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1  
2 An act relating to joint legislative organizations;  
3 repealing ss. 11.511 and 11.513, F.S., relating to the  
4 Office of Program Policy Analysis and Government  
5 Accountability; repealing s. 11.60, F.S., relating to  
6 the Joint Administrative Procedures Committee;  
7 repealing s. 11.70, F.S., relating to the Legislative  
8 Committee on Intergovernmental Relations; repealing s.  
9 11.80, F.S., relating to the Joint Legislative  
10 Committee on Everglades Oversight; repealing ss.  
11 11.901-11.920, F.S., relating to the Florida  
12 Government Accountability Act; repealing s.  
13 163.3247(4)(g), F.S., relating to creation of a joint  
14 select committee to review the findings and  
15 recommendations of the Century Commission for a  
16 Sustainable Florida for potential action; repealing  
17 ss. 216.0446, 216.163(2)(f), and 282.322, F.S.,  
18 relating to the review of information technology  
19 resources needs and a special monitoring process for  
20 designated information resources management projects;  
21 repealing s. 350.012, F.S., relating to the Committee  
22 on Public Counsel Oversight; repealing ss. 450.201,  
23 450.221, 450.231, and 450.241, F.S., relating to the  
24 Legislative Commission on Migrant and Seasonal Labor;  
25 amending s. 1.01, F.S.; defining the terms  
26 "Administrative Procedures Committee," "Legislative  
27 Auditing Committee," "Office of Program Policy  
28 Analysis and Government Accountability," and "Office  
29 of Economic and Demographic Research," applicable

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30 throughout the statutes; amending s. 11.147, F.S.;

31 revising provisions relating to creation and duties of

32 the Office of Legislative Services; amending s. 11.40,

33 F.S.; revising duties of the Legislative Auditing

34 Committee; conforming provisions to changes made by

35 the act; amending s. 11.51, F.S.; revising provisions

36 relating to creation and duties of the Office of

37 Program Policy Analysis and Government Accountability;

38 amending s. 409.146, F.S.; revising reporting duties

39 of the Department of Children and Family Services with

40 respect to the children and families client and

41 management information system; conforming provisions

42 to changes made by the act; amending s. 1000.01, F.S.;

43 deleting provisions relating to creation of the

44 Council for Education Policy Research and Improvement;

45 amending ss. 11.45, 29.0085, 112.313, 112.3189,

46 112.324, 125.045, 163.055, 163.3245, 166.021, 189.421,

47 216.181, 218.32, 218.38, 287.0943, 288.7001, 350.061,

48 350.0614, 373.026, 373.036, 373.45926, 450.261, and

49 590.33, F.S.; conforming provisions to changes made by

50 the act; providing an effective date.

51

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

53

54 Section 1. Sections 11.511 and 11.513, Florida Statutes,

55 are repealed.

56 Section 2. Section 11.60, Florida Statutes, is repealed.

57 Section 3. Section 11.70, Florida Statutes, is repealed.

58 Section 4. Section 11.80, Florida Statutes, is repealed.

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59           Section 5. Sections 11.901, 11.902, 11.903, 11.904, 11.905,  
60 11.9055, 11.906, 11.907, 11.908, 11.910, 11.911, 11.917, 11.918,  
61 11.919, and 11.920, Florida Statutes, are repealed.

62           Section 6. Paragraph (g) of subsection (4) of section  
63 163.3247, Florida Statutes, is repealed.

64           Section 7. Section 216.0446, paragraph (f) of subsection  
65 (2) of section 216.163, and section 282.322, Florida Statutes,  
66 are repealed.

67           Section 8. Section 350.012, Florida Statutes, is repealed.

68           Section 9. Sections 450.201, 450.221, 450.231, and 450.241,  
69 Florida Statutes, are repealed.

70           Section 10. Subsections (16) through (19) are added to  
71 section 1.01, Florida Statutes, to read:

72           1.01 Definitions.—In construing these statutes and each and  
73 every word, phrase, or part hereof, where the context will  
74 permit:

75           (16) The term "Administrative Procedures Committee" means a  
76 committee designated by joint rule of the Legislature or by  
77 agreement between the President of the Senate and the Speaker of  
78 the House of Representatives.

79           (17) The term "Legislative Auditing Committee" means a  
80 committee or committees designated by joint rule of the  
81 Legislature, by the President of the Senate or the Speaker of  
82 the House of Representatives, or by agreement between the  
83 President of the Senate and the Speaker of the House of  
84 Representatives.

85           (18) The term "Office of Program Policy Analysis and  
86 Government Accountability" means an entity designated by joint  
87 rule of the Legislature or by agreement between the President of

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88 the Senate and the Speaker of the House of Representatives.

89 (19) The term "Office of Economic and Demographic Research"  
90 means an entity designated by joint rule of the Legislature or  
91 by agreement between the President of the Senate and the Speaker  
92 of the House of Representatives.

93 Section 11. Section 11.147, Florida Statutes, is amended to  
94 read:

95 11.147 Office of Legislative Services.—

96 (1) ~~There is created~~ The Office of Legislative Services,  
97 designated as such by joint rule of the Legislature or by  
98 agreement between the President of the Senate and the Speaker of  
99 the House of Representatives, shall ~~to~~ provide support services  
100 that are determined by the President of the Senate and the  
101 Speaker of the House of Representatives to be necessary and that  
102 can be effectively and efficiently provided jointly to both  
103 houses.

104 (2) ~~The President of the Senate and the Speaker of the~~  
105 ~~House of Representatives may select a coordinator for the Office~~  
106 ~~of Legislative Services, who shall report directly to the~~  
107 ~~President of the Senate and the Speaker of the House of~~  
108 ~~Representatives or their respective designees.~~

109 ~~(3)~~ The joint committees and other joint units of the  
110 Legislature shall be governed by joint rules of the Senate and  
111 House of Representatives ~~which shall remain in effect until~~  
112 ~~repealed or amended by concurrent resolution.~~

113 (3) ~~(4)~~ The Office of Legislative Services shall deliver  
114 such vouchers covering legislative expenses as required to the  
115 Chief Financial Officer and, if found to be correct, state  
116 warrants shall be issued therefor.

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117 Section 12. Section 11.40, Florida Statutes, is amended to  
118 read:

119 11.40 Legislative Auditing Committee.—

120 ~~(1) There is created a standing joint committee of the~~  
121 ~~Legislature designated the Legislative Auditing Committee,~~  
122 ~~composed of 10 members as follows: 5 members of the Senate, to~~  
123 ~~be appointed by the President of the Senate, and 5 members of~~  
124 ~~the House of Representatives, to be appointed by the Speaker of~~  
125 ~~the House of Representatives. The terms of members shall be for~~  
126 ~~2 years and shall run from the organization of one Legislature~~  
127 ~~to the organization of the next Legislature. Vacancies occurring~~  
128 ~~during the interim period shall be filled in the same manner as~~  
129 ~~the original appointment. The members of the committee shall~~  
130 ~~elect a chair and vice chair. During the 2-year term, a member~~  
131 ~~of each house shall serve as chair for 1 year.~~

132 ~~(2) The committee shall be governed by joint rules of the~~  
133 ~~Senate and House of Representatives which shall remain in effect~~  
134 ~~until repealed or amended by concurrent resolution.~~

135 ~~(3) The Legislative Auditing Committee may direct the~~  
136 ~~Auditor General or the Office of Program Policy Analysis and~~  
137 ~~Government Accountability to conduct an audit, review, or~~  
138 ~~examination of any entity or record described in s. 11.45(2) or~~  
139 ~~(3).~~

140 (1)(4) The Legislative Auditing Committee:

141 ~~(a)~~ may take under investigation any matter within the  
142 scope of an audit, review, or examination either completed or  
143 then being conducted by the Auditor General or the Office of  
144 Program Policy Analysis and Government Accountability, and, in  
145 connection with such investigation, may exercise the powers of

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146 subpoena by law vested in a standing committee of the  
147 Legislature.

