restrictions on the clearing of native vegetation within
4118 the 100-year flood plain.

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4119 3. Prohibition of development that is not low-density
4120 residential in nature, unless the ~~that~~ development has less
4121 effect ~~impacts~~ on natural resources than low-density residential
4122 development.

4123 4. Provisions for setbacks along the Wekiva River for areas
4124 that do not fall within the protection zones established
4125 pursuant to s. 373.415.

4126 5. Restrictions on intensity of development adjacent to
4127 publicly owned lands to prevent adverse impacts to such lands.

4128 6. Restrictions on filling and alteration of wetlands in
4129 the Wekiva River Protection Area.

4130 7. Provisions encouraging clustering of residential
4131 development if ~~when~~ it promotes protection of environmentally
4132 sensitive areas, and ensures ~~ensuring~~ that residential
4133 development in the aggregate are ~~shall be of a rural in~~ density
4134 and character.

4135 (c) The local comprehensive plan must ~~shall~~ require that
4136 the density or intensity of development permitted on parcels of
4137 property adjacent to the Wekiva River System be concentrated on
4138 those portions of the parcels which are the farthest from the
4139 surface waters and wetlands of the Wekiva River System.

4140 (d) The local comprehensive plan must ~~shall~~ require that
4141 parcels of land adjacent to the surface waters and watercourses
4142 of the Wekiva River System not be subdivided so as to interfere
4143 with the implementation of protection zones as established
4144 pursuant to s. 373.415, any applicable setbacks from the surface
4145 waters in the Wekiva River System which are established by local
4146 governments, or the policy established in paragraph (c) of
4147 concentrating development in the Wekiva River Protection Area as

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4148 far from the surface waters and wetlands of the Wekiva River
4149 System as practicable.

4150 (e) The local land development regulations must ~~shall~~
4151 implement the provisions of paragraphs (a), (b), (c), and (d)
4152 and must ~~shall also~~ include restrictions on the location of
4153 septic tanks and drainfields in the 100-year flood plain and
4154 discharges of stormwater to the Wekiva River System.

4155 ~~(5) During the period of time between the effective date of~~
4156 ~~this act and the due date of a county's revised local government~~
4157 ~~comprehensive plan as established by s. 163.3167(2) and chapter~~
4158 ~~9J-12, Florida Administrative Code, any local comprehensive plan~~
4159 ~~amendment or amendment to a land development regulation, adopted~~
4160 ~~or issued by a county, which applies to the Wekiva River~~
4161 ~~Protection Area, or any Wekiva River development permit adopted~~
4162 ~~by a county, solely within protection zones established pursuant~~
4163 ~~to s. 373.415, shall be sent to the department within 10 days~~
4164 ~~after its adoption or issuance by the local governing body but~~
4165 ~~shall not become effective until certified by the department as~~
4166 ~~being in compliance with purposes described in subsection (1).~~
4167 ~~The department shall make its decision on certification within~~
4168 ~~60 days after receipt of the amendment or development permit~~
4169 ~~solely within protection zones established pursuant to s.~~
4170 ~~373.415. The department's decision on certification shall be~~
4171 ~~final agency action. This subsection shall not apply to any~~
4172 ~~amendments or new land development regulations adopted pursuant~~
4173 ~~to subsections (1) (4) or to any development order approving,~~
4174 ~~approving with conditions, or denying a development of regional~~
4175 ~~impact.~~

4176 Section 200. Paragraph (g) of subsection (1) of section

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4177 379.2431, Florida Statutes, is amended to read:

