

By the Committees on Children, Families, and Elder Affairs;
Commerce and Tourism; and Commerce and Tourism

586-03784-11

20111346c2

1 A bill to be entitled
2 An act relating to obsolete references and programs;
3 amending s. 14.2015, F.S.; removing an obsolete
4 reference to the Department of Commerce; amending s.
5 20.18, F.S.; updating a reference to the Department of
6 Commerce to refer instead to the Office of Tourism,
7 Trade, and Economic Development; amending s. 45.031,
8 F.S.; removing an obsolete reference to the Department
9 of Labor and Employment Security; amending s. 69.041,
10 F.S.; removing an obsolete reference to the Department
11 of Labor and Employment Security; amending s. 112.044,
12 F.S.; removing obsolete references to the Department
13 of Labor and Employment Security; amending s. 252.85,
14 F.S.; updating a reference to the Department of Labor
15 and Employment Security; amending s. 252.87, F.S.;
16 removing a reference to the Department of Labor and
17 Employment Security; amending s. 252.937, F.S.;
18 removing a reference to the Department of Labor and
19 Employment Security; amending s. 287.09431, F.S.;
20 updating references to the Department of Labor and
21 Employment Security; amending s. 287.09451, F.S.;
22 removing references to the Department of Labor and
23 Employment Security; amending s. 287.0947, F.S.;
24 removing a reference to the Department of Labor and
25 Employment Security; correcting a cross-reference;
26 amending s. 288.021, F.S.; updating a reference to the
27 Department of Labor and Employment Security; amending
28 s. 288.035, F.S.; removing a reference to the
29 Department of Commerce; repealing s. 288.038, F.S.,

586-03784-11

20111346c2

30 relating to agreements of the Department of Labor and
31 Employment Security with county tax collectors;
32 amending s. 288.1168, F.S.; updating obsolete
33 references to the Department of Commerce; amending s.
34 288.1229, F.S.; removing a reference to the Department
35 of Commerce; amending s. 288.1169, F.S.; updating
36 references to the Department of Commerce; amending s.
37 331.369, F.S.; updating references to the Workforce
38 Development Board of Enterprise Florida, Inc.;
39 amending s. 377.711, F.S.; removing a reference to the
40 Department of Commerce; providing for standard compact
41 provisions regarding recommendations by the Southern
42 States Energy Board; amending s. 377.712, F.S.;

43 clarifying provisions governing participation in the
44 compact by the state and its agencies; amending s.
45 409.2576, F.S.; removing references to the Department
46 of Labor and Employment Security; amending s. 414.24,
47 F.S.; updating references to the Department of Labor
48 and Employment Security; amending s. 414.40, F.S.;

49 updating provisions governing the Stop Inmate Fraud
50 Program; updating a reference to the Department of
51 Labor and Employment Security; amending s. 440.385,
52 F.S.; updating a reference to the Department of Labor
53 and Employment Security; removing obsolete provisions;
54 amending s. 440.49, F.S.; removing a reference to the
55 Department of Labor and Employment Security; removing
56 obsolete provisions; repealing s. 446.60, F.S.,
57 relating to assistance for displaced local exchange
58 telecommunications company workers; amending s.

586-03784-11

20111346c2

59 450.161, F.S.; updating a reference to the Division of
60 Jobs and Benefits; amending s. 464.203, F.S.; updating
61 a reference to the Enterprise Florida Jobs and
62 Education Partnership Grant; amending s. 489.1455,
63 F.S.; updating a reference to the Department of Labor
64 and Employment Security; amending s. 489.5335, F.S.;
65 updating a reference to the Department of Labor and
66 Employment Security; amending s. 553.62, F.S.;
67 removing a reference to the Department of Labor and
68 Employment Security; amending s. 597.006, F.S.;
69 removing a reference to the Department of Labor and
70 Employment Security; amending s. 944.012, F.S.;
71 updating a reference to the Florida State Employment
72 Service; amending s. 944.708, F.S.; removing a
73 reference to the Agency for Workforce Innovation;
74 repealing ss. 255.551-255.563, F.S., relating to the
75 asbestos management program; amending s. 469.002,
76 F.S.: conforming a cross-reference to changes made by
77 the act; repealing s. 469.003(2)(b), F.S., relating to
78 obsolete provisions governing the licensure of
79 asbestos surveyors; repealing s. 39.0015, F.S.,
80 relating to child abuse prevention training in the
81 district school system; repealing s. 39.305, F.S.,
82 relating to the development by the Department of
83 Children and Family Services of a model plan for
84 community intervention and treatment in intrafamily
85 sexual abuse cases; repealing ss. 39.311, 39.312,
86 39.313, 39.314, 39.315, 39.316, 39.317, and 39.318,
87 F.S., relating to the Family Builders Program;

586-03784-11

20111346c2

88 repealing 39.816, F.S., relating to authorization for
89 pilot and demonstration projects; repealing s. 39.817,
90 F.S., relating to a foster care privatization
91 demonstration project; repealing s. 383.0115, F.S.,
92 relating to the Commission on Marriage and Family
93 Support Initiatives; repealing s. 393.22, F.S.,
94 relating to financial commitment to community services
95 programs; repealing s. 393.503, F.S., relating to
96 respite and family care subsidy expenditures and
97 funding recommendations; repealing s. 394.922, F.S.,
98 relating to constitutional requirements regarding
99 long-term control, care, and treatment of sexually
100 violent predators; repealing s. 402.3045, F.S.,
101 relating to a requirement that the Department of
102 Children and Family Services adopt distinguishable
103 definitions of child care programs by rule; repealing
104 s. 402.50, F.S., relating to the development of
105 administrative infrastructure standards by the
106 Department of Children and Family Services; repealing
107 s. 402.55, F.S., relating to the management fellows
108 program; repealing s. 409.1672, F.S., relating to
109 performance incentives for department employees with
110 respect to the child welfare system; repealing s.
111 409.1673, F.S., relating to legislative findings
112 regarding the foster care system and the development
113 of alternate care plans; repealing s. 409.1685, F.S.,
114 relating to an annual report to the Legislature by the
115 Department of Children and Family Services with
116 respect to children in foster care; repealing ss.

586-03784-11

20111346c2

117 409.801 and 409.802, F.S., relating to the Family
118 Policy Act; repealing s. 409.803, F.S., relating to
119 pilot programs to provide shelter and foster care
120 services to dependent children; amending ss. 20.195,
121 39.00145, 39.0121, 39.301, 39.3031, 49.011, 381.006,
122 381.0072, 390.01114, 409.1685, 411.01013, 753.03, and
123 877.22, F.S.; conforming references to changes made by
124 the act; repealing s. 288.386, F.S., relating to the
125 Florida-Caribbean Basin Trade Initiative; repealing s.
126 288.9618, F.S., which relates to an economic
127 development program for microenterprises; repealing s.
128 288.982, F.S., which relates to a public records
129 requirement for certain records relating to the United
130 States Department of Defense Base Realignment and
131 Closure 2005 process; repealing s. 409.946, F.S.,
132 which relates to the Inner City Redevelopment Review
133 Panel; amending ss. 288.012 and 311.07, F.S.; revising
134 requirements for the operating plans of the state's
135 foreign offices and the use of program funds of the
136 Florida Seaport Transportation and Economic
137 Development Program, to delete provisions relating to
138 the Florida Trade Data Center; amending s. 402.35,
139 F.S.; removing a provision prohibiting a federal,
140 state, county, or municipal officer from serving as an
141 employee of the Department of Children and Family
142 Services; providing an effective date.

143

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

145

586-03784-11

20111346c2

146 Section 1. Subsection (8) of section 14.2015, Florida
147 Statutes, is amended to read:

148 14.2015 Office of Tourism, Trade, and Economic Development;
149 creation; powers and duties.—

150 (8) The Office of Tourism, Trade, and Economic Development
151 shall ensure that the contract between the Florida Commission on
152 Tourism and the commission's direct-support organization
153 contains a provision to provide the data on the visitor counts
154 and visitor profiles used in revenue estimating, ~~employing the~~
155 ~~same methodology used in fiscal year 1995-1996 by the Department~~
156 ~~of Commerce~~. The Office of Tourism, Trade, and Economic
157 Development and the Florida Commission on Tourism must advise
158 and consult with the Consensus Estimating Conference principals
159 before making any changes in methodology used or information
160 gathered.

161 Section 2. Subsection (4) of section 20.18, Florida
162 Statutes, is amended to read:

163 20.18 Department of Community Affairs.—There is created a
164 Department of Community Affairs.

165 (4) In addition to its other powers, duties, and functions,
166 the department shall, under the general supervision of the
167 secretary and the Interdepartmental Coordinating Council on
168 Community Services, assist and encourage the development of
169 state programs by the various departments for the productive use
170 of human resources, and the department shall work with other
171 state agencies in order that together they might:

172 (a) Effect the coordination, by the responsible agencies of
173 the state, of the career and adult educational programs of the
174 state in order to provide the maximum use and meaningful

586-03784-11

20111346c2

175 employment of persons completing courses of study from such
176 programs;

177 (b) Assist the Office of Tourism, Trade, and Economic
178 Development ~~Department of Commerce~~ in the development of
179 employment opportunities; and

180 (c) Improve the enforcement of special district reporting
181 requirements and the communication among state agencies that
182 receive mandatory reports from special districts.

183 Section 3. Paragraph (a) of subsection (7) of section
184 45.031, Florida Statutes, is amended to read:

185 45.031 Judicial sales procedure.—In any sale of real or
186 personal property under an order or judgment, the procedures
187 provided in this section and ss. 45.0315-45.035 may be followed
188 as an alternative to any other sale procedure if so ordered by
189 the court.

190 (7) DISBURSEMENTS OF PROCEEDS.—

191 (a) On filing a certificate of title, the clerk shall
192 disburse the proceeds of the sale in accordance with the order
193 or final judgment and shall file a report of such disbursements
194 and serve a copy of it on each party, and on the Department of
195 Revenue if the department was named as a defendant in the action
196 or if the Agency for Workforce Innovation ~~or the former~~
197 ~~Department of Labor and Employment Security~~ was named as a
198 defendant while the Department of Revenue was providing
199 unemployment tax collection services under contract with the
200 Agency for Workforce Innovation through an interagency agreement
201 pursuant to s. 443.1316.