148 ~~(b) Shall provide oversight and management of the website~~  
149 ~~developed pursuant to s. 215.985.~~

150 (2)~~(5)~~ Following notification by the Auditor General, the  
151 Department of Financial Services, or the Division of Bond  
152 Finance of the State Board of Administration of the failure of a  
153 local governmental entity, district school board, charter  
154 school, or charter technical career center to comply with the  
155 applicable provisions within s. 11.45(5)-(7), s. 218.32(1), or  
156 s. 218.38, the Legislative Auditing Committee may schedule a  
157 hearing to. ~~If a hearing is scheduled, the committee shall~~  
158 ~~determine if the entity should be subject to further state~~  
159 ~~action. If the committee determines that the entity should be~~  
160 ~~subject to further state action, the committee shall:~~

161 (a) In the case of a local governmental entity or district  
162 school board, direct the Department of Revenue and the  
163 Department of Financial Services to withhold any funds not  
164 pledged for bond debt service satisfaction which are payable to  
165 such entity until the entity complies with the law. The  
166 committee shall specify the date such action shall begin, and  
167 the directive must be received by the Department of Revenue and  
168 the Department of Financial Services 30 days before the date of  
169 the distribution mandated by law. The Department of Revenue and  
170 the Department of Financial Services may implement the  
171 provisions of this paragraph.

172 (b) In the case of a special district, notify the  
173 Department of Community Affairs that the special district has  
174 failed to comply with the law. Upon receipt of notification, the

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175 Department of Community Affairs shall proceed pursuant to the  
176 provisions specified in s. 189.421.

177 (c) In the case of a charter school or charter technical  
178 career center, notify the appropriate sponsoring entity, which  
179 may terminate the charter pursuant to ss. 1002.33 and 1002.34.

180 (3) ~~(6)~~ (a) As used in this subsection, "independent contract  
181 auditor" means a state-licensed certified public accountant or  
182 firm with which a state-licensed certified public accountant is  
183 currently employed or associated who is actively engaged in the  
184 accounting profession.

185 (b) Audits specified in this subsection cover the quarterly  
186 compensation reports for the previous calendar year for a random  
187 sample of 3 percent of all legislative branch lobbying firms and  
188 a random sample of 3 percent of all executive branch lobbying  
189 firms calculated using as the total number of such lobbying  
190 firms those filing a compensation report for the preceding  
191 calendar year. The committee shall provide for a system of  
192 random selection of the lobbying firms to be audited.

193 (c) The committee shall create and maintain a list of not  
194 less than 10 independent contract auditors approved to conduct  
195 the required audits. Each lobbying firm selected for audit in  
196 the random audit process may designate one of the independent  
197 contract auditors from the committee's approved list. Upon  
198 failure for any reason of a lobbying firm selected in the random  
199 selection process to designate an independent contract auditor  
200 from the committee's list within 30 calendar days after being  
201 notified by the committee of its selection, the committee shall  
202 assign one of the available independent contract auditors from  
203 the approved list to perform the required audit. No independent

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204 contract auditor, whether designated by the lobbying firm or by  
205 the committee, may perform the audit of a lobbying firm where  
206 the auditor and lobbying firm have ever had a direct personal  
207 relationship or any professional accounting, auditing, tax  
208 advisory, or tax preparing relationship with each other. The  
209 committee shall obtain a written, sworn certification subject to  
210 s. 837.06, both from the randomly selected lobbying firm and  
211 from the proposed independent contract auditor, that no such  
212 relationship has ever existed.

213 (d) Each independent contract auditor shall be engaged by  
214 and compensated solely by the state for the work performed in  
215 accomplishing an audit under this subsection.

216 (e) Any violations of law, deficiencies, or material  
217 misstatements discovered and noted in an audit report shall be  
218 clearly identified in the audit report and be determined under  
219 the rules of either house of the Legislature or under the joint  
220 rules, as applicable.

221 (f) If any lobbying firm fails to give full, frank, and  
222 prompt cooperation and access to books, records, and associated  
223 backup documents as requested in writing by the auditor, that  
224 failure shall be clearly noted by the independent contract  
225 auditor in the report of audit.

226 (g) The committee shall establish procedures for the  
227 selection of independent contract auditors desiring to enter  
228 into audit contracts pursuant to this subsection. Such  
229 procedures shall include, but not be limited to, a rating system  
230 that takes into account pertinent information, including the  
231 independent contract auditor's fee proposals for participating  
232 in the process. All contracts under this subsection between an



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233 independent contract auditor and the Speaker of the House of  
234 Representatives and the President of the Senate shall be  
235 terminable by either party at any time upon written notice to  
236 the other, and such contracts may contain such other terms and  
237 conditions as the Speaker of the House of Representatives and  
238 the President of the Senate deem appropriate under the  
239 circumstances.

240 (h) The committee shall adopt guidelines that govern random  
241 audits and field investigations conducted pursuant to this  
242 subsection. The guidelines shall ensure that similarly situated  
243 compensation reports are audited in a uniform manner. The  
244 guidelines shall also be formulated to encourage compliance and  
245 detect violations of the legislative and executive lobbying  
246 compensation reporting requirements in ss. 11.045 and 112.3215  
247 and to ensure that each audit is conducted with maximum  
248 efficiency in a cost-effective manner. In adopting the  
249 guidelines, the committee shall consider relevant guidelines and  
250 standards of the American Institute of Certified Public  
251 Accountants to the extent that such guidelines and standards are  
252 applicable and consistent with the purposes set forth in this  
253 subsection.

254 (i) All audit reports of legislative lobbying firms shall,  
255 upon completion by an independent contract auditor, be delivered  
256 to the President of the Senate and the Speaker of the House of  
257 Representatives for their respective review and handling. All  
258 audit reports of executive branch lobbyists, upon completion by  
259 an independent contract auditor, shall be delivered by the  
260 auditor to the Commission on Ethics.

261 Section 13. Subsections (1) and (6) and paragraphs (a),

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262 (b), and (d) of subsection (7) of section 11.45, Florida  
263 Statutes, are amended to read:

264 11.45 DEFINITIONS; duties; authorities; reports; rules.—

265 (1) DEFINITIONS.—As used in ss. 11.40-11.511 ~~11.40-11.513~~,  
266 the term:

267 (a) "Audit" means a financial audit, operational audit, or  
268 performance audit.

269 (b) "County agency" means a board of county commissioners  
270 or other legislative and governing body of a county, however  
271 styled, including that of a consolidated or metropolitan  
272 government, a clerk of the circuit court, a separate or ex  
273 officio clerk of the county court, a sheriff, a property  
274 appraiser, a tax collector, a supervisor of elections, or any  
275 other officer in whom any portion of the fiscal duties of the  
276 above are under law separately placed.