4178 379.2431 Marine animals; regulation.—

4179 (1) PROTECTION OF MARINE TURTLES.—

4180 (g) The Department of Environmental Protection may
4181 condition the nature, timing, and sequence of construction of
4182 permitted activities to provide protection to nesting marine
4183 turtles and hatchlings and their habitat pursuant to s.
4184 161.053(4) ~~the provisions of s. 161.053(5)~~. If ~~When~~ the
4185 department is considering a permit for a beach restoration,
4186 beach renourishment, or inlet sand transfer project and the
4187 applicant has had an active marine turtle nest relocation
4188 program or the applicant has agreed to and has the ability to
4189 administer a program, the department may ~~must~~ not restrict the
4190 timing of the project. If ~~Where~~ appropriate, the department, in
4191 accordance with the applicable rules of the Fish and Wildlife
4192 Conservation Commission, shall require as a condition of the
4193 permit that the applicant relocate and monitor all turtle nests
4194 that would be affected by the beach restoration, beach
4195 renourishment, or sand transfer activities. Such relocation and
4196 monitoring activities shall be conducted in a manner that
4197 ensures successful hatching. This limitation on the department's
4198 authority applies only on the Atlantic coast of Florida.

4199 Section 201. Section 381.732, Florida Statutes, is amended
4200 to read:

4201 381.732 Short title; Healthy Communities, Healthy People
4202 Act.—Sections 381.732-381.734 ~~381.731-381.734~~ may be cited as
4203 the "Healthy Communities, Healthy People Act."

4204 Section 202. Section 381.733, Florida Statutes, is amended
4205 to read:

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4206 381.733 Definitions relating to Healthy Communities,
 4207 Healthy People Act.—As used in ss. 381.732-381.734 ~~ss. 381.731-~~
 4208 ~~381.734~~, the term:

4209 (1) "Department" means the Department of Health.

4210 (2) "Primary prevention" means interventions directed
 4211 toward healthy populations with a focus on avoiding disease
 4212 before it occurs ~~prior to its occurrence.~~

4213 (3) "Secondary prevention" means interventions designed to
 4214 promote the early detection and treatment of diseases and to
 4215 reduce the risks experienced by at-risk populations.

4216 (4) "Tertiary prevention" means interventions directed at
 4217 rehabilitating and minimizing the effects of disease in a
 4218 chronically ill population.

4219 Section 203. Paragraph (d) of subsection (5) of section
 4220 411.01, Florida Statutes, is amended to read:

4221 411.01 School readiness programs; early learning
 4222 coalitions.—

4223 (5) CREATION OF EARLY LEARNING COALITIONS.—

4224 (d) *Implementation.*—

4225 1. An early learning coalition may not implement the school
 4226 readiness program until ~~the coalition is authorized through~~
 4227 ~~approval of~~ the coalition's school readiness plan is approved by
 4228 the Agency for Workforce Innovation.

4229 2. Each early learning coalition shall develop a plan for
 4230 implementing the school readiness program to meet the
 4231 requirements of this section and the performance standards and
 4232 outcome measures adopted by the Agency for Workforce Innovation.
 4233 The plan must demonstrate how the program will ensure that each
 4234 3-year-old and 4-year-old child in a publicly funded school

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4235 readiness program receives scheduled activities and instruction
4236 designed to enhance the age-appropriate progress of the children
4237 in attaining the performance standards adopted by the agency ~~for~~
4238 ~~Workforce Innovation~~ under subparagraph (4)(d)8. Before
4239 implementing the school readiness program, the early learning
4240 coalition must submit the plan to the agency ~~for Workforce~~
4241 ~~Innovation~~ for approval. The agency ~~for Workforce Innovation~~ may
4242 approve the plan, reject the plan, or approve the plan with
4243 conditions. The agency ~~for Workforce Innovation~~ shall review
4244 school readiness plans at least annually.

4245 3. If the Agency for Workforce Innovation determines during
4246 the annual review of school readiness plans, or through
4247 monitoring and performance evaluations conducted under paragraph
4248 (4)(1), that an early learning coalition has not substantially
4249 implemented its plan, has not substantially met the performance
4250 standards and outcome measures adopted by the agency, or has not
4251 effectively administered the school readiness program or
4252 Voluntary Prekindergarten Education Program, the agency ~~for~~
4253 ~~Workforce Innovation~~ may dissolve the coalition and temporarily
4254 contract with a qualified entity to continue school readiness
4255 and prekindergarten services in the coalition's county or
4256 multicounty region until the coalition is reestablished through
4257 resubmission of a school readiness plan and approval by the
4258 agency.