202 Section 4. Paragraph (a) of subsection (4) of section
203 69.041, Florida Statutes, is amended to read:

586-03784-11

20111346c2

204 69.041 State named party; lien foreclosure, suit to quiet
205 title.—

206 (4) (a) The Department of Revenue has the right to
207 participate in the disbursement of funds remaining in the
208 registry of the court after distribution pursuant to s.
209 45.031(7). The department shall participate in accordance with
210 applicable procedures in any mortgage foreclosure action in
211 which the department has a duly filed tax warrant, or interests
212 under a lien arising from a judgment, order, or decree for
213 support, as defined in s. 409.2554, or interest in an
214 unemployment compensation tax lien under contract with the
215 Agency for Workforce Innovation through an interagency agreement
216 pursuant to s. 443.1316, against the subject property and with
217 the same priority, regardless of whether a default against the
218 department or, the Agency for Workforce Innovation, ~~or the~~
219 ~~former Department of Labor and Employment Security~~ has been
220 entered for failure to file an answer or other responsive
221 pleading.

222 Section 5. Paragraph (d) of subsection (2) and subsection
223 (5) of section 112.044, Florida Statutes, are amended to read:

224 112.044 Public employers, employment agencies, labor
225 organizations; discrimination based on age prohibited;
226 exceptions; remedy.—

227 (2) DEFINITIONS.—For the purpose of this act:

228 ~~(d) "Department" means the Department of Labor and~~
229 ~~Employment Security.~~

230 (5) NOTICE TO BE POSTED.—Each employer, employment agency,
231 and labor organization shall post and keep posted in conspicuous
232 places upon its premises notices required by the United States

586-03784-11

20111346c2

233 Department of Labor and the Equal Employment Opportunity
234 ~~Commission a notice to be prepared or approved by the department~~
235 ~~setting forth such information as the department deems~~
236 ~~appropriate to effectuate the purposes of this act.~~

237 Section 6. Subsection (1) of section 252.85, Florida
238 Statutes, is amended to read:

239 252.85 Fees.—

240 (1) Any owner or operator of a facility required under s.
241 302 or s. 312 of EPCRA, or by s. 252.87, to submit a
242 notification or an annual inventory form to the commission shall
243 be required to pay an annual registration fee. The fee for any
244 company, including all facilities under common ownership or
245 control, shall not be less than \$25 nor more than \$2,000. The
246 department shall establish a reduced fee, of not less than \$25
247 nor more than \$500, applicable to any owner or operator
248 regulated under part I of chapter 368, chapter 527, or s.
249 376.303, which does not have present any extremely hazardous
250 substance, as defined by EPCRA, in excess of a threshold
251 planning quantity, as established by EPCRA. The department shall
252 establish a reduced fee of not less than \$25 nor more than
253 \$1,000, applicable to any owner or operator of a facility with a
254 Standard Industrial Classification Code of 01, 02, or 07, which
255 is eligible for the "routine agricultural use" exemption
256 provided in ss. 311 and 312 of EPCRA. The fee under this
257 subsection shall be based on the number of employees employed
258 within the state at facilities under the common ownership or
259 control of such owner or operator, which number shall be
260 determined, to the extent possible, in accordance with data
261 supplied by the Agency for Workforce Innovation or its tax

586-03784-11

20111346c2

262 collection service provider ~~Department of Labor and Employment~~
263 ~~Security~~. In order to avoid the duplicative reporting of
264 seasonal and temporary agricultural employees, fees applicable
265 to owners or operators of agricultural facilities, which are
266 eligible for the "routine agricultural use" reporting exemption
267 provided in ss. 311 and 312 of EPCRA, shall be based on employee
268 data which most closely reflects such owner or operator's
269 permanent nonseasonal workforce. The department shall establish
270 by rule the date by which the fee is to be paid, as well as a
271 formula or method of determining the applicable fee under this
272 subsection without regard to the number of facilities under
273 common ownership or control. The department may require owners
274 or operators of multiple facilities to demonstrate common
275 ownership or control for purposes of this subsection.

276 Section 7. Subsection (7) of section 252.87, Florida
277 Statutes, is amended to read:

278 252.87 Supplemental state reporting requirements.—

279 (7) The department shall avoid duplicative reporting
280 requirements by utilizing the reporting requirements of other
281 state agencies that regulate hazardous materials to the extent
282 feasible and shall request the information authorized under
283 EPCRA. With the advice and consent of the State Emergency
284 Response Commission for Hazardous Materials, the department may
285 require by rule that the maximum daily amount entry on the
286 chemical inventory report required under s. 312 of EPCRA provide
287 for reporting in estimated actual amounts. The department may
288 also require by rule an entry for the Federal Employer
289 Identification Number on this report. To the extent feasible,
290 the department shall encourage and accept required information

586-03784-11

20111346c2

291 in a form initiated through electronic data interchange and
292 shall describe by rule the format, manner of execution, and
293 method of electronic transmission necessary for using such form.
294 To the extent feasible, the Department of Financial Services,
295 the Department of Agriculture and Consumer Services, the
296 Department of Environmental Protection, the Public Service
297 Commission, the Department of Revenue, ~~the Department of Labor~~
298 ~~and Employment Security~~, and other state agencies which regulate
299 hazardous materials shall coordinate with the department in
300 order to avoid duplicative requirements contained in each
301 agency's respective reporting or registration forms. The other
302 state agencies that inspect facilities storing hazardous
303 materials and suppliers and distributors of covered substances
304 shall assist the department in informing the facility owner or
305 operator of the requirements of this part. The department shall
306 provide the other state agencies with the necessary information
307 and materials to inform the owners and operators of the
308 requirements of this part to ensure that the budgets of these
309 agencies are not adversely affected.

310 Section 8. Subsection (2) of section 252.937, Florida
311 Statutes, is amended to read:

312 252.937 Department powers and duties.—

313 (2) To ensure that this program is self-supporting, the
314 department shall provide administrative support, including
315 staff, facilities, materials, and services to implement this
316 part for specified stationary sources subject to s. 252.939 and
317 shall provide necessary funding to local emergency planning
318 committees and county emergency management agencies for work
319 performed to implement this part. Each state agency with

586-03784-11

20111346c2

320 regulatory, inspection, or technical assistance programs for
321 specified stationary sources subject to this part shall enter
322 into a memorandum of understanding with the department which
323 specifically outlines how each agency's staff, facilities,
324 materials, and services will be utilized to support
325 implementation. At a minimum, these agencies and programs
326 include: the Department of Environmental Protection's Division
327 of Air Resources Management and Division of Water Resource
328 Management, ~~and the Department of Labor and Employment~~
329 ~~Security's Division of Safety~~. It is the Legislature's intent to
330 implement this part as efficiently and economically as possible,
331 using existing expertise and resources, if available and
332 appropriate.

333 Section 9. Section 287.09431, Florida Statutes, is amended
334 to read:

335 287.09431 Statewide and interlocal agreement on
336 certification of business concerns for the status of minority
337 business enterprise.—The statewide and interlocal agreement on
338 certification of business concerns for the status of minority
339 business enterprise is hereby enacted and entered into with all
340 jurisdictions or organizations legally joining therein. If,
341 within 2 years from the date that the certification core
342 criteria are approved by the Department of Management Services
343 ~~Department of Labor and Employment Security~~, the agreement
344 included herein is not executed by a majority of county and
345 municipal governing bodies that administer a minority business
346 assistance program on the effective date of this act, then the
347 Legislature shall review this agreement. It is the intent of the
348 Legislature that if the agreement is not executed by a majority

586-03784-11

20111346c2

349 of the requisite governing bodies, then a statewide uniform
350 certification process should be adopted, and that said agreement
351 should be repealed and replaced by a mandatory state government
352 certification process.

354 ARTICLE I

355
356 PURPOSE, FINDINGS, AND POLICY.—

357 (1) The parties to this agreement, desiring by common
358 action to establish a uniform certification process in order to
359 reduce the multiplicity of applications by business concerns to
360 state and local governmental programs for minority business
361 assistance, declare that it is the policy of each of them, on
362 the basis of cooperation with one another, to remedy social and
363 economic disadvantage suffered by certain groups, resulting in
364 their being historically underutilized in ownership and control
365 of commercial enterprises. Thus, the parties seek to address
366 this history by increasing the participation of the identified
367 groups in opportunities afforded by government procurement.

368 (2) The parties find that the State of Florida presently
369 certifies firms for participation in the minority business
370 assistance programs of the state. The parties find further that
371 some counties, municipalities, school boards, special districts,
372 and other divisions of local government require a separate, yet
373 similar, and in most cases redundant certification in order for
374 businesses to participate in the programs sponsored by each
375 government entity.

376 (3) The parties find further that this redundant
377 certification has proven to be unduly burdensome to the

586-03784-11

20111346c2

378 minority-owned firms intended to benefit from the underlying
379 purchasing incentives.

380 (4) The parties agree that:

381 (a) They will facilitate integrity, stability, and
382 cooperation in the statewide and interlocal certification
383 process, and in other elements of programs established to assist
384 minority-owned businesses.

385 (b) They shall cooperate with agencies, organizations, and
386 associations interested in certification and other elements of
387 minority business assistance.

388 (c) It is the purpose of this agreement to provide for a
389 uniform process whereby the status of a business concern may be
390 determined in a singular review of the business information for
391 these purposes, in order to eliminate any undue expense, delay,
392 or confusion to the minority-owned businesses in seeking to
393 participate in the minority business assistance programs of
394 state and local jurisdictions.

395

396 ARTICLE II

397

398 DEFINITIONS.—As used in this agreement and contracts made
399 pursuant to it, unless the context clearly requires otherwise:

400 (1) "Awarding organization" means any political subdivision
401 or organization authorized by law, ordinance, or agreement to
402 enter into contracts and for which the governing body has
403 entered into this agreement.

404 (2) "Department" means the Department of Management
405 Services ~~Department of Labor and Employment Security~~.

406 (3) "Minority" means a person who is a lawful, permanent

586-03784-11

20111346c2

407 resident of the state, having origins in one of the minority
408 groups as described and adopted by the Department of Management
409 Services ~~Department of Labor and Employment Security~~, hereby
410 incorporated by reference.

411 (4) "Minority business enterprise" means any small business
412 concern as defined in subsection (6) that meets all of the
413 criteria described and adopted by the Department of Management
414 Services ~~Department of Labor and Employment Security~~, hereby
415 incorporated by reference.