277 (c) "Financial audit" means an examination of financial  
278 statements in order to express an opinion on the fairness with  
279 which they are presented in conformity with generally accepted  
280 accounting principles and an examination to determine whether  
281 operations are properly conducted in accordance with legal and  
282 regulatory requirements. Financial audits must be conducted in  
283 accordance with generally accepted auditing standards and  
284 government auditing standards as adopted by the Board of  
285 Accountancy.

286 (d) "Governmental entity" means a state agency, a county  
287 agency, or any other entity, however styled, that independently  
288 exercises any type of state or local governmental function.

289 (e) "Local governmental entity" means a county agency,  
290 municipality, or special district as defined in s. 189.403, but

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291 does not include any housing authority established under chapter  
292 421.

293 (f) "Management letter" means a statement of the auditor's  
294 comments and recommendations.

295 (g) "Operational audit" means a financial-related audit  
296 whose purpose is to evaluate management's performance in  
297 administering assigned responsibilities in accordance with  
298 applicable laws, administrative rules, and other guidelines and  
299 to determine the extent to which the internal control, as  
300 designed and placed in operation, promotes and encourages the  
301 achievement of management's control objectives in the categories  
302 of compliance, economic and efficient operations, reliability of  
303 financial records and reports, and safeguarding of assets.

304 (h) "Performance audit" means an examination of a program,  
305 activity, or function of a governmental entity, conducted in  
306 accordance with applicable government auditing standards or  
307 auditing and evaluation standards of other appropriate  
308 authoritative bodies. The term includes an examination of issues  
309 related to:

310 1. Economy, efficiency, or effectiveness of the program.

311 2. Structure or design of the program to accomplish its  
312 goals and objectives.

313 3. Adequacy of the program to meet the needs identified by  
314 the Legislature or governing body.

315 4. Alternative methods of providing program services or  
316 products.

317 5. Goals, objectives, and performance measures used by the  
318 agency to monitor and report program accomplishments.

319 6. The accuracy or adequacy of public documents, reports,

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320 or requests prepared under the program by state agencies.

321 7. Compliance of the program with appropriate policies,  
322 rules, or laws.

323 8. Any other issues related to governmental entities as  
324 directed by the Legislative Auditing Committee.

325 (i) "Political subdivision" means a separate agency or unit  
326 of local government created or established by law and includes,  
327 but is not limited to, the following and the officers thereof:  
328 authority, board, branch, bureau, city, commission, consolidated  
329 government, county, department, district, institution,  
330 metropolitan government, municipality, office, officer, public  
331 corporation, town, or village.

332 (j) "State agency" means a separate agency or unit of state  
333 government created or established by law and includes, but is  
334 not limited to, the following and the officers thereof:  
335 authority, board, branch, bureau, commission, department,  
336 division, institution, office, officer, or public corporation,  
337 as the case may be, except any such agency or unit within the  
338 legislative branch of state government other than the Florida  
339 Public Service Commission.

340 (6) REQUEST BY A LOCAL GOVERNMENTAL ENTITY FOR AN AUDIT BY  
341 THE AUDITOR GENERAL.—Whenever a local governmental entity  
342 requests the Auditor General to conduct an audit of all or part  
343 of its operations and the Auditor General conducts the audit  
344 under his or her own authority or at the direction of the  
345 Legislative Auditing Committee, the expenses of the audit shall  
346 be paid by the local governmental entity. The Auditor General  
347 shall estimate the cost of the audit. Fifty percent of the cost  
348 estimate shall be paid by the local governmental entity before

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349 the initiation of the audit and deposited into the General  
350 Revenue Fund of the state. After the completion of the audit,  
351 the Auditor General shall notify the local governmental entity  
352 of the actual cost of the audit. The local governmental entity  
353 shall remit the remainder of the cost of the audit to the  
354 Auditor General for deposit into the General Revenue Fund of the  
355 state. If the local governmental entity fails to comply with  
356 paying the remaining cost of the audit, the Auditor General  
357 shall notify the Legislative Auditing Committee. ~~The committee~~  
358 ~~shall proceed in accordance with s. 11.40(5).~~

359 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

360 (a) The Auditor General shall notify the Legislative  
361 Auditing Committee of any local governmental entity, district  
362 school board, charter school, or charter technical career center  
363 that does not comply with the reporting requirements of s.  
364 218.39. ~~The committee shall proceed in accordance with s.~~  
365 ~~11.40(5).~~

366 (b) The Auditor General, in consultation with the Board of  
367 Accountancy, shall review all audit reports submitted pursuant  
368 to s. 218.39. The Auditor General shall request any significant  
369 items that were omitted in violation of a rule adopted by the  
370 Auditor General. The items must be provided within 45 days after  
371 the date of the request. If the governmental entity does not  
372 comply with the Auditor General's request, the Auditor General  
373 shall notify the Legislative Auditing Committee. ~~The committee~~  
374 ~~shall proceed in accordance with s. 11.40(5).~~

375 (d) During the Auditor General's review of audit reports,  
376 he or she shall contact those units of local government, as  
377 defined in s. 218.403, that are not in compliance with s.

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378 218.415 and request evidence of corrective action. The unit of  
379 local government shall provide the Auditor General with evidence  
380 of corrective action within 45 days after the date it is  
381 requested by the Auditor General. If the unit of local  
382 government fails to comply with the Auditor General's request,  
383 the Auditor General shall notify the Legislative Auditing  
384 Committee. ~~The committee shall proceed in accordance with s.~~  
385 ~~11.40(5).~~

386 Section 14. Section 11.51, Florida Statutes, is amended to  
387 read:

388 11.51 Office of Program Policy Analysis and Government  
389 Accountability.—

390 ~~(1) There is hereby created the Office of Program Policy~~  
391 ~~Analysis and Government Accountability as a unit of the Office~~  
392 ~~of the Auditor General appointed pursuant to s. 11.42. The~~  
393 ~~office shall perform independent examinations, program reviews,~~  
394 ~~and other projects as provided by general law, as provided by~~  
395 ~~concurrent resolution, or as directed by the Legislative~~  
396 ~~Auditing Committee, and shall provide recommendations, training,~~  
397 ~~or other services to assist the Legislature.~~

398 ~~(2) The Office of Program Policy Analysis and Government~~  
399 ~~Accountability is independent of the Auditor General appointed~~  
400 ~~pursuant to s. 11.42 for purposes of general policies~~  
401 ~~established by the Legislative Auditing Committee.~~

402 ~~(3) The Office of Program Policy Analysis and Government~~  
403 ~~Accountability shall maintain a schedule of examinations of~~  
404 ~~state programs.~~

405 (1)(4) The Office of Program Policy Analysis and Government  
406 Accountability is authorized to examine all entities and records

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407 listed in s. 11.45(3).

408       (2)~~(5)~~ At the conclusion of an examination, the designated  
409 representative of ~~the director of~~ the Office of Program Policy  
410 Analysis and Government Accountability shall discuss the  
411 examination with the official whose office is examined and  
412 submit to that official the Office of Program Policy Analysis  
413 and Government Accountability's preliminary findings. If the  
414 official is not available for receipt of the preliminary  
415 findings, clearly designated as such, delivery thereof is  
416 presumed to be made when it is delivered to his or her office.  
417 Whenever necessary, the Office of Program Policy Analysis and  
418 Government Accountability may request the official to submit his  
419 or her written statement of explanation or rebuttal within 15  
420 days after the receipt of the findings. If the response time is  
421 not requested to be within 15 days, the official shall submit  
422 his or her response within 30 days after receipt of the  
423 preliminary findings.