4259 4. The Agency for Workforce Innovation shall adopt criteria
4260 for the approval of school readiness plans. The criteria must be
4261 consistent with the performance standards and outcome measures
4262 adopted by the agency and must require each approved plan to
4263 include the following minimum standards ~~and provisions~~:

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4264 a. A sliding fee scale establishing a copayment for parents
4265 based upon their ability to pay, which is the same for all
4266 program providers, to be implemented and reflected in each
4267 program's budget.

4268 b. A choice of settings and locations in licensed,
4269 registered, religious-exempt, or school-based programs to be
4270 provided to parents.

4271 c. Instructional staff who have completed the training
4272 course as required in s. 402.305(2)(d)1., as well as staff who
4273 have additional training or credentials as required by the
4274 Agency for Workforce Innovation. The plan must provide a method
4275 for assuring the qualifications of all personnel in all program
4276 settings.

4277 d. Specific eligibility priorities for children within the
4278 early learning coalition's county or multicounty region in
4279 accordance with subsection (6).

4280 e. Performance standards and outcome measures adopted by
4281 the agency ~~for Workforce Innovation~~.

4282 f. Payment rates adopted by the early learning coalition
4283 and approved by the agency ~~for Workforce Innovation~~. Payment
4284 rates may not have the effect of limiting parental choice or
4285 creating standards or levels of services that have not been
4286 authorized by the Legislature.

4287 g. Systems support services, including a central agency,
4288 child care resource and referral, eligibility determinations,
4289 training of providers, and parent support and involvement.

4290 h. Direct enhancement services to families and children.
4291 System support and direct enhancement services shall be in
4292 addition to payments for the placement of children in school

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4293 readiness programs.

4294 i. The business organization of the early learning
4295 coalition, which must include the coalition's articles of
4296 incorporation and bylaws if the coalition is organized as a
4297 corporation. If the coalition is not organized as a corporation
4298 or other business entity, the plan must include the contract
4299 with a fiscal agent. An early learning coalition may contract
4300 with other coalitions to achieve efficiency in multicounty
4301 services, and these contracts may be part of the coalition's
4302 school readiness plan.

4303 j. Strategies to meet the needs of unique populations, such
4304 as migrant workers.

4305

4306 As part of the school readiness plan, the early learning
4307 coalition may request the Governor to apply for a waiver to
4308 allow the coalition to administer the Head Start Program to
4309 accomplish the purposes of the school readiness program. If a
4310 school readiness plan demonstrates that specific statutory goals
4311 can be achieved more effectively by modifying ~~using procedures~~
4312 ~~that require modification of~~ existing rules, policies, or
4313 procedures, a request for a waiver to the Agency for Workforce
4314 Innovation may be submitted as part of the plan. Upon review,
4315 the agency ~~for Workforce Innovation~~ may grant the proposed
4316 modification.

4317 5. Persons with an early childhood teaching certificate may
4318 provide support and supervision to other staff in the school
4319 readiness program.

4320 6. An early learning coalition may not implement its school
4321 readiness plan until it submits the plan to and receives

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4322 approval from the Agency for Workforce Innovation. Once the plan
4323 is approved, the plan and the services provided under the plan
4324 shall be controlled by the early learning coalition. The plan
4325 shall be reviewed and revised as necessary, but at least
4326 biennially. An early learning coalition may not implement the
4327 revisions until the coalition submits the revised plan to and
4328 receives approval from the agency ~~for Workforce Innovation~~. If
4329 the agency ~~for Workforce Innovation~~ rejects a revised plan, the
4330 coalition must continue to operate under its prior approved
4331 plan.

4332 7. Sections 125.901(2)(a)3., ~~411.221~~, and 411.232 do not
4333 apply to an early learning coalition with an approved school
4334 readiness plan. To facilitate innovative practices and to allow
4335 the regional establishment of school readiness programs, an
4336 early learning coalition may apply to the Governor and Cabinet
4337 for a waiver of, and the Governor and Cabinet may waive, any of
4338 the provisions of ss. 411.223, 411.232, and 1003.54, if the
4339 waiver is necessary for implementation of the coalition's school
4340 readiness plan.