416 (5) "Participating state or local organization" means any
417 political subdivision of the state or organization designated by
418 such that elects to participate in the certification process
419 pursuant to this agreement, which has been approved according to
420 s. 287.0943(3) and has legally entered into this agreement.

421 (6) "Small business concern" means an independently owned
422 and operated business concern which is of a size and type as
423 described and adopted by vote related to this agreement of the
424 commission, hereby incorporated by reference.

425

426 ARTICLE III

427

428 STATEWIDE AND INTERLOCAL CERTIFICATIONS.—

429 (1) All awarding organizations shall accept a certification
430 granted by any participating organization which has been
431 approved according to s. 287.0943(3) and has entered into this
432 agreement, as valid status of minority business enterprise.

433 (2) A participating organization shall certify a business
434 concern that meets the definition of minority business
435 enterprise in this agreement, in accordance with the duly

586-03784-11

20111346c2

436 adopted eligibility criteria.

437 (3) All participating organizations shall issue notice of
438 certification decisions granting or denying certification to all
439 other participating organizations within 14 days of the
440 decision. Such notice may be made through electronic media.

441 (4) No certification will be granted without an onsite
442 visit to verify ownership and control of the prospective
443 minority business enterprise, unless verification can be
444 accomplished by other methods of adequate verification or
445 assessment of ownership and control.

446 (5) The certification of a minority business enterprise
447 pursuant to the terms of this agreement shall not be suspended,
448 revoked, or otherwise impaired except on any grounds which would
449 be sufficient for revocation or suspension of a certification in
450 the jurisdiction of the participating organization.

451 (6) The certification determination of a party may be
452 challenged by any other participating organization by the
453 issuance of a timely written notice by the challenging
454 organization to the certifying organization's determination
455 within 10 days of receiving notice of the certification
456 decision, stating the grounds therefor.

457 (7) The sole accepted grounds for challenge shall be the
458 failure of the certifying organization to adhere to the adopted
459 criteria or the certifying organization's rules or procedures,
460 or the perpetuation of a misrepresentation or fraud by the firm.

461 (8) The certifying organization shall reexamine its
462 certification determination and submit written notice to the
463 applicant and the challenging organization of its findings
464 within 30 days after the receipt of the notice of challenge.

586-03784-11

20111346c2

465 (9) If the certification determination is affirmed, the
466 challenging agency may subsequently submit timely written notice
467 to the firm of its intent to revoke certification of the firm.
468

469 ARTICLE IV
470

471 APPROVED AND ACCEPTED PROGRAMS.—Nothing in this agreement
472 shall be construed to repeal or otherwise modify any ordinance,
473 law, or regulation of a party relating to the existing minority
474 business assistance provisions and procedures by which minority
475 business enterprises participate therein.
476

477 ARTICLE V
478

479 TERM.—The term of the agreement shall be 5 years, after
480 which it may be reexecuted by the parties.
481

482 ARTICLE VI
483

484 AGREEMENT EVALUATION.—The designated state and local
485 officials may meet from time to time as a group to evaluate
486 progress under the agreement, to formulate recommendations for
487 changes, or to propose a new agreement.
488

489 ARTICLE VII
490

491 OTHER ARRANGEMENTS.—Nothing in this agreement shall be
492 construed to prevent or inhibit other arrangements or practices
493 of any party in order to comply with federal law.

586-03784-11

20111346c2

ARTICLE VIII

EFFECT AND WITHDRAWAL.—

(1) This agreement shall become effective when properly executed by a legal representative of the participating organization, when enacted into the law of the state and after an ordinance or other legislation is enacted into law by the governing body of each participating organization. Thereafter it shall become effective as to any participating organization upon the enactment of this agreement by the governing body of that organization.

(2) Any party may withdraw from this agreement by enacting legislation repealing the same, but no such withdrawal shall take effect until one year after the governing body of the withdrawing party has given notice in writing of the withdrawal to the other parties.

(3) No withdrawal shall relieve the withdrawing party of any obligations imposed upon it by law.

ARTICLE IX

FINANCIAL RESPONSIBILITY.—

(1) A participating organization shall not be financially responsible or liable for the obligations of any other participating organization related to this agreement.

(2) The provisions of this agreement shall constitute neither a waiver of any governmental immunity under Florida law nor a waiver of any defenses of the parties under Florida law.

586-03784-11

20111346c2

523 The provisions of this agreement are solely for the benefit of
524 its executors and not intended to create or grant any rights,
525 contractual or otherwise, to any person or entity.

526
527 ARTICLE X

528
529 VENUE AND GOVERNING LAW.—The obligations of the parties to
530 this agreement are performable only within the county where the
531 participating organization is located, and statewide for the
532 Office of Supplier Diversity, and venue for any legal action in
533 connection with this agreement shall lie, for any participating
534 organization except the Office of Supplier Diversity,
535 exclusively in the county where the participating organization
536 is located. This agreement shall be governed by and construed in
537 accordance with the laws and court decisions of the state.

538
539 ARTICLE XI

540
541 CONSTRUCTION AND SEVERABILITY.—This agreement shall be
542 liberally construed so as to effectuate the purposes thereof.
543 The provisions of this agreement shall be severable and if any
544 phrase, clause, sentence, or provision of this agreement is
545 declared to be contrary to the State Constitution or the United
546 States Constitution, or the application thereof to any
547 government, agency, person, or circumstance is held invalid, the
548 validity of the remainder of this agreement and the
549 applicability thereof to any government, agency, person, or
550 circumstance shall not be affected thereby. If this agreement
551 shall be held contrary to the State Constitution, the agreement

586-03784-11

20111346c2

552 shall remain in full force and effect as to all severable
553 matters.

554 Section 10. Paragraphs (h) and (o) of subsection (4) of
555 section 287.09451, Florida Statutes, are amended to read:

556 287.09451 Office of Supplier Diversity; powers, duties, and
557 functions.—

558 (4) The Office of Supplier Diversity shall have the
559 following powers, duties, and functions:

560 (h) To develop procedures to investigate complaints against
561 minority business enterprises or contractors alleged to violate
562 any provision related to this section or s. 287.0943, that may
563 include visits to worksites or business premises, and to refer
564 all information on businesses suspected of misrepresenting
565 minority status to the Department of Management Services for
566 investigation. When an investigation is completed and there is
567 reason to believe that a violation has occurred, ~~the Department~~
568 ~~of Labor and Employment Security shall refer~~ the matter shall be
569 referred to the office of the Attorney General, Department of
570 Legal Affairs, for prosecution.

571 (o)1. To establish a system to record and measure the use
572 of certified minority business enterprises in state contracting.
573 This system shall maintain information and statistics on
574 certified minority business enterprise participation, awards,
575 dollar volume of expenditures and agency goals, and other
576 appropriate types of information to analyze progress in the
577 access of certified minority business enterprises to state
578 contracts and to monitor agency compliance with this section.
579 Such reporting must include, but is not limited to, the
580 identification of all subcontracts in state contracting by

586-03784-11

20111346c2

581 dollar amount and by number of subcontracts and the
582 identification of the utilization of certified minority business
583 enterprises as prime contractors and subcontractors by dollar
584 amounts of contracts and subcontracts, number of contracts and
585 subcontracts, minority status, industry, and any conditions or
586 circumstances that significantly affected the performance of
587 subcontractors. Agencies shall report their compliance with the
588 requirements of this reporting system at least annually and at
589 the request of the office. All agencies shall cooperate with the
590 office in establishing this reporting system. Except in
591 construction contracting, all agencies shall review contracts
592 costing in excess of CATEGORY FOUR as defined in s. 287.017 to
593 determine if such contracts could be divided into smaller
594 contracts to be separately solicited and awarded, and shall,
595 when economical, offer such smaller contracts to encourage
596 minority participation.

597 2. To report agency compliance with the provisions of
598 subparagraph 1. for the preceding fiscal year to the Governor
599 and Cabinet, the President of the Senate, and the Speaker of the
600 House of Representatives, ~~and the secretary of the Department of~~
601 ~~Labor and Employment Security~~ on or before February 1 of each
602 year. The report must contain, at a minimum, the following:

- 603 a. Total expenditures of each agency by industry.
604 b. The dollar amount and percentage of contracts awarded to
605 certified minority business enterprises by each state agency.
606 c. The dollar amount and percentage of contracts awarded
607 indirectly to certified minority business enterprises as
608 subcontractors by each state agency.
609 d. The total dollar amount and percentage of contracts

586-03784-11

20111346c2

610 awarded to certified minority business enterprises, whether
611 directly or indirectly, as subcontractors.

612 e. A statement and assessment of good faith efforts taken
613 by each state agency.

614 f. A status report of agency compliance with subsection
615 (6), as determined by the Minority Business Enterprise Office.

616 Section 11. Subsections (1) and (5) of section 287.0947,
617 Florida Statutes, are amended to read:

618 287.0947 Florida Advisory Council on Small and Minority
619 Business Development; creation; membership; duties.—

620 (1) ~~On or after October 1, 1996,~~ The Secretary of
621 Management Services ~~the Department of Labor and Employment~~
622 ~~Security~~ may create the Florida Advisory Council on Small and
623 Minority Business Development with the purpose of advising and
624 assisting the secretary in carrying out the secretary's duties
625 with respect to minority businesses and economic and business
626 development. It is the intent of the Legislature that the
627 membership of such council include practitioners, laypersons,
628 financiers, and others with business development experience who
629 can provide invaluable insight and expertise for this state in
630 the diversification of its markets and networking of business
631 opportunities. The council shall initially consist of 19
632 persons, each of whom is or has been actively engaged in small
633 and minority business development, either in private industry,
634 in governmental service, or as a scholar of recognized
635 achievement in the study of such matters. Initially, the council
636 shall consist of members representing all regions of the state
637 and shall include at least one member from each group identified
638 within the definition of "minority person" in s. 288.703(3),

586-03784-11

20111346c2

639 considering also gender and nationality subgroups, and shall
640 consist of the following:

641 (a) Four members consisting of representatives of local and
642 federal small and minority business assistance programs or
643 community development programs.

644 (b) Eight members composed of representatives of the
645 minority private business sector, including certified minority
646 business enterprises and minority supplier development councils,
647 among whom at least two shall be women and at least four shall
648 be minority persons.

649 (c) Two representatives of local government, one of whom
650 shall be a representative of a large local government, and one
651 of whom shall be a representative of a small local government.