424       (3)~~(6)~~ No later than 18 months after the release of a  
425 report of the Office of Program Policy Analysis and Government  
426 Accountability, the agencies that are the subject of that report  
427 shall provide data and other information that describes with  
428 specificity what the agencies have done to respond to the  
429 recommendations contained in the report. The Office of Program  
430 Policy Analysis and Government Accountability may verify the  
431 data and information provided by the agencies. If the data and  
432 information provided by the agencies are deemed sufficient and  
433 accurate, the Office of Program Policy Analysis and Government  
434 Accountability shall report to the Legislative Auditing  
435 Committee and to the legislative standing committees concerned

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436 with the subject areas of the audit. The report shall include a  
437 summary of the agencies' responses, the evaluation of those  
438 responses, and any recommendations deemed to be appropriate.

439 Section 15. Subsection (1) of section 29.0085, Florida  
440 Statutes, is amended to read:

441 29.0085 Annual statement of certain revenues and  
442 expenditures.—

443 (1) Each county shall submit annually to the Chief  
444 Financial Officer a statement of revenues and expenditures as  
445 set forth in this section in the form and manner prescribed by  
446 the Chief Financial Officer in consultation with the President  
447 of the Senate and the Speaker of the House of Representatives  
448 ~~Legislative Committee on Intergovernmental Relations~~, provided  
449 that such statement identify total county expenditures on each  
450 of the services outlined in s. 29.008.

451 Section 16. Paragraph (a) of subsection (9) of section  
452 112.313, Florida Statutes, is amended to read:

453 112.313 Standards of conduct for public officers, employees  
454 of agencies, and local government attorneys.—

455 (9) POSTEMPLOYMENT RESTRICTIONS; STANDARDS OF CONDUCT FOR  
456 LEGISLATORS AND LEGISLATIVE EMPLOYEES.—

457 (a)1. It is the intent of the Legislature to implement by  
458 statute the provisions of s. 8(e), Art. II of the State  
459 Constitution relating to legislators, statewide elected  
460 officers, appointed state officers, and designated public  
461 employees.

462 2. As used in this paragraph:

463 a. "Employee" means:

464 (I) Any person employed in the executive or legislative



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465 branch of government holding a position in the Senior Management  
466 Service as defined in s. 110.402 or any person holding a  
467 position in the Selected Exempt Service as defined in s. 110.602  
468 or any person having authority over policy or procurement  
469 employed by the Department of the Lottery.

470 (II) The Auditor General, the director of the Office of  
471 Program Policy Analysis and Government Accountability, the  
472 Sergeant at Arms and Secretary of the Senate, and the Sergeant  
473 at Arms and Clerk of the House of Representatives.

474 (III) The executive director ~~of the Legislative Committee~~  
475 ~~on Intergovernmental Relations and the executive director~~ and  
476 deputy executive director of the Commission on Ethics.

477 (IV) An executive director, staff director, or deputy staff  
478 director of each joint committee, standing committee, or select  
479 committee of the Legislature; an executive director, staff  
480 director, executive assistant, analyst, or attorney of the  
481 Office of the President of the Senate, the Office of the Speaker  
482 of the House of Representatives, the Senate Majority Party  
483 Office, Senate Minority Party Office, House Majority Party  
484 Office, or House Minority Party Office; or any person, hired on  
485 a contractual basis, having the power normally conferred upon  
486 such persons, by whatever title.

487 (V) The Chancellor and Vice Chancellors of the State  
488 University System; the general counsel to the Board of Governors  
489 of the State University System; and the president, provost, vice  
490 presidents, and deans of each state university.

491 (VI) Any person, including an other-personal-services  
492 employee, having the power normally conferred upon the positions  
493 referenced in this sub-subparagraph.

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494           b. "Appointed state officer" means any member of an  
495 appointive board, commission, committee, council, or authority  
496 of the executive or legislative branch of state government whose  
497 powers, jurisdiction, and authority are not solely advisory and  
498 include the final determination or adjudication of any personal  
499 or property rights, duties, or obligations, other than those  
500 relative to its internal operations.

501           c. "State agency" means an entity of the legislative,  
502 executive, or judicial branch of state government over which the  
503 Legislature exercises plenary budgetary and statutory control.

504           3. No member of the Legislature, appointed state officer,  
505 or statewide elected officer shall personally represent another  
506 person or entity for compensation before the government body or  
507 agency of which the individual was an officer or member for a  
508 period of 2 years following vacation of office. No member of the  
509 Legislature shall personally represent another person or entity  
510 for compensation during his or her term of office before any  
511 state agency other than judicial tribunals or in settlement  
512 negotiations after the filing of a lawsuit.

513           4. An agency employee, including an agency employee who was  
514 employed on July 1, 2001, in a Career Service System position  
515 that was transferred to the Selected Exempt Service System under  
516 chapter 2001-43, Laws of Florida, may not personally represent  
517 another person or entity for compensation before the agency with  
518 which he or she was employed for a period of 2 years following  
519 vacation of position, unless employed by another agency of state  
520 government.

521           5. Any person violating this paragraph shall be subject to  
522 the penalties provided in s. 112.317 and a civil penalty of an

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523 amount equal to the compensation which the person receives for  
524 the prohibited conduct.

525 6. This paragraph is not applicable to:

526 a. A person employed by the Legislature or other agency  
527 prior to July 1, 1989;

528 b. A person who was employed by the Legislature or other  
529 agency on July 1, 1989, whether or not the person was a defined  
530 employee on July 1, 1989;

531 c. A person who was a defined employee of the State  
532 University System or the Public Service Commission who held such  
533 employment on December 31, 1994;

534 d. A person who has reached normal retirement age as  
535 defined in s. 121.021(29), and who has retired under the  
536 provisions of chapter 121 by July 1, 1991; or

537 e. Any appointed state officer whose term of office began  
538 before January 1, 1995, unless reappointed to that office on or  
539 after January 1, 1995.

540 Section 17. Paragraph (c) of subsection (9) of section  
541 112.3189, Florida Statutes, is amended to read:

542 112.3189 Investigative procedures upon receipt of whistle-  
543 blower information from certain state employees.-

544 (9)

545 (c) The Chief Inspector General shall transmit any final  
546 report under this section, any comments provided by the  
547 complainant, and any appropriate comments or recommendations by  
548 the Chief Inspector General to the Governor, ~~to~~ the Joint  
549 Legislative Auditing Committee, ~~to~~ the investigating agency, and  
550 ~~to~~ the Chief Financial Officer.

551 Section 18. Subsection (8) of section 112.324, Florida

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552 Statutes, is amended to read:

553 112.324 Procedures on complaints of violations; public  
554 records and meeting exemptions.—

555 (8) If, in cases pertaining to complaints other than  
556 complaints against impeachable officers or members of the  
557 Legislature, upon completion of a full and final investigation  
558 by the commission, the commission finds that there has been a  
559 violation of this part or of s. 8, Art. II of the State  
560 Constitution, it shall be the duty of the commission to report  
561 its findings and recommend appropriate action to the proper  
562 disciplinary official or body as follows, and such official or  
563 body shall have the power to invoke the penalty provisions of  
564 this part, including the power to order the appropriate  
565 elections official to remove a candidate from the ballot for a  
566 violation of s. 112.3145 or s. 8(a) and (i), Art. II of the  
567 State Constitution:

568 (a) The President of the Senate and the Speaker of the  
569 House of Representatives, jointly, in any case concerning the  
570 Public Counsel, members of the Public Service Commission,  
571 members of the Public Service Commission Nominating Council, the  
572 Auditor General, or the director of the Office of Program Policy  
573 Analysis and Government Accountability, ~~or members of the~~  
574 ~~Legislative Committee on Intergovernmental Relations.~~

575 (b) The Supreme Court, in any case concerning an employee  
576 of the judicial branch.