4341 8. Two or more counties may join for purposes of planning
4342 and implementing a school readiness program.

4343 9. An early learning coalition may, subject to approval by
4344 the Agency for Workforce Innovation as part of the coalition's
4345 school readiness plan, receive subsidized child care funds for
4346 all children eligible for any federal subsidized child care
4347 program.

4348 10. An early learning coalition may enter into multiparty
4349 contracts with multicounty service providers in order to meet
4350 the needs of unique populations such as migrant workers.

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4351 Section 204. Paragraph (a) of subsection (3) of section
4352 411.232, Florida Statutes, is amended to read:

4353 411.232 Children's Early Investment Program.—

4354 (3) ESSENTIAL ELEMENTS.—

4355 (a) Initially, the program shall be directed to geographic
4356 areas where at-risk young children and their families are in
4357 greatest need because of an unfavorable combination of economic,
4358 social, environmental, and health factors, including, without
4359 limitation, extensive poverty, high crime rate, great incidence
4360 of low birthweight babies, high incidence of alcohol and drug
4361 abuse, and high rates of teenage pregnancy. The selection of a
4362 geographic site must ~~shall~~ also consider the incidence of young
4363 children within these at-risk geographic areas who are cocaine
4364 babies, children of single mothers who receive temporary cash
4365 assistance, children of teenage parents, low birthweight babies,
4366 and very young foster children. To receive funding under this
4367 section, an agency, board, council, or provider must
4368 demonstrate:

4369 1. Its capacity to administer and coordinate the programs
4370 and services in a comprehensive manner and provide a flexible
4371 range of services;

4372 2. Its capacity to identify and serve those children least
4373 able to access existing programs and case management services;

4374 3. Its capacity to administer and coordinate the programs
4375 and services in an intensive and continuous manner;

4376 4. The proximity of its facilities to young children,
4377 parents, and other family members to be served by the program,
4378 or its ability to provide offsite services;

4379 5. Its ability to use existing federal, state, and local

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4380 governmental programs and services in implementing the
4381 investment program;

4382 6. Its ability to coordinate activities and services with
4383 existing public and private, state and local agencies and
4384 programs such as those responsible for health, education, social
4385 support, mental health, child care, respite care, housing,
4386 transportation, alcohol and drug abuse treatment and prevention,
4387 income assistance, employment training and placement, nutrition,
4388 and other relevant services, all the foregoing intended to
4389 assist children and families at risk;

4390 7. How its plan will involve project participants and
4391 community representatives in the planning and operation of the
4392 investment program; and

4393 8. Its ability to participate in the evaluation component
4394 required in this section. ~~;~~ and

4395 ~~9. Its consistency with the strategic plan pursuant to s.~~
4396 ~~411.221.~~

4397 Section 205. Paragraph (a) of subsection (6) of section
4398 445.006, Florida Statutes, is amended to read:

4399 445.006 Strategic and operational plans for workforce
4400 development.—

4401 (6) (a) The operational plan must include strategies that
4402 are designed to prevent or reduce the need for a person to
4403 receive public assistance, including. ~~These strategies must~~
4404 ~~include:~~

4405 1. A teen pregnancy prevention component that includes, but
4406 is not limited to, a plan for implementing ~~the Florida Education~~
4407 ~~Now and Babies Later (ENABL) program under s. 411.242 and the~~
4408 Teen Pregnancy Prevention Community Initiative within each

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4409 county of the services area in which the teen birth rate is
4410 higher than the state average;

4411 2. A component that encourages ~~creation of~~ community-based
4412 welfare prevention and reduction initiatives that increase
4413 support provided by noncustodial parents to their welfare-
4414 dependent children and are consistent with program and financial
4415 guidelines developed by Workforce Florida, Inc., and the
4416 Commission on Responsible Fatherhood. These initiatives may
4417 include, but are not limited to, improved paternity
4418 establishment, work activities for noncustodial parents,
4419 programs aimed at decreasing out-of-wedlock pregnancies,
4420 encouraging involvement of fathers with their children including
4421 court-ordered supervised visitation, and increasing child
4422 support payments;

4423 3. A component that encourages formation and maintenance of
4424 two-parent families through, among other things, court-ordered
4425 supervised visitation;

4426 4. A component that fosters responsible fatherhood in
4427 families receiving assistance; and

4428 5. A component that fosters provision of services that
4429 reduce the incidence and effects of domestic violence on women
4430 and children in families receiving assistance.