652 (d) Two representatives from the banking and insurance
653 industry.

654 (e) Two members from the private business sector,
655 representing the construction and commodities industries.

656 (f) The chairperson of the Florida Black Business
657 Investment Board or the chairperson's designee.

658

659 A candidate for appointment may be considered if eligible to be
660 certified as an owner of a minority business enterprise, or if
661 otherwise qualified under the criteria above. Vacancies may be
662 filled by appointment of the secretary, in the manner of the
663 original appointment.

664 (5) The powers and duties of the council include, but are
665 not limited to: researching and reviewing the role of small and
666 minority businesses in the state's economy; reviewing issues and
667 emerging topics relating to small and minority business economic

586-03784-11

20111346c2

668 development; studying the ability of financial markets and
669 institutions to meet small business credit needs and determining
670 the impact of government demands on credit for small businesses;
671 assessing the implementation of s. 187.201(21) ~~187.201(22)~~,
672 requiring a state economic development comprehensive plan, as it
673 relates to small and minority businesses; assessing the
674 reasonableness and effectiveness of efforts by any state agency
675 or by all state agencies collectively to assist minority
676 business enterprises; and advising the Governor, the secretary,
677 and the Legislature on matters relating to small and minority
678 business development which are of importance to the
679 international strategic planning and activities of this state.

680 Section 12. Subsection (1) of section 288.021, Florida
681 Statutes, is amended to read:

682 288.021 Economic development liaison.-

683 (1) The heads of the Department of Transportation, the
684 Department of Environmental Protection and an additional member
685 appointed by the secretary of the department, the Agency for
686 Workforce Innovation ~~the Department of Labor and Employment~~
687 ~~Security~~, the Department of Education, the Department of
688 Community Affairs, the Department of Management Services, the
689 Department of Revenue, the Fish and Wildlife Conservation
690 Commission, each water management district, and each Department
691 of Transportation District office shall designate a high-level
692 staff member from within such agency to serve as the economic
693 development liaison for the agency. This person shall report to
694 the agency head and have general knowledge both of the state's
695 permitting and other regulatory functions and of the state's
696 economic goals, policies, and programs. This person shall also

586-03784-11

20111346c2

697 be the primary point of contact for the agency with the Office
698 of Tourism, Trade, and Economic Development on issues and
699 projects important to the economic development of Florida,
700 including its rural areas, to expedite project review, to ensure
701 a prompt, effective response to problems arising with regard to
702 permitting and regulatory functions, and to work closely with
703 the other economic development liaisons to resolve interagency
704 conflicts.

705 Section 13. Subsection (1) of section 288.035, Florida
706 Statutes, is amended to read:

707 288.035 Economic development activities.—

708 (1) The Florida Public Service Commission may authorize
709 public utilities to recover reasonable economic development
710 expenses. For purposes of this section, recoverable "economic
711 development expenses" are those expenses described in subsection
712 (2) which are consistent with criteria to be established by
713 rules adopted by ~~the Department of Commerce as of June 30, 1996,~~
714 ~~or as those criteria are later modified by~~ the Office of
715 Tourism, Trade, and Economic Development.

716 Section 14. Section 288.038, Florida Statutes, is repealed.

717 Section 15. Subsections (1), (2), and (4) of section
718 288.1168, Florida Statutes, are amended to read:

719 288.1168 Professional golf hall of fame facility.—

720 (1) The Office of Tourism, Trade, and Economic Development
721 ~~Department of Commerce~~ shall serve as the state agency for
722 screening applicants for state funding pursuant to s. 212.20 and
723 for certifying one applicant as the professional golf hall of
724 fame facility in the state.

725 (2) Prior to certifying the professional golf hall of fame

586-03784-11

20111346c2

726 facility, the Office of Tourism, Trade, and Economic Development
727 ~~Department of Commerce~~ must determine that:

728 (a) The professional golf hall of fame facility is the only
729 professional golf hall of fame in the United States recognized
730 by the PGA Tour, Inc.

731 (b) The applicant is a unit of local government as defined
732 in s. 218.369 or a private sector group that has contracted to
733 construct or operate the professional golf hall of fame facility
734 on land owned by a unit of local government.

735 (c) The municipality in which the professional golf hall of
736 fame facility is located, or the county if the facility is
737 located in an unincorporated area, has certified by resolution
738 after a public hearing that the application serves a public
739 purpose.

740 (d) There are existing projections that the professional
741 golf hall of fame facility will attract a paid attendance of
742 more than 300,000 annually.

743 (e) There is an independent analysis or study, using
744 methodology approved by the office department, which
745 demonstrates that the amount of the revenues generated by the
746 taxes imposed under chapter 212 with respect to the use and
747 operation of the professional golf hall of fame facility will
748 equal or exceed \$2 million annually.

749 (f) The applicant has submitted an agreement to provide \$2
750 million annually in national and international media promotion
751 of the professional golf hall of fame facility, Florida, and
752 Florida tourism, through the PGA Tour, Inc., or its affiliates,
753 at the then-current commercial rate, during the period of time
754 that the facility receives funds pursuant to s. 212.20. The

586-03784-11

20111346c2

755 Office of Tourism, Trade, and Economic Development and the PGA
756 Tour, Inc., or its affiliates, must agree annually on a
757 reasonable percentage of advertising specifically allocated for
758 generic Florida advertising. The Office of Tourism, Trade, and
759 Economic Development shall have final approval of all generic
760 advertising. Failure on the part of the PGA Tour, Inc., or its
761 affiliates to annually provide the advertising as provided in
762 this paragraph or subsection (6) shall result in the termination
763 of funding as provided in s. 212.20.

764 (g) Documentation exists that demonstrates that the
765 applicant has provided, is capable of providing, or has
766 financial or other commitments to provide more than one-half of
767 the costs incurred or related to the improvement and development
768 of the facility.

769 (h) The application is signed by an official senior
770 executive of the applicant and is notarized according to Florida
771 law providing for penalties for falsification.

772 (4) Upon determining that an applicant is or is not
773 certifiable, the director of the Office of Tourism, Trade, and
774 Economic Development ~~Secretary of Commerce~~ shall notify the
775 applicant of his or her status by means of an official letter.
776 If certifiable, the director ~~secretary~~ shall notify the
777 executive director of the Department of Revenue and the
778 applicant of such certification by means of an official letter
779 granting certification. From the date of such certification, the
780 applicant shall have 5 years to open the professional golf hall
781 of fame facility to the public and notify the Office of Tourism,
782 Trade, and Economic Development of such opening. The Department
783 of Revenue shall not begin distributing funds until 30 days

586-03784-11

20111346c2

784 following notice by the Office of Tourism, Trade, and Economic
785 Development that the professional golf hall of fame facility is
786 open to the public.

787 Section 16. Subsection (7) of section 288.1229, Florida
788 Statutes, is amended to read:

789 288.1229 Promotion and development of sports-related
790 industries and amateur athletics; direct-support organization;
791 powers and duties.—

792 (7) In exercising the power provided in this section, the
793 Office of Tourism, Trade, and Economic Development may authorize
794 and contract with the direct-support organization existing on
795 June 30, 1996, ~~and authorized by the former Florida Department~~
796 ~~of Commerce to promote sports-related industries. An appointed~~
797 ~~member of the board of directors of such direct-support~~
798 ~~organization as of June 30, 1996, may serve the remainder of his~~
799 ~~or her unexpired term.~~

800 Section 17. Section 288.1169, Florida Statutes, is amended
801 to read:

802 288.1169 International Game Fish Association World Center
803 facility.—

804 (1) The Office of Tourism, Trade, and Economic Development
805 ~~Department of Commerce~~ shall serve as the state agency approving
806 applicants for funding pursuant to s. 212.20 and for certifying
807 the applicant as the International Game Fish Association World
808 Center facility. For purposes of this section, "facility" means
809 the International Game Fish Association World Center, and
810 "project" means the International Game Fish Association World
811 Center and new colocated improvements by private sector concerns
812 who have made cash or in-kind contributions to the facility of

586-03784-11

20111346c2

813 \$1 million or more.

814 (2) Prior to certifying this facility, the office
815 ~~department~~ must determine that:

816 (a) The International Game Fish Association World Center is
817 the only fishing museum, Hall of Fame, and international
818 administrative headquarters in the United States recognized by
819 the International Game Fish Association, and that one or more
820 private sector concerns have committed to donate to the
821 International Game Fish Association land upon which the
822 International Game Fish Association World Center will operate.

823 (b) International Game Fish Association is a not-for-profit
824 Florida corporation that has contracted to construct and operate
825 the facility.

826 (c) The municipality in which the facility is located, or
827 the county if the facility is located in an unincorporated area,
828 has certified by resolution after a public hearing that the
829 facility serves a public purpose.

830 (d) There are existing projections that the International
831 Game Fish Association World Center facility and the colocated
832 facilities of private sector concerns will attract an attendance
833 of more than 1.8 million annually.

834 (e) There is an independent analysis or study, using
835 methodology approved by the office ~~department~~, which
836 demonstrates that the amount of the revenues generated by the
837 taxes imposed under chapter 212 with respect to the use and
838 operation of the project will exceed \$1 million annually.

839 (f) There are existing projections that the project will
840 attract more than 300,000 persons annually who are not residents
841 of the state.

586-03784-11

20111346c2

842 (g) The applicant has submitted an agreement to provide
843 \$500,000 annually in national and international media promotion
844 of the facility, at the then-current commercial rates, during
845 the period of time that the facility receives funds pursuant to
846 s. 212.20. Failure on the part of the applicant to annually
847 provide the advertising as provided in this paragraph shall
848 result in the termination of the funding as provided in s.
849 212.20. The applicant can discharge its obligation under this
850 paragraph by contracting with other persons, including private
851 sector concerns who participate in the project.

852 (h) Documentation exists that demonstrates that the
853 applicant has provided, and is capable of providing, or has
854 financial or other commitments to provide, more than one-half of
855 the cost incurred or related to the improvements and the
856 development of the facility.

857 (i) The application is signed by senior officials of the
858 International Game Fish Association and is notarized according
859 to Florida law providing for penalties for falsification.

860 (3) The applicant may use funds provided pursuant to s.
861 212.20 for the purpose of paying for the construction,
862 reconstruction, renovation, promotion, or operation of the
863 facility, or to pay or pledge for payment of debt service on, or
864 to fund debt service reserve funds, arbitrage rebate
865 obligations, or other amounts payable with respect to, bonds
866 issued for the construction, reconstruction, or renovation of
867 the facility or for the reimbursement of such costs or by
868 refinancing of bonds issued for such purposes.