577 (c) The President of the Senate, in any case concerning an  
578 employee of the Senate; the Speaker of the House of  
579 Representatives, in any case concerning an employee of the House  
580 of Representatives; or the President and the Speaker, jointly,

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581 in any case concerning an employee of a committee of the  
582 Legislature whose members are appointed solely by the President  
583 and the Speaker or in any case concerning an employee of the  
584 Public Counsel, Public Service Commission, Auditor General, or  
585 Office of Program Policy Analysis and Government Accountability,  
586 ~~or Legislative Committee on Intergovernmental Relations.~~

587 (d) Except as otherwise provided by this part, the  
588 Governor, in the case of any other public officer, public  
589 employee, former public officer or public employee, candidate or  
590 former candidate, or person who is not a public officer or  
591 employee, other than lobbyists and lobbying firms under s.  
592 112.3215 for violations of s. 112.3215.

593 (e) The President of the Senate or the Speaker of the House  
594 of Representatives, whichever is applicable, in any case  
595 concerning a former member of the Legislature who has violated a  
596 provision applicable to former members or whose violation  
597 occurred while a member of the Legislature.

598 Section 19. Subsections (4) and (5) of section 125.045,  
599 Florida Statutes, are amended to read:

600 125.045 County economic development powers.—

601 (4) A contract between the governing body of a county or  
602 other entity engaged in economic development activities on  
603 behalf of the county and an economic development agency must  
604 require the agency or entity receiving county funds to submit a  
605 report to the governing body of the county detailing how county  
606 funds were spent and detailing the results of the economic  
607 development agency's or entity's efforts on behalf of the  
608 county. By January 15, 2011, and annually thereafter, the county  
609 must file a copy of the report with the Office of Economic and

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610 ~~Demographic Research Legislative Committee on Intergovernmental~~  
611 ~~Relations or its successor entity~~ and post a copy of the report  
612 on the county's website.

613 (5) (a) By January 15, 2011, and annually thereafter, each  
614 county shall report to the Office of Economic and Demographic  
615 ~~Research Legislative Committee on Intergovernmental Relations or~~  
616 ~~its successor entity~~ the economic development incentives in  
617 excess of \$25,000 given to any business during the county's  
618 previous fiscal year. The Office of Economic and Demographic  
619 ~~Research Legislative Committee on Intergovernmental Relations or~~  
620 ~~its successor entity~~ shall compile the information from the  
621 counties into a report and provide the report to the President  
622 of the Senate and the Speaker of the House of Representatives  
623 ~~the Office of Tourism, Trade, and Economic Development~~. Economic  
624 development incentives include:

625 1. Direct financial incentives of monetary assistance  
626 provided to a business from the county or through an  
627 organization authorized by the county. Such incentives include,  
628 but are not limited to, grants, loans, equity investments, loan  
629 insurance and guarantees, and training subsidies.

630 2. Indirect incentives in the form of grants and loans  
631 provided to businesses and community organizations that provide  
632 support to businesses or promote business investment or  
633 development.

634 3. Fee-based or tax-based incentives, including, but not  
635 limited to, credits, refunds, exemptions, and property tax  
636 abatement or assessment reductions.

637 4. Below-market rate leases or deeds for real property.

638 (b) A county shall report its economic development

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639 incentives in the format specified by the Office of Economic and  
640 Demographic Research ~~Legislative Committee on Intergovernmental~~  
641 ~~Relations or its successor entity.~~

642 (c) The Office of Economic and Demographic Research  
643 ~~Legislative Committee on Intergovernmental Relations or its~~  
644 ~~successor entity~~ shall compile the economic development  
645 incentives provided by each county in a manner that shows the  
646 total of each class of economic development incentives provided  
647 by each county and all counties.

648 Section 20. Subsections (4), (5), (6), and (9) of section  
649 163.055, Florida Statutes, are amended to read:

650 163.055 Local Government Financial Technical Assistance  
651 Program.—

652 (4) The Chief Financial Officer shall enter into contracts  
653 with program providers who shall:

654 (a) Be a public agency or private, nonprofit corporation,  
655 association, or entity.

656 (b) Use existing resources, services, and information that  
657 are available from state or local agencies, universities, or the  
658 private sector.

659 (c) Seek and accept funding from any public or private  
660 source.

661 ~~(d) Annually submit information to assist the Legislative~~  
662 ~~Committee on Intergovernmental Relations in preparing a~~  
663 ~~performance review that will include an analysis of the~~  
664 ~~effectiveness of the program.~~

665 (d)~~(e)~~ Assist municipalities and independent special  
666 districts in developing alternative revenue sources.

667 (e)~~(f)~~ Provide for an annual independent financial audit of

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668 the program, if the program receives funding.

669 (f)~~(g)~~ Provide assistance to municipalities and special  
670 districts in the areas of financial management, accounting,  
671 investing, budgeting, and debt issuance.

672 (g)~~(h)~~ Develop a needs assessment to determine where  
673 assistance should be targeted, and to establish a priority  
674 system to deliver assistance to those jurisdictions most in need  
675 through the most economical means available.

676 (h)~~(i)~~ Provide financial emergency assistance upon  
677 direction from the Executive Office of the Governor pursuant to  
678 s. 218.503.

679 (5) (a) The Chief Financial Officer shall issue a request  
680 for proposals to provide assistance to municipalities and  
681 special districts. ~~At the request of the Chief Financial  
682 Officer, the Legislative Committee on Intergovernmental  
683 Relations shall assist in the preparation of the request for  
684 proposals.~~

685 (b) The Chief Financial Officer shall review each contract  
686 proposal submitted.

687 ~~(c) The Legislative Committee on Intergovernmental  
688 Relations shall review each contract proposal and submit to the  
689 Chief Financial Officer, in writing, advisory comments and  
690 recommendations, citing with specificity the reasons for its  
691 recommendations.~~

692 (c)~~(d)~~ The Chief Financial Officer and the Legislative  
693 Committee on Intergovernmental Relations shall consider the  
694 following factors in reviewing contract proposals:

695 1. The demonstrated capacity of the provider to conduct  
696 needs assessments and implement the program as proposed.



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697           2. The number of municipalities and special districts to be  
698 served under the proposal.

699           3. The cost of the program as specified in a proposed  
700 budget.

701           4. The short-term and long-term benefits of the assistance  
702 to municipalities and special districts.

703           5. The form and extent to which existing resources,  
704 services, and information that are available from state and  
705 local agencies, universities, and the private sector will be  
706 used by the provider under the contract.