4431 Section 206. Subsections (24), (25), and (26) of section
4432 1001.42, Florida Statutes, are amended to read:

4433 1001.42 Powers and duties of district school board.—The
4434 district school board, acting as a board, shall exercise all
4435 powers and perform all duties listed below:

4436 ~~(24) REDUCE PAPERWORK AND DATA COLLECTION AND REPORTING~~
4437 ~~REQUIREMENTS. Beginning with the 2006-2007 school year:~~

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4438 ~~(a) Each district school board shall designate a classroom~~
4439 ~~teacher to serve as the teacher representative to speak on~~
4440 ~~behalf of the district's teachers regarding paperwork and data~~
4441 ~~collection reduction.~~

4442 ~~(b) Each district school board must provide the school~~
4443 ~~community with an efficient method for the school community to~~
4444 ~~communicate with the classroom teacher designee regarding~~
4445 ~~possible paperwork and data collection burdens and potential~~
4446 ~~solutions.~~

4447 ~~(c) The teacher designee shall annually report his or her~~
4448 ~~findings and potential solutions to the school board.~~

4449 ~~(d) Each district school board must submit its findings and~~
4450 ~~potential solutions to the State Board of Education by September~~
4451 ~~1 of each year.~~

4452 ~~(e) The State Board of Education shall prepare a report of~~
4453 ~~the statewide paperwork and data collection findings and~~
4454 ~~potential solutions and submit the report to the Governor, the~~
4455 ~~President of the Senate, and the Speaker of the House of~~
4456 ~~Representatives by October 1 of each year.~~

4457 (24) ~~(25)~~ EMPLOYMENT CONTRACTS.— A district school board may
4458 not enter into an employment contract that requires the district
4459 to pay from state funds an employee an amount in excess of 1
4460 year of the employee's annual salary for termination, buyout, or
4461 any other type of contract settlement. This subsection does not
4462 prohibit the payment of earned leave and benefits in accordance
4463 with the district's leave and benefits policies which were
4464 accrued by the employee before the contract terminates.

4465 (25) ~~(26)~~ ADOPT RULES.— Adopt rules pursuant to ss.
4466 120.536(1) and 120.54 to implement this section.

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4467 Section 207. Present paragraph (c) of subsection (3) of
4468 section 1008.31, Florida Statutes, is redesignated as paragraph
4469 (e), and new paragraphs (c) and (d) are added to that
4470 subsection, to read:

4471 1008.31 Florida's K-20 education performance accountability
4472 system; legislative intent; mission, goals, and systemwide
4473 measures; data quality improvements.—

4474 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
4475 data required to implement education performance accountability
4476 measures in state and federal law, the Commissioner of Education
4477 shall initiate and maintain strategies to improve data quality
4478 and timeliness. All data collected from state universities
4479 shall, as determined by the commissioner, be integrated into the
4480 K-20 data warehouse. The commissioner shall have unlimited
4481 access to such data solely for the purposes of conducting
4482 studies, reporting annual and longitudinal student outcomes, and
4483 improving college readiness and articulation. All public
4484 educational institutions shall provide data to the K-20 data
4485 warehouse in a format specified by the commissioner.

4486 (c) The commissioner shall continuously monitor and review
4487 the collection of paperwork, data, and reports by school
4488 districts and complete an annual review of such collection no
4489 later than June 1 of each year. The annual review must include
4490 recommendations for consolidating paperwork, data, and reports,
4491 wherever feasible, in order to reduce the burdens on school
4492 districts.

4493 (d) By July 1 of each year, the commissioner shall prepare
4494 a report assisting the school districts in eliminating or
4495 consolidating paperwork, data, and reports by providing

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4496 suggestions, technical assistance, and guidance.

4497 Section 208. This act shall take effect upon becoming a

4498 law.