869 (4) Upon determining that an applicant is or is not
870 certifiable, the Office of Tourism, Trade, and Economic

586-03784-11

20111346c2

871 Development ~~Department of Commerce~~ shall notify the applicant of
872 its status by means of an official letter. If certifiable, the
873 Office of Tourism, Trade, and Economic Development ~~Department of~~
874 ~~Commerce~~ shall notify the executive director of the Department
875 of Revenue and the applicant of such certification by means of
876 an official letter granting certification. From the date of such
877 certification, the applicant shall have 5 years to open the
878 facility to the public and notify the Office of Tourism, Trade,
879 and Economic Development ~~Department of Commerce~~ of such opening.
880 The Department of Revenue shall not begin distributing funds
881 until 30 days following notice by the Office of Tourism, Trade,
882 and Economic Development ~~Department of Commerce~~ that the
883 facility is open to the public.

884 (5) The Department of Revenue may audit as provided in s.
885 213.34 to verify that the contributions pursuant to this section
886 have been expended as required by this section.

887 (6) The Office of Tourism, Trade, and Economic Development
888 ~~Department of Commerce~~ must recertify every 10 years that the
889 facility is open, that the International Game Fish Association
890 World Center continues to be the only international
891 administrative headquarters, fishing museum, and Hall of Fame in
892 the United States recognized by the International Game Fish
893 Association, and that the project is meeting the minimum
894 projections for attendance or sales tax revenues as required at
895 the time of original certification. If the facility is not
896 recertified during this 10-year review as meeting the minimum
897 projections, then funding shall be abated until certification
898 criteria are met. If the project fails to generate \$1 million of
899 annual revenues pursuant to paragraph (2) (e), the distribution

586-03784-11

20111346c2

900 of revenues pursuant to s. 212.20(6)(d)6.d. shall be reduced to
901 an amount equal to \$83,333 multiplied by a fraction, the
902 numerator of which is the actual revenues generated and the
903 denominator of which is \$1 million. Such reduction remains in
904 effect until revenues generated by the project in a 12-month
905 period equal or exceed \$1 million.

906 Section 18. Subsections (2), (4), and (5) of section
907 331.369, Florida Statutes, are amended to read:

908 331.369 Space Industry Workforce Initiative.—

909 (2) Workforce Florida, Inc., ~~The Workforce Development~~
910 ~~Board of Enterprise Florida, Inc., or its successor entity,~~
911 shall coordinate development of a Space Industry Workforce
912 Initiative in partnership with Space Florida, public and private
913 universities, community colleges, and other training providers
914 approved by the board. The purpose of the initiative is to use
915 or revise existing programs and to develop innovative new
916 programs to address the workforce needs of the aerospace
917 industry.

918 (4) Workforce Florida, Inc., ~~The Workforce Development~~
919 ~~Board of Enterprise Florida, Inc., or its successor entity,~~ with
920 the assistance of Space Florida, shall convene representatives
921 from the aerospace industry to identify the priority training
922 and education needs of the industry and to appoint a team to
923 design programs to meet the priority needs.

924 (5) Workforce Florida, Inc., ~~The Workforce Development~~
925 ~~Board of Enterprise Florida, Inc., or its successor entity,~~ as
926 part of its statutorily prescribed annual report to the
927 Legislature, shall provide recommendations for policies,
928 programs, and funding to enhance the workforce needs of the

586-03784-11

20111346c2

929 aerospace industry.

930 Section 19. Paragraph (h) of subsection (5) of section
931 377.711, Florida Statutes, is amended to read:

932 377.711 Florida party to Southern States Energy Compact.—
933 The Southern States Energy Compact is enacted into law and
934 entered into by the state as a party, and is of full force and
935 effect between the state and any other states joining therein in
936 accordance with the terms of the compact, which compact is
937 substantially as follows:

938 (5) POWERS.—The board shall have the power to:

939 (h) Recommend such changes in, or amendments or additions
940 to, the laws, codes, rules, regulations, administrative
941 procedures and practices, or ordinances of the party states in
942 any of the fields of its interest and competence as in its
943 judgment may be appropriate. Any such recommendation shall be
944 made through the appropriate state agency with due consideration
945 of the desirability of uniformity but shall also give
946 appropriate weight to any special circumstances that may justify
947 variations to meet local conditions. ~~Any such recommendation~~
948 ~~shall be made, in the case of Florida, through the Department of~~
949 ~~Commerce.~~

950 Section 20. Subsection (3) of section 377.712, Florida
951 Statutes, is amended to read:

952 377.712 Florida participation.—

953 (3) Departments ~~The department~~, agencies, and officers of
954 this state, and its subdivisions are authorized to cooperate
955 with the board in the furtherance of any of its activities
956 pursuant to the compact, provided such proposed activities have
957 been made known to, and have the approval of, either the

586-03784-11

20111346c2

958 Governor or the Department of Health.

959 Section 21. Subsection (1), paragraph (b) of subsection
960 (3), and subsection (8) of section 409.2576, Florida Statutes,
961 are amended to read:

962 409.2576 State Directory of New Hires.—

963 (1) DIRECTORY CREATED.—The State Directory of New Hires is
964 hereby created and shall be administered by the Department of
965 Revenue or its agent. ~~The Department of Labor and Employment~~
966 ~~Security will act as the agent until a date not later than~~
967 ~~October 1, 1998.~~ All employers in the state shall furnish a
968 report consistent with subsection (3) for each newly hired or
969 rehired employee unless the employee is employed by a federal or
970 state agency performing intelligence or counterintelligence
971 functions and the head of such agency has determined that
972 reporting pursuant to this section could endanger the safety of
973 the employee or compromise an ongoing investigation or
974 intelligence mission.

975 (3) EMPLOYERS TO FURNISH REPORTS.—

976 (b) ~~Upon termination of the contract with the Department of~~
977 ~~Labor and Employment Security, but not later than October 1,~~
978 ~~1998,~~ All employers shall furnish a report to the State
979 Directory of New Hires of the state in which the newly hired or
980 rehired employee works. The report required in this section
981 shall be made on a W-4 form or, at the option of the employer,
982 an equivalent form, and can be transmitted magnetically,
983 electronically, by first-class mail, or other methods which may
984 be prescribed by the State Directory. Each report shall include
985 the name, address, date of hire, and social security number of
986 every new and rehired employee and the name, address, and

586-03784-11

20111346c2

987 federal employer identification number of the reporting
988 employer. If available, the employer may also include the
989 employee's date of birth in the report. Multistate employers
990 that report new hire information electronically or magnetically
991 may designate a single state to which it will transmit the above
992 noted report, provided the employer has employees in that state
993 and the employer notifies the Secretary of Health and Human
994 Services in writing to which state the information will be
995 provided. Agencies of the United States Government shall report
996 directly to the National Directory of New Hires.

997 (8) PROVIDING INFORMATION TO NATIONAL DIRECTORY. ~~Not later~~
998 ~~than October 1, 1997,~~ The State Directory of New Hires must
999 furnish information regarding newly hired or rehired employees
1000 to the National Directory of New Hires for matching with the
1001 records of other state case registries within 3 business days of
1002 entering such information from the employer into the State
1003 Directory of New Hires. The State Directory of New Hires shall
1004 enter into an agreement with the Agency for Workforce Innovation
1005 or its tax collection service provider ~~Florida Department of~~
1006 ~~Labor and Employment Security~~ for the quarterly reporting to the
1007 National Directory of New Hires information on wages and
1008 unemployment compensation taken from the quarterly report to the
1009 Secretary of Labor, now required by Title III of the Social
1010 Security Act, except that no report shall be filed with respect
1011 to an employee of a state or local agency performing
1012 intelligence or counterintelligence functions, if the head of
1013 such agency has determined that filing such a report could
1014 endanger the safety of the employee or compromise an ongoing
1015 investigation or intelligence mission.

586-03784-11

20111346c2

1016 Section 22. Section 414.24, Florida Statutes, is amended to
1017 read:

1018 414.24 Integrated welfare reform and child welfare
1019 services.—The department shall develop integrated service
1020 delivery strategies to better meet the needs of families subject
1021 to work activity requirements who are involved in the child
1022 welfare system or are at high risk of involvement in the child
1023 welfare system. To the extent that resources are available, the
1024 department and the Agency for Workforce Innovation ~~Department of~~
1025 ~~Labor and Employment Security~~ shall provide funds to one or more
1026 service districts to promote development of integrated,
1027 nonduplicative case management within the department, the Agency
1028 for Workforce Innovation ~~Department of Labor and Employment~~
1029 ~~Security~~, other participating government agencies, and community
1030 partners. Alternative delivery systems shall be encouraged which
1031 include well-defined, pertinent outcome measures. Other factors
1032 to be considered shall include innovation regarding training,
1033 enhancement of existing resources, and increased private sector
1034 and business sector participation.

1035 Section 23. Section 414.40, Florida Statutes, is amended to
1036 read:

1037 414.40 Stop Inmate Fraud Program established; guidelines.—

1038 (1) There is created within the Department of Financial
1039 Services ~~Department of Law Enforcement~~ a Stop Inmate Fraud
1040 Program.

1041 (2) The Department of Financial Services ~~Department of Law~~
1042 ~~Enforcement~~ is directed to implement the Stop Inmate Fraud
1043 Program in accordance with the following guidelines:

1044 (a) The program shall establish procedures for sharing

586-03784-11

20111346c2

1045 public records not exempt from the public records law among
1046 social services agencies regarding the identities of persons
1047 incarcerated in state correctional institutions, as defined in
1048 s. 944.02, or in county, municipal, or regional jails or other
1049 detention facilities of local governments under chapter 950 or
1050 chapter 951 who are wrongfully receiving public assistance
1051 benefits or entitlement benefits.

1052 (b) Pursuant to these procedures, the program shall have
1053 access to records containing correctional information not exempt
1054 from the public records law on incarcerated persons which have
1055 been generated as criminal justice information. As used in this
1056 paragraph, the term "record" is defined as provided in s.
1057 943.045(7), and the term "criminal justice information" is
1058 defined as provided in s. 943.045(3).