707           (6) A decision of the Chief Financial Officer to award a  
708 contract under this section is final and shall be in writing  
709 ~~with a copy provided to the Legislative Committee on~~  
710 ~~Intergovernmental Relations.~~

711           ~~(9) The Legislative Committee on Intergovernmental~~  
712 ~~Relations shall annually conduct a performance review of the~~  
713 ~~program. The findings of the review shall be presented in a~~  
714 ~~report submitted to the Governor, the President of the Senate,~~  
715 ~~the Speaker of the House of Representatives, and the Chief~~  
716 ~~Financial Officer by January 15 of each year.~~

717           Section 21. Subsection (6) of section 163.3245, Florida  
718 Statutes, is amended to read:

719           163.3245 Optional sector plans.—

720           (6) Beginning December 1, 1999, and each year thereafter,  
721 the department shall provide a status report to the President of  
722 the Senate and the Speaker of the House of Representatives  
723 ~~Legislative Committee on Intergovernmental Relations~~ regarding  
724 each optional sector plan authorized under this section.

725           Section 22. Paragraphs (d) and (e) of subsection (9) of

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726 section 166.021, Florida Statutes, are amended to read:

727 166.021 Powers.—

728 (9)

729 (d) A contract between the governing body of a municipality  
730 or other entity engaged in economic development activities on  
731 behalf of the municipality and an economic development agency  
732 must require the agency or entity receiving municipal funds to  
733 submit a report to the governing body of the municipality  
734 detailing how the municipal funds are spent and detailing the  
735 results of the economic development agency's or entity's efforts  
736 on behalf of the municipality. By January 15, 2011, and annually  
737 thereafter, the municipality shall file a copy of the report  
738 with the Office of Economic and Demographic Research ~~Legislative~~  
739 ~~Committee on Intergovernmental Relations or its successor entity~~  
740 and post a copy of the report on the municipality's website.

741 (e)1. By January 15, 2011, and annually thereafter  
742 ~~thereafter~~, each municipality having annual revenues or  
743 expenditures greater than \$250,000 shall report to the Office of  
744 Economic and Demographic Research ~~Legislative Committee on~~  
745 ~~Intergovernmental Relations or its successor entity~~ the economic  
746 development incentives in excess of \$25,000 given to any  
747 business during the municipality's previous fiscal year. The  
748 Office of Economic and Demographic Research ~~Legislative~~  
749 ~~Committee on Intergovernmental Relations or its successor entity~~  
750 shall compile the information from the municipalities into a  
751 report and provide the report to the President of the Senate and  
752 the Speaker of the House of Representatives ~~the Office of~~  
753 ~~Tourism, Trade, and Economic Development~~. Economic development  
754 incentives include:

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755 a. Direct financial incentives of monetary assistance  
756 provided to a business from the municipality or through an  
757 organization authorized by the municipality. Such incentives  
758 include, but are not limited to, grants, loans, equity  
759 investments, loan insurance and guarantees, and training  
760 subsidies.

761 b. Indirect incentives in the form of grants and loans  
762 provided to businesses and community organizations that provide  
763 support to businesses or promote business investment or  
764 development.

765 c. Fee-based or tax-based incentives, including, but not  
766 limited to, credits, refunds, exemptions, and property tax  
767 abatement or assessment reductions.

768 d. Below-market rate leases or deeds for real property.

769 2. A municipality shall report its economic development  
770 incentives in the format specified by the Office of Economic and  
771 Demographic Research ~~Legislative Committee on Intergovernmental~~  
772 ~~Relations or its successor entity~~.

773 3. The Office of Economic and Demographic Research  
774 ~~Legislative Committee on Intergovernmental Relations or its~~  
775 ~~successor entity~~ shall compile the economic development  
776 incentives provided by each municipality in a manner that shows  
777 the total of each class of economic development incentives  
778 provided by each municipality and all municipalities.

779 Section 23. Subsection (3) of section 189.421, Florida  
780 Statutes, is amended to read:

781 189.421 Failure of district to disclose financial reports.—

782 (3) Pursuant to s. 11.40 (2) ~~(5)~~ (b), the Legislative Auditing  
783 Committee shall notify the department of those districts that

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784 failed to file the required report. Within 30 days after  
785 receiving this notice or within 30 days after the extension date  
786 provided in subsection (1), whichever occurs later, the  
787 department shall proceed as follows: notwithstanding the  
788 provisions of chapter 120, the department shall file a petition  
789 for writ of certiorari with the circuit court. Venue for all  
790 actions pursuant to this subsection shall be in Leon County. The  
791 court shall award the prevailing party attorney's fees and costs  
792 in all cases filed pursuant to this section unless affirmatively  
793 waived by all parties. A writ of certiorari shall be issued  
794 unless a respondent establishes that the notification of the  
795 Legislative Auditing Committee was issued as a result of  
796 material error. Proceedings under this subsection shall  
797 otherwise be governed by the Rules of Appellate Procedure.

798 Section 24. Subsection (5) of section 216.181, Florida  
799 Statutes, is amended to read:

800 216.181 Approved budgets for operations and fixed capital  
801 outlay.—

802 (5) An amendment to the original operating budget for an  
803 information technology project or initiative that involves more  
804 than one agency, has an outcome that impacts another agency, or  
805 exceeds \$500,000 in total cost over a 1-year period, except for  
806 those projects that are a continuation of hardware or software  
807 maintenance or software licensing agreements, or that are for  
808 desktop replacement that is similar to the technology currently  
809 in use must be ~~reviewed by the Technology Review Workgroup~~  
810 ~~pursuant to s. 216.0446~~ and approved by the Executive Office of  
811 the Governor for the executive branch or by the Chief Justice  
812 for the judicial branch, and shall be subject to approval by the

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813 Legislative Budget Commission as well as the notice and  
814 objection procedures set forth in s. 216.177.

815 Section 25. Paragraph (f) of subsection (1) of section  
816 218.32, Florida Statutes, is amended to read:

817 218.32 Annual financial reports; local governmental  
818 entities.—

819 (1)

820 (f) If the department does not receive a completed annual  
821 financial report from a local governmental entity within the  
822 required period, it shall notify the Legislative Auditing  
823 Committee of the local governmental entity's failure to comply  
824 with the reporting requirements. ~~The committee shall proceed in~~  
825 ~~accordance with s. 11.40(5).~~

826 Section 26. Subsection (3) of section 218.38, Florida  
827 Statutes, is amended to read:

828 218.38 Notice of bond issues required; verification.—

829 (3) If a unit of local government fails to verify pursuant  
830 to subsection (2) the information held by the division, or fails  
831 to provide the information required by subsection (1), the  
832 division shall notify the Legislative Auditing Committee of such  
833 failure to comply. ~~The committee shall proceed in accordance~~  
834 ~~with s. 11.40(5).~~

835 Section 27. Paragraph (b) of subsection (2) of section  
836 287.0943, Florida Statutes, is amended to read:

837 287.0943 Certification of minority business enterprises.—

838 (2)

839 (b) The task force shall be regionally balanced and  
840 comprised of officials representing the department, counties,  
841 municipalities, school boards, special districts, and other

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842 political subdivisions of the state who administer programs to  
843 assist minority businesses in procurement or development in  
844 government-sponsored programs. The following organizations may  
845 appoint two members each of the task force who fit the  
846 description above:

- 847 1. The Florida League of Cities, Inc.
- 848 2. The Florida Association of Counties.
- 849 3. The Florida School Boards Association, Inc.
- 850 4. The Association of Special Districts.
- 851 5. The Florida Association of Minority Business Enterprise  
852 Officials.
- 853 6. The Florida Association of Government Purchasing  
854 Officials.