1059 (c) Database searches shall be conducted of the inmate
1060 population at each correctional institution or other detention
1061 facility. A correctional institution or a detention facility
1062 shall provide the Stop Inmate Fraud Program with the information
1063 necessary to identify persons wrongfully receiving benefits in
1064 the medium requested by the Stop Inmate Fraud Program if the
1065 correctional institution or detention facility maintains the
1066 information in that medium.

1067 (d) Data obtained from correctional institutions or other
1068 detention facilities shall be compared with the client files of
1069 the Department of Children and Family Services, the Agency for
1070 Workforce Innovation ~~Department of Labor and Employment~~
1071 ~~Security~~, and other state or local agencies as needed to
1072 identify persons wrongfully obtaining benefits. Data comparisons
1073 shall be accomplished during periods of low information demand

586-03784-11

20111346c2

1074 by agency personnel to minimize inconvenience to the agency.

1075 (e) Results of data comparisons shall be furnished to the
1076 appropriate office for use in the county in which the data
1077 originated. The program may provide reports of the data it
1078 obtains to appropriate state, federal, and local government
1079 agencies or governmental entities, including, but not limited
1080 to:

1081 1. The Child Support Enforcement Program of the Department
1082 of Revenue, so that the data may be used as locator information
1083 on persons being sought for purposes of child support.

1084 2. The Social Security Administration, so that the data may
1085 be used to reduce federal entitlement fraud within the state.

1086 (f) Reports by the program to another agency or entity
1087 shall be generated bimonthly, or as otherwise directed, and
1088 shall be designed to accommodate that agency's or entity's
1089 particular needs for data.

1090 (g) Only those persons with active cases, or with cases
1091 that were active during the incarceration period, shall be
1092 reported, in order that the funding agency or entity, upon
1093 verification of the data, may take whatever action is deemed
1094 appropriate.

1095 (h) For purposes of program review and analysis, each
1096 agency or entity receiving data from the program shall submit
1097 reports to the program which indicate the results of how the
1098 data was used.

1099 Section 24. Subsection (5) of section 440.385, Florida
1100 Statutes, is amended to read:

1101 440.385 Florida Self-Insurers Guaranty Association,
1102 Incorporated.-

586-03784-11

20111346c2

1103 (5) PLAN OF OPERATION.—The association shall operate
1104 pursuant to a plan of operation approved by the board of
1105 directors. The plan of operation must be in effect on January 1,
1106 ~~2002, and~~ approved by the Department of Financial Services and
1107 ~~Department of Labor and Employment Security shall remain in~~
1108 ~~effect. However,~~ any amendments to the plan shall not become
1109 effective until approved by the department ~~of Financial~~
1110 ~~Services.~~

1111 (a) The purpose of the plan of operation shall be to
1112 provide the association and the board of directors with the
1113 authority and responsibility to establish the necessary programs
1114 and to take the necessary actions to protect against the
1115 insolvency of a member of the association. In addition, the plan
1116 shall provide that the members of the association shall be
1117 responsible for maintaining an adequate Insolvency Fund to meet
1118 the obligations of insolvent members provided for under this act
1119 and shall authorize the board of directors to contract and
1120 employ those persons with the necessary expertise to carry out
1121 this stated purpose. ~~By January 1, 2003,~~ The board of directors
1122 shall submit to the department a proposed plan of operation for
1123 the administration of the association. The department shall
1124 approve the plan by order, consistent with this section. The
1125 department shall approve any amendments to the plan, consistent
1126 with this section, which are determined appropriate to carry out
1127 the duties and responsibilities of the association.

1128 (b) All member employers shall comply with the plan of
1129 operation.

1130 (c) The plan of operation shall:

1131 1. Establish the procedures whereby all the powers and

586-03784-11

20111346c2

1132 duties of the association under subsection (3) will be
1133 performed.

1134 2. Establish procedures for handling assets of the
1135 association.

1136 3. Establish the amount and method of reimbursing members
1137 of the board of directors under subsection (2).

1138 4. Establish procedures by which claims may be filed with
1139 the association and establish acceptable forms of proof of
1140 covered claims. Notice of claims to the receiver or liquidator
1141 of the insolvent employer shall be deemed notice to the
1142 association or its agent, and a list of such claims shall be
1143 submitted periodically to the association or similar
1144 organization in another state by the receiver or liquidator.

1145 5. Establish regular places and times for meetings of the
1146 board of directors.

1147 6. Establish procedures for records to be kept of all
1148 financial transactions of the association and its agents and the
1149 board of directors.

1150 7. Provide that any member employer aggrieved by any final
1151 action or decision of the association may appeal to the
1152 department within 30 days after the action or decision.

1153 8. Establish the procedures whereby recommendations of
1154 candidates for the board of directors shall be submitted to the
1155 department.

1156 9. Contain additional provisions necessary or proper for
1157 the execution of the powers and duties of the association.

1158 (d) The plan of operation may provide that any or all of
1159 the powers and duties of the association, except those specified
1160 under subparagraphs (c)1. and 2., be delegated to a corporation,

586-03784-11

20111346c2

1161 association, or other organization which performs or will
1162 perform functions similar to those of this association or its
1163 equivalent in two or more states. Such a corporation,
1164 association, or organization shall be reimbursed as a servicing
1165 facility would be reimbursed and shall be paid for its
1166 performance of any other functions of the association. A
1167 delegation of powers or duties under this subsection shall take
1168 effect only with the approval of both the board of directors and
1169 the department and may be made only to a corporation,
1170 association, or organization which extends protection which is
1171 not substantially less favorable and effective than the
1172 protection provided by this section.

1173 Section 25. Paragraph (b) of subsection (9) of section
1174 440.49, Florida Statutes, is amended to read:

1175 440.49 Limitation of liability for subsequent injury
1176 through Special Disability Trust Fund.—

1177 (9) SPECIAL DISABILITY TRUST FUND.—

1178 (b)1. The Special Disability Trust Fund shall be maintained
1179 by annual assessments upon the insurance companies writing
1180 compensation insurance in the state, the commercial self-
1181 insurers under ss. 624.462 and 624.4621, the assessable mutuals
1182 as defined in s. 628.6011, and the self-insurers under this
1183 chapter, which assessments shall become due and be paid
1184 quarterly at the same time and in addition to the assessments
1185 provided in s. 440.51. The department shall estimate annually in
1186 advance the amount necessary for the administration of this
1187 subsection and the maintenance of this fund and shall make such
1188 assessment in the manner hereinafter provided.

1189 2. The annual assessment shall be calculated to produce

586-03784-11

20111346c2

1190 during the ensuing fiscal year an amount which, when combined
1191 with that part of the balance in the fund on June 30 of the
1192 current fiscal year which is in excess of \$100,000, is equal to
1193 the average of:

1194 a. The sum of disbursements from the fund during the
1195 immediate past 3 calendar years, and

1196 b. Two times the disbursements of the most recent calendar
1197 year.

1198

1199 Such amount shall be prorated among the insurance companies
1200 writing compensation insurance in the state and the self-
1201 insurers. ~~Provided however, for those carriers that have~~
1202 ~~excluded ceded reinsurance premiums from their assessments on or~~
1203 ~~before January 1, 2000, no assessments on ceded reinsurance~~
1204 ~~premiums shall be paid by those carriers until such time as the~~
1205 ~~former Division of Workers' Compensation of the Department of~~
1206 ~~Labor and Employment Security or the department advises each of~~
1207 ~~those carriers of the impact that the inclusion of ceded~~
1208 ~~reinsurance premiums has on their assessment. The department may~~
1209 ~~not recover any past underpayments of assessments levied against~~
1210 ~~any carrier that on or before January 1, 2000, excluded ceded~~
1211 ~~reinsurance premiums from their assessment prior to the point~~
1212 ~~that the former Division of Workers' Compensation of the~~
1213 ~~Department of Labor and Employment Security or the department~~
1214 ~~advises of the appropriate assessment that should have been~~
1215 ~~paid.~~

1216 3. The net premiums written by the companies for workers'
1217 compensation in this state and the net premium written
1218 applicable to the self-insurers in this state are the basis for

586-03784-11

20111346c2

1219 computing the amount to be assessed as a percentage of net
1220 premiums. Such payments shall be made by each carrier and self-
1221 insurer to the department for the Special Disability Trust Fund
1222 in accordance with such regulations as the department
1223 prescribes.

1224 4. The Chief Financial Officer is authorized to receive and
1225 credit to such Special Disability Trust Fund any sum or sums
1226 that may at any time be contributed to the state by the United
1227 States under any Act of Congress, or otherwise, to which the
1228 state may be or become entitled by reason of any payments made
1229 out of such fund.

1230 Section 26. Section 446.60, Florida Statutes, is repealed.

1231 Section 27. Section 450.161, Florida Statutes, is amended
1232 to read:

1233 450.161 Chapter not to affect career education of children;
1234 other exceptions.—Nothing in this chapter shall prevent minors
1235 of any age from receiving career education furnished by the
1236 United States, this state, or any county or other political
1237 subdivision of this state and duly approved by the Department of
1238 Education or other duly constituted authority, nor any
1239 apprentice indentured under a plan approved by the Department of
1240 Education ~~Division of Jobs and Benefits~~, or prevent the
1241 employment of any minor 14 years of age or older when such
1242 employment is authorized as an integral part of, or supplement
1243 to, such a course in career education and is authorized by
1244 regulations of the district school board of the district in
1245 which such minor is employed, provided the employment is in
1246 compliance with the provisions of ss. 450.021(4) and 450.061.
1247 Exemptions for the employment of student learners 16 to 18 years

586-03784-11

20111346c2

1248 of age are provided in s. 450.061. Such an exemption shall apply
1249 when:

1250 (1) The student learner is enrolled in a youth vocational
1251 training program under a recognized state or local educational
1252 authority.

1253 (2) Such student learner is employed under a written
1254 agreement which provides:

1255 (a) That the work of the student learner in the occupation
1256 declared particularly hazardous shall be incidental to the
1257 training.

1258 (b) That such work shall be intermittent and for short
1259 periods of time and under the direct and close supervision of a
1260 qualified and experienced person.

1261 (c) That safety instructions shall be given by the school
1262 and correlated by the employer with on-the-job training.

1263 (d) That a schedule of organized and progressive work
1264 processes to be performed on the job shall have been prepared.

1265

1266 Each such written agreement shall contain the name of the
1267 student learner and shall be signed by the employer, the school
1268 coordinator and principal, and the parent or legal guardian.

1269 Copies of each agreement shall be kept on file by both the
1270 school and the employer. This exemption for the employment of
1271 student learners may be revoked in any individual situation when
1272 it is found that reasonable precautions have not been observed
1273 for the safety of minors employed thereunder. A high school
1274 graduate may be employed in an occupation in which he or she has
1275 completed training as a student learner, as provided in this
1276 section, even though he or she is not yet 18 years of age.

586-03784-11

20111346c2

1277 Section 28. Paragraph (d) of subsection (1) of section
1278 464.203, Florida Statutes, is amended to read:

1279 464.203 Certified nursing assistants; certification
1280 requirement.—

1281 (1) The board shall issue a certificate to practice as a
1282 certified nursing assistant to any person who demonstrates a
1283 minimum competency to read and write and successfully passes the
1284 required background screening pursuant to s. 400.215 and meets
1285 one of the following requirements:

1286 (d) Has completed the curriculum developed by the
1287 Department of Education ~~under the Enterprise Florida Jobs and~~
1288 ~~Education Partnership Grant~~ and achieved a minimum score,
1289 established by rule of the board, on the nursing assistant
1290 competency examination, which consists of a written portion and
1291 skills-demonstration portion, approved by the board and
1292 administered at a site and by personnel approved by the
1293 department.

1294 Section 29. Subsection (1) of section 489.1455, Florida
1295 Statutes, is amended to read:

1296 489.1455 Journeyman; reciprocity; standards.—

1297 (1) An individual who holds a valid, active journeyman
1298 license in the plumbing/pipe fitting, mechanical, or HVAC trades
1299 issued by any county or municipality in this state may work as a
1300 journeyman in the trade in which he or she is licensed in any
1301 county or municipality of this state without taking an
1302 additional examination or paying an additional license fee, if
1303 he or she:

1304 (a) Has scored at least 70 percent, or after October 1,
1305 1997, at least 75 percent, on a proctored journeyman Block and

586-03784-11

20111346c2

1306 Associates examination or other proctored examination approved
1307 by the board for the trade in which he or she is licensed;

1308 (b) Has completed an apprenticeship program registered with
1309 a registration agency defined in 29 C.F.R. 29.2 ~~the Department~~
1310 ~~of Labor and Employment Security~~ and demonstrates 4 years'
1311 verifiable practical experience in the trade for which he or she
1312 is licensed, or demonstrates 6 years' verifiable practical
1313 experience in the trade for which he or she is licensed;

1314 (c) Has satisfactorily completed specialized and advanced
1315 module coursework approved by the Florida Building Commission,
1316 as part of the building code training program established in s.
1317 553.841, specific to the discipline or, pursuant to
1318 authorization by the certifying authority, provides proof of
1319 completion of such coursework within 6 months after such
1320 certification; and

1321 (d) Has not had a license suspended or revoked within the
1322 last 5 years.

1323 Section 30. Subsection (1) of section 489.5335, Florida
1324 Statutes, is amended to read:

1325 489.5335 Journeyman; reciprocity; standards.—

1326 (1) An individual who holds a valid, active journeyman
1327 license in the electrical trade issued by any county or
1328 municipality in this state may work as a journeyman in any other
1329 county or municipality of this state without taking an
1330 additional examination or paying an additional license fee, if
1331 he or she:

1332 (a) Has scored at least 70 percent, or after October 1,
1333 1997, at least 75 percent, on a proctored journeyman Block and
1334 Associates examination or other proctored examination approved

586-03784-11

20111346c2

1335 by the board for the electrical trade;

1336 (b) Has completed an apprenticeship program registered with
1337 a registration agency defined in 29 C.F.R. 29.2 ~~the Department~~
1338 ~~of Labor and Employment Security~~ and demonstrates 4 years'
1339 verifiable practical experience in the electrical trade, or
1340 demonstrates 6 years' verifiable practical experience in the
1341 electrical trade;

1342 (c) Has satisfactorily completed specialized and advanced
1343 module coursework approved by the Florida Building Commission,
1344 as part of the building code training program established in s.
1345 553.841, specific to the discipline, or, pursuant to
1346 authorization by the certifying authority, provides proof of
1347 completion of such curriculum or coursework within 6 months
1348 after such certification; and

1349 (d) Has not had a license suspended or revoked within the
1350 last 5 years.

1351 Section 31. Section 553.62, Florida Statutes, is amended to
1352 read:

1353 553.62 State standard.—The Occupational Safety and Health
1354 Administration's excavation safety standards, 29 C.F.R. s.
1355 1926.650 Subpart P, are hereby incorporated as the state
1356 standard. ~~The Department of Labor and Employment Security may,~~
1357 ~~by rule, adopt updated or revised versions of those standards,~~
1358 ~~provided that the updated or revised versions are consistent~~
1359 ~~with the intent expressed in this act and s. 553.72, and are not~~
1360 ~~otherwise inconsistent with state law. Any rule adopted as~~
1361 ~~provided in this section shall be complied with upon its~~
1362 ~~effective date.~~

1363 Section 32. Subsection (1) of section 597.006, Florida

586-03784-11

20111346c2

1364 Statutes, is amended to read:

1365 597.006 Aquaculture Interagency Coordinating Council.—

1366 (1) CREATION.—The Legislature finds and declares that there
1367 is a need for interagency coordination with regard to
1368 aquaculture by the following agencies: the Department of
1369 Agriculture and Consumer Services; the Office of Tourism, Trade,
1370 and Economic Development; the Department of Community Affairs;
1371 the Department of Environmental Protection; ~~the Department of~~
1372 ~~Labor and Employment Security~~; the Fish and Wildlife
1373 Conservation Commission; the statewide consortium of
1374 universities under the Florida Institute of Oceanography;
1375 Florida Agricultural and Mechanical University; the Institute of
1376 Food and Agricultural Sciences at the University of Florida; and
1377 the Florida Sea Grant Program. It is therefore the intent of the
1378 Legislature to hereby create an Aquaculture Interagency
1379 Coordinating Council to act as an advisory body as defined in s.
1380 20.03(9).

1381 Section 33. Subsection (5) of section 944.012, Florida
1382 Statutes, is amended to read:

1383 944.012 Legislative intent.—The Legislature hereby finds
1384 and declares that:

1385 (5) In order to make the correctional system an efficient
1386 and effective mechanism, the various agencies involved in the
1387 correctional process must coordinate their efforts. Where
1388 possible, interagency offices should be physically located
1389 within major institutions and should include representatives of
1390 the public employment service ~~the Florida State Employment~~
1391 ~~Service~~, the vocational rehabilitation programs of the
1392 Department of Education, and the Parole Commission. Duplicative

586-03784-11

20111346c2

1393 and unnecessary methods of evaluating offenders must be
1394 eliminated and areas of responsibility consolidated in order to
1395 more economically utilize present scarce resources.

1396 Section 34. Section 944.708, Florida Statutes, is amended
1397 to read:

1398 944.708 Rules.—The Department of Corrections ~~and the Agency~~
1399 ~~for Workforce Innovation~~ shall adopt rules to implement the
1400 provisions of ss. 944.701-944.707.

1401 Section 35. Sections 255.551, 255.552, 255.553, 255.5535,
1402 255.555, 255.556, 255.557, 255.5576, 255.558, 255.559, 255.56,
1403 255.561, 255.562, and 255.563, Florida Statutes, are repealed.

1404 Section 36. Paragraph (e) of subsection (1) of section
1405 469.002, Florida Statutes, is amended to read:

1406 469.002 Exemptions.—

1407 (1) This chapter does not apply to:

1408 (e) An authorized employee of the United States, this
1409 state, or any municipality, county, or other political
1410 subdivision who has completed all training required by NESHAP
1411 and OSHA or by ASHARA for the activities described in this
1412 paragraph, while engaged in ~~asbestos-related activities set~~
1413 ~~forth in s. 255.5535 and~~ asbestos-related activities involving
1414 the demolition of a building owned by that governmental unit,
1415 where such activities are within the scope of that employment
1416 and the employee does not hold out for hire or otherwise engage
1417 in asbestos abatement, contracting, or consulting.

1418 Section 37. Paragraph (b) of subsection (2) of section
1419 469.003, Florida Statutes, is repealed.

1420 Section 38. Sections 39.0015, 39.305, 39.311, 39.312,
1421 39.313, 39.314, 39.315, 39.316, 39.317, 39.318, 39.816, 39.817,

586-03784-11

20111346c2

1422 383.0115, 393.22, 393.503, 394.922, 402.3045, 402.50, 402.55,
1423 409.1672, 409.1673, 409.1685, 409.801, 409.802, and 409.803,
1424 Florida Statutes, are repealed.

1425 Section 39. Paragraph (a) of subsection (4) of section
1426 20.195, Florida Statutes, is amended to read:

1427 20.195 Department of Children and Family Services; trust
1428 funds.—The following trust funds shall be administered by the
1429 Department of Children and Family Services:

1430 (4) Domestic Violence Trust Fund.

1431 (a) Funds to be credited to and uses of the trust fund
1432 shall be administered in accordance with the provisions of s.
1433 28.101, part XII ~~XIII~~ of chapter 39, and chapter 741.

1434 Section 40. Subsection (1) of section 39.00145, Florida
1435 Statutes, is amended to read:

1436 39.00145 Records concerning children.—

1437 (1) The case record of every child under the supervision of
1438 or in the custody of the department, the department's authorized
1439 agents, or providers contracting with the department, including
1440 community-based care lead agencies and their subcontracted
1441 providers, must be maintained in a complete and accurate manner.
1442 The case record must contain, at a minimum, the child's case
1443 plan required under part VII ~~VIII~~ of this chapter and the full
1444 name and street address of all shelters, foster parents, group
1445 homes, treatment facilities, or locations where the child has
1446 been placed.

1447 Section 41. Subsection (10) of section 39.0121, Florida
1448 Statutes, is amended to read:

1449 39.0121 Specific rulemaking authority.—Pursuant to the
1450 requirements of s. 120.536, the department is specifically

586-03784-11

20111346c2

1451 authorized to adopt, amend, and repeal administrative rules
1452 which implement or interpret law or policy, or describe the
1453 procedure and practice requirements necessary to implement this
1454 chapter, including, but not limited to, the following:

1455 (10) The ~~Family Builders Program,~~ the Intensive Crisis
1456 Counseling Program, and any other early intervention programs
1457 and kinship care assistance programs.