855

856 In addition, the Office of Supplier Diversity shall appoint  
857 seven members consisting of three representatives of minority  
858 business enterprises, one of whom should be a woman business  
859 owner, two officials of the office, and two at-large members to  
860 ensure balance. ~~The chairperson of the Legislative Committee on~~  
861 ~~Intergovernmental Relations or a designee shall be a member of~~  
862 ~~the task force, ex officio.~~ A quorum shall consist of one-third  
863 of the current members, and the task force may take action by  
864 majority vote. Any vacancy may only be filled by the  
865 organization or agency originally authorized to appoint the  
866 position.

867 Section 28. Subsection (4) of section 288.7001, Florida  
868 Statutes, is amended to read:

869 288.7001 Small Business Regulatory Advisory Council.—

870 (4) PERIODIC REVIEW OF RULES.—

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871           (a) ~~In coordination with the sunset review schedule~~  
872 ~~provided in s. 11.905,~~ The council may periodically review rules  
873 of agencies ~~subject to sunset review~~ to determine whether the  
874 rules should be continued without change or should be amended or  
875 repealed to reduce the impact of the rules on small businesses,  
876 subject to the requirement that the recommendations of the  
877 council must be feasible and consistent with the stated  
878 objectives of the rules.

879           (b) In reviewing agency rules to reduce the impact on small  
880 businesses, the council, in coordination with the agency, shall  
881 consider the following factors:

- 882           1. Continued need for the rule;
- 883           2. The nature of complaints or comments received from the  
884 public concerning the rule;
- 885           3. The complexity of the rule;
- 886           4. The extent to which the rule overlaps, duplicates, or  
887 conflicts with other federal, state, and local government rules;  
888 and
- 889           5. The length of time since the rule has been evaluated or  
890 the degree to which technology, economic conditions, or other  
891 factors have changed in the topical area affected by the rule.

892           (c) ~~Within 6 months after the agency report is submitted to~~  
893 ~~the Joint Legislative Sunset Committee pursuant to s. 11.907,~~  
894 The council shall ~~provide a report~~ its conclusions upon  
895 completion of any review under paragraph (a) to the Governor,  
896 the President of the Senate, and the Speaker of the House of  
897 Representatives, ~~and the Joint Legislative Sunset Committee~~ that  
898 includes recommendations and evaluations of agency rules and  
899 programs regarding regulatory fairness for small businesses. A

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900 component of the report shall be a rating system, developed by  
901 the council, entitled "Small Business Friendliness and  
902 Development Scorecard."

903 Section 29. Subsection (1) of section 350.061, Florida  
904 Statutes, is amended to read:

905 350.061 Public Counsel; appointment; oath; restrictions on  
906 Public Counsel and his or her employees.—

907 (1) The committee designated by joint rule of the  
908 Legislature or by agreement between the President of the Senate  
909 and the Speaker of the House of Representatives as the Committee  
910 on Public Counsel Oversight shall appoint a Public Counsel ~~by~~  
911 ~~majority vote of the members of the committee~~ to represent the  
912 general public of Florida before the Florida Public Service  
913 Commission. The Public Counsel shall be an attorney admitted to  
914 practice before the Florida Supreme Court and shall serve at the  
915 pleasure of the Committee on Public Counsel Oversight, subject  
916 to biennial reconfirmation by the committee. The Public Counsel  
917 shall perform his or her duties independently. Vacancies in the  
918 office shall be filled in the same manner as the original  
919 appointment.

920 Section 30. Subsection (2) of section 350.0614, Florida  
921 Statutes, is amended to read:

922 350.0614 Public Counsel; compensation and expenses.—

923 (2) The Legislature declares and determines that the Public  
924 Counsel is under the legislative branch of government within the  
925 intention of the legislation as expressed in chapter 216, and no  
926 power shall be in the Executive Office of the Governor or its  
927 successor to release or withhold funds appropriated to it, but  
928 the same shall be available for expenditure as provided by law



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929 ~~and the rules or decisions of the Committee on Public Counsel~~  
930 ~~Oversight.~~

931 Section 31. Paragraph (b) of subsection (8) of section  
932 373.026, Florida Statutes, is amended to read:

933 373.026 General powers and duties of the department.—The  
934 department, or its successor agency, shall be responsible for  
935 the administration of this chapter at the state level. However,  
936 it is the policy of the state that, to the greatest extent  
937 possible, the department may enter into interagency or  
938 interlocal agreements with any other state agency, any water  
939 management district, or any local government conducting programs  
940 related to or materially affecting the water resources of the  
941 state. All such agreements shall be subject to the provisions of  
942 s. 373.046. In addition to its other powers and duties, the  
943 department shall, to the greatest extent possible:

944 (8)

945 (b) To ensure to the greatest extent possible that project  
946 components will go forward as planned, the department shall  
947 collaborate with the South Florida Water Management District in  
948 implementing the comprehensive plan as defined in s.  
949 373.470(2)(b), the Lake Okeechobee Watershed Protection Plan as  
950 defined in s. 373.4595(2), and the River Watershed Protection  
951 Plans as defined in s. 373.4595(2). Before any project component  
952 is submitted to Congress for authorization or receives an  
953 appropriation of state funds, the department must approve, or  
954 approve with amendments, each project component within 60 days  
955 following formal submittal of the project component to the  
956 department. Prior to the release of state funds for the  
957 implementation of the comprehensive plan, department approval

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958 shall be based upon a determination of the South Florida Water  
959 Management District's compliance with s. 373.1501(5). Once a  
960 project component is approved, the South Florida Water  
961 Management District shall provide to the President of the Senate  
962 and the Speaker of the House of Representatives ~~Joint~~  
963 ~~Legislative Committee on Everglades Oversight~~ a schedule for  
964 implementing the project component, the estimated total cost of  
965 the project component, any existing federal or nonfederal  
966 credits, the estimated remaining federal and nonfederal share of  
967 costs, and an estimate of the amount of state funds that will be  
968 needed to implement the project component. All requests for an  
969 appropriation of state funds needed to implement the project  
970 component shall be submitted to the department, and such  
971 requests shall be included in the department's annual request to  
972 the Governor. Prior to the release of state funds for the  
973 implementation of the Lake Okeechobee Watershed Protection Plan  
974 or the River Watershed Protection Plans, on an annual basis, the  
975 South Florida Water Management District shall prepare an annual  
976 work plan as part of the consolidated annual report required in  
977 s. 373.036(7). Upon a determination by the secretary of the  
978 annual work plan's consistency with the goals and objectives of  
979 s. 373.4595, the secretary may approve the release of state  
980 funds. Any modifications to the annual work plan shall be  
981 submitted to the secretary for review and approval.

982 Section 32. Paragraph (e) of subsection (7) of section  
983 373.036, Florida Statutes, is amended to read:

984 373.036 Florida water plan; district water management  
985 plans.—

986 (7) CONSOLIDATED WATER MANAGEMENT DISTRICT ANNUAL REPORT.—

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987 (e) In addition to the elements specified in paragraph (b),  
988 the South Florida Water Management District shall include in the  
989 consolidated annual report the following elements:

990 1. The Lake Okeechobee Protection Program annual progress  
991 report required by s. 373.4595(3)(g).

992 2. The Everglades annual progress reports specified in s.  
993 373.4592(4)(d)5., (13), and (14).

994 3. The Everglades restoration annual report required by s.  
995 373.470(7).

996 4. ~~The Everglades Forever Act annual implementation report~~  
997 ~~required by s. 11.80(4).~~

998 5. The Everglades Trust Fund annual expenditure report  
999 required by s. 373.45926(3).

1000 Section 33. Subsections (3) and (7) of section 373.45926,  
1001 Florida Statutes, are amended to read:

1002 373.45926 Everglades Trust Fund; allocation of revenues and  
1003 expenditure of funds for conservation and protection of natural  
1004 resources and abatement of water pollution.-

1005 (3) The South Florida Water Management District shall  
1006 furnish, as part of the consolidated annual report required by  
1007 s. 373.036(7), a detailed copy of its expenditures from the  
1008 Everglades Trust Fund to the Governor, the President of the  
1009 Senate, and the Speaker of the House of Representatives, and  
1010 shall make copies available to the public. ~~The information shall~~  
1011 ~~be provided in a format approved by the Joint Legislative~~  
1012 ~~Committee on Everglades Oversight. At the direction of the Joint~~  
1013 ~~Legislative Committee on Everglades Oversight, an audit may be~~  
1014 ~~made from time to time by the Auditor General, and such audit~~  
1015 ~~shall be within the authority of said Auditor General to make.~~

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1016 (7) Annually, no later than January 1, the South Florida  
1017 Water Management District shall report to the President of the  
1018 Senate and the Speaker of the House of Representatives ~~Joint~~  
1019 ~~Committee on Everglades Oversight:~~

1020 (a) The unencumbered balance which remains in the  
1021 Everglades Trust Fund at the end of each fiscal year.

1022 (b) The revenues deposited in the Everglades Trust Fund  
1023 pursuant to this section, by source, and the record of  
1024 expenditures from the Everglades Trust Fund.

1025 Section 34. Subsection (9) of section 409.146, Florida  
1026 Statutes, is amended to read:

1027 409.146 Children and families client and management  
1028 information system.—

1029 (9) The Department of Children and Family Services shall  
1030 provide an annual report to President of the Senate and the  
1031 Speaker of the House of Representatives ~~the Joint Information~~  
1032 ~~Technology Resources Committee. The committee shall review the~~  
1033 ~~report and shall forward the report, along with its comments, to~~  
1034 ~~the appropriate substantive and appropriations committees of the~~  
1035 ~~House of Representatives and the Senate delineating the~~  
1036 ~~development status of the system and other information necessary~~  
1037 ~~for funding and policy formulation.~~ In developing the system,  
1038 the Department of Children and Family Services shall consider  
1039 and report on the availability of, and the costs associated with  
1040 using, existing software and systems, including, but not limited  
1041 to, those that are operational in other states, to meet the  
1042 requirements of this section. The department shall also consider  
1043 and report on the compatibility of such existing software and  
1044 systems with an integrated management information system. The

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1045 report shall be submitted no later than December 1 of each year.

1046 Section 35. Section 450.261, Florida Statutes, is amended  
1047 to read:

1048 450.261 Interstate Migrant Labor Commission; Florida  
1049 membership.—In selecting the Florida membership of the  
1050 Interstate Migrant Labor Commission, the Governor may designate  
1051 the secretary of the Department of Community Affairs as his or  
1052 her representative. ~~The two legislative members shall be chosen~~  
1053 ~~from among the members of the Legislative Commission on Migrant~~  
1054 ~~Labor, and at least one of the two members appointed by the~~  
1055 ~~Governor shall be chosen from among the members of the advisory~~  
1056 ~~committee to that commission.~~

1057 Section 36. Section 590.33, Florida Statutes, is amended to  
1058 read:

1059 590.33 State compact administrator; compact advisory  
1060 committee.—In pursuance of art. III of the compact, the director  
1061 of the division shall act as compact administrator for Florida  
1062 of the Southeastern Interstate Forest Fire Protection Compact  
1063 during his or her term of office as director, and his or her  
1064 successor as compact administrator shall be his or her successor  
1065 as director of the division. As compact administrator, he or she  
1066 shall be an ex officio member of the advisory committee of the  
1067 Southeastern Interstate Forest Fire Protection Compact, and  
1068 chair ex officio of the Florida members of the advisory  
1069 committee. There shall be four members of the Southeastern  
1070 Interstate Forest Fire Protection Compact Advisory Committee  
1071 from Florida. Two of the members from Florida shall be members  
1072 of the Legislature of Florida, one from the Senate designated by  
1073 the President of the Senate and one from the House of

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1074 Representatives designated by the Speaker of the House, and the  
1075 terms of any such members shall terminate at the time they cease  
1076 to hold legislative office, and their successors as members  
1077 shall be named in like manner. The Governor shall appoint the  
1078 other two members from Florida, one of whom shall be associated  
1079 with forestry or forest products industries. The terms of such  
1080 members shall be 3 years and such members shall hold office  
1081 until their respective successors shall be appointed and  
1082 qualified. Vacancies occurring in the office of such members  
1083 from any reason or cause shall be filled by appointment by the  
1084 Governor for the unexpired term. The director of the division as  
1085 compact administrator for Florida may delegate, from time to  
1086 time, to any deputy or other subordinate in his or her  
1087 department or office, the power to be present and participate,  
1088 including voting as his or her representative or substitute at  
1089 any meeting of or hearing by or other proceeding of the compact  
1090 administrators or of the advisory committee. The terms of each  
1091 of the initial four memberships, whether appointed at said time  
1092 or not, shall begin upon the date upon which the compact shall  
1093 become effective in accordance with art. II of said compact. Any  
1094 member of the advisory committee may be removed from office by  
1095 the Governor upon charges and after a hearing.

1096 Section 37. Paragraph (a) of subsection (5) of section  
1097 1000.01, Florida Statutes, is amended to read:

1098 1000.01 The Florida K-20 education system; technical  
1099 provisions.—

1100 (5) EDUCATION GOVERNANCE TRANSFERS.—

1101 (a) Effective July 1, 2001:

1102 1. The Board of Regents is abolished.

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1103           2. All of the powers, duties, functions, records,  
1104 personnel, and property; unexpended balances of appropriations,  
1105 allocations, and other funds; administrative authority;  
1106 administrative rules; pending issues; and existing contracts of  
1107 the Board of Regents are transferred by a type two transfer,  
1108 pursuant to s. 20.06(2), to the State Board of Education.

1109           3. The State Board of Community Colleges is abolished.

1110           4. All of the powers, duties, functions, records,  
1111 personnel, and property; unexpended balances of appropriations,  
1112 allocations, and other funds; administrative authority;  
1113 administrative rules; pending issues; and existing contracts of  
1114 the State Board of Community Colleges are transferred by a type  
1115 two transfer, pursuant to s. 20.06(2), from the Department of  
1116 Education to the State Board of Education.

1117           5. The Postsecondary Education Planning Commission is  
1118 abolished.

1119           ~~6. The Council for Education Policy Research and  
1120 Improvement is created as an independent office under the Office  
1121 of Legislative Services.~~

1122           ~~7. All personnel, unexpended balances of appropriations,  
1123 and allocations of the Postsecondary Education Planning  
1124 Commission are transferred to the Council for Education Policy  
1125 Research and Improvement.~~

1126           6.8. The Articulation Coordinating Committee and the  
1127 Education Standards Commission are transferred by a type two  
1128 transfer, pursuant to s. 20.06(2), from the Department of  
1129 Education to the State Board of Education.

1130           Section 38. This act shall take effect upon becoming a law.