1458 Section 42. Paragraph (a) of subsection (15) of section
1459 39.301, Florida Statutes, is amended to read:

1460 39.301 Initiation of protective investigations.—

1461 (15) (a) If the department or its agent determines that a
1462 child requires immediate or long-term protection through:

1463 1. Medical or other health care; or

1464 2. Homemaker care, day care, protective supervision, or
1465 other services to stabilize the home environment, including
1466 intensive family preservation services through ~~the Family~~
1467 ~~Builders Program~~ or the Intensive Crisis Counseling Program, ~~or~~
1468 ~~both,~~

1469
1470 such services shall first be offered for voluntary acceptance
1471 unless there are high-risk factors that may impact the ability
1472 of the parents or legal custodians to exercise judgment. Such
1473 factors may include the parents' or legal custodians' young age
1474 or history of substance abuse or domestic violence.

1475 Section 43. Section 39.3031, Florida Statutes, is amended
1476 to read:

1477 39.3031 Rules for implementation of s. 39.303 ~~and~~
1478 ~~39.305.~~—The Department of Health, in consultation with the
1479 Department of Children and Family Services, shall adopt rules

586-03784-11

20111346c2

1480 governing the child protection teams ~~and the sexual abuse~~
1481 ~~treatment program~~ pursuant to s. ~~ss.~~ 39.303 ~~and 39.305~~,
1482 including definitions, organization, roles and responsibilities,
1483 eligibility, services and their availability, qualifications of
1484 staff, and a waiver-request process.

1485 Section 44. Subsection (13) of section 49.011, Florida
1486 Statutes, is amended to read:

1487 49.011 Service of process by publication; cases in which
1488 allowed.—Service of process by publication may be made in any
1489 court on any party identified in s. 49.021 in any action or
1490 proceeding:

1491 (13) For termination of parental rights pursuant to part
1492 VIII ~~IX~~ of chapter 39 or chapter 63.

1493 Section 45. Subsection (18) of section 381.006, Florida
1494 Statutes, is amended to read:

1495 381.006 Environmental health.—The department shall conduct
1496 an environmental health program as part of fulfilling the
1497 state's public health mission. The purpose of this program is to
1498 detect and prevent disease caused by natural and manmade factors
1499 in the environment. The environmental health program shall
1500 include, but not be limited to:

1501 (18) A food service inspection function for domestic
1502 violence centers that are certified and monitored by the
1503 Department of Children and Family Services under part XII ~~XIII~~
1504 of chapter 39 and group care homes as described in subsection
1505 (16), which shall be conducted annually and be limited to the
1506 requirements in department rule applicable to community-based
1507 residential facilities with five or fewer residents.

1508

586-03784-11

20111346c2

1509 The department may adopt rules to carry out the provisions of
1510 this section.

1511 Section 46. Paragraph (b) of subsection (1) of section
1512 381.0072, Florida Statutes, is amended to read:

1513 381.0072 Food service protection.—It shall be the duty of
1514 the Department of Health to adopt and enforce sanitation rules
1515 consistent with law to ensure the protection of the public from
1516 food-borne illness. These rules shall provide the standards and
1517 requirements for the storage, preparation, serving, or display
1518 of food in food service establishments as defined in this
1519 section and which are not permitted or licensed under chapter
1520 500 or chapter 509.

1521 (1) DEFINITIONS.—As used in this section, the term:

1522 (b) "Food service establishment" means detention
1523 facilities, public or private schools, migrant labor camps,
1524 assisted living facilities, adult family-care homes, adult day
1525 care centers, short-term residential treatment centers,
1526 residential treatment facilities, homes for special services,
1527 transitional living facilities, crisis stabilization units,
1528 hospices, prescribed pediatric extended care centers,
1529 intermediate care facilities for persons with developmental
1530 disabilities, boarding schools, civic or fraternal
1531 organizations, bars and lounges, vending machines that dispense
1532 potentially hazardous foods at facilities expressly named in
1533 this paragraph, and facilities used as temporary food events or
1534 mobile food units at any facility expressly named in this
1535 paragraph, where food is prepared and intended for individual
1536 portion service, including the site at which individual portions
1537 are provided, regardless of whether consumption is on or off the

586-03784-11

20111346c2

1538 premises and regardless of whether there is a charge for the
1539 food. The term does not include any entity not expressly named
1540 in this paragraph; nor does the term include a domestic violence
1541 center certified and monitored by the Department of Children and
1542 Family Services under part XII ~~XIII~~ of chapter 39 if the center
1543 does not prepare and serve food to its residents and does not
1544 advertise food or drink for public consumption.

1545 Section 47. Paragraph (b) of subsection (2) of section
1546 390.01114, Florida Statutes, is amended to read:

1547 390.01114 Parental Notice of Abortion Act.—

1548 (2) DEFINITIONS.—As used in this section, the term:

1549 (b) "Child abuse" means abandonment, abuse, harm, mental
1550 injury, neglect, physical injury, or sexual abuse of a child as
1551 those terms are defined in ss. 39.01, 827.04, and 984.03 ~~has the~~
1552 ~~same meaning as s. 39.0015(3).~~

1553 Section 48. Section 409.1685, Florida Statutes, is amended
1554 to read:

1555 409.1685 Children in foster care; annual report to
1556 Legislature.—The Department of Children and Family Services
1557 shall submit a written report to the Governor and the
1558 Legislature concerning the status of children in foster care and
1559 the judicial review mandated by part IX ~~X~~ of chapter 39. The
1560 report shall be submitted by May 1 of each year and must include
1561 the following information for the prior calendar year:

1562 (1) The number of 6-month and annual judicial reviews
1563 completed during that period.

1564 (2) The number of children in foster care returned to a
1565 parent, guardian, or relative as a result of a 6-month or annual
1566 judicial review hearing during that period.

586-03784-11

20111346c2

1567 (3) The number of termination of parental rights
1568 proceedings instituted during that period, including:

1569 (a) The number of termination of parental rights
1570 proceedings initiated pursuant to former s. 39.703; and

1571 (b) The total number of terminations of parental rights
1572 ordered.

1573 (4) The number of foster care children placed for adoption.

1574 Section 49. Paragraph (a) of subsection (3) of section
1575 411.01013, Florida Statutes, is amended to read:

1576 411.01013 Prevailing market rate schedule.—

1577 (3) The prevailing market rate schedule, at a minimum,
1578 must:

1579 (a) Differentiate rates by type, including, but not limited
1580 to, a child care provider that holds a Gold Seal Quality Care
1581 designation under s. 402.281, a child care facility licensed
1582 under s. 402.305, a public or nonpublic school exempt from
1583 licensure under s. 402.3025, a faith-based child care facility
1584 exempt from licensure under s. 402.316 that does not hold a Gold
1585 Seal Quality Care designation, a large family child care home
1586 licensed under s. 402.3131, or a family day care home licensed
1587 or registered under s. 402.313, ~~or an after-school program that~~
1588 ~~is not defined as child care under rules adopted pursuant to s.~~
1589 ~~402.3045.~~

1590 Section 50. Paragraph (j) of subsection (2) of section
1591 753.03, Florida Statutes, is redesignated as paragraph (i), and
1592 present paragraph (i) of that subsection is amended to read:

1593 753.03 Standards for supervised visitation and supervised
1594 exchange programs.—

1595 (2) The clearinghouse shall use an advisory board to assist

586-03784-11

20111346c2

1596 in developing the standards. The advisory board must include:

1597 ~~(i) A representative of the Commission on Marriage and~~
1598 ~~Family Support Initiatives.~~

1599 Section 51. Subsection (4) of section 877.22, Florida
1600 Statutes, is amended to read:

1601 877.22 Minors prohibited in public places and
1602 establishments during certain hours; penalty; procedure.—

1603 (4) If a minor violates a curfew and is taken into custody,
1604 the minor shall be transported immediately to a police station
1605 or to a facility operated by a religious, charitable, or civic
1606 organization that conducts a curfew program in cooperation with
1607 a local law enforcement agency. After recording pertinent
1608 information about the minor, the law enforcement agency shall
1609 attempt to contact the parent of the minor and, if successful,
1610 shall request that the parent take custody of the minor and
1611 shall release the minor to the parent. If the law enforcement
1612 agency is not able to contact the minor's parent within 2 hours
1613 after the minor is taken into custody, or if the parent refuses
1614 to take custody of the minor, the law enforcement agency may
1615 transport the minor to her or his residence or proceed as
1616 authorized under part IV ~~∇~~ of chapter 39.

1617 Section 52. Section 288.386, Florida Statutes, is repealed.

1618 Section 53. Section 288.9618, Florida Statutes, is
1619 repealed.

1620 Section 54. Section 288.982, Florida Statutes, is repealed.

1621 Section 55. Section 409.946, Florida Statute, is repealed.

1622 Section 56. Paragraphs (c), (d), and (e) of subsection (2)
1623 of section 288.012, Florida Statutes, are amended to read:

1624 288.012 State of Florida foreign offices.—The Legislature

586-03784-11

20111346c2

1625 finds that the expansion of international trade and tourism is
1626 vital to the overall health and growth of the economy of this
1627 state. This expansion is hampered by the lack of technical and
1628 business assistance, financial assistance, and information
1629 services for businesses in this state. The Legislature finds
1630 that these businesses could be assisted by providing these
1631 services at State of Florida foreign offices. The Legislature
1632 further finds that the accessibility and provision of services
1633 at these offices can be enhanced through cooperative agreements
1634 or strategic alliances between state entities, local entities,
1635 foreign entities, and private businesses.

1636 (2) Each foreign office shall have in place an operational
1637 plan approved by the participating boards or other governing
1638 authority, a copy of which shall be provided to the Office of
1639 Tourism, Trade, and Economic Development. These operating plans
1640 shall be reviewed and updated each fiscal year and shall
1641 include, at a minimum, the following:

1642 (c) Provisions for access to information for Florida
1643 businesses related to ~~through the Florida Trade Data Center.~~
1644 ~~Each foreign office shall obtain and forward~~ trade leads and
1645 ~~inquiries to the center on a regular basis.~~

1646 (d) Identification of new and emerging market opportunities
1647 for Florida businesses. ~~Each foreign office shall provide the~~
1648 ~~Florida Trade Data Center with a compilation of foreign buyers~~
1649 ~~and importers in industry sector priority areas on an annual~~
1650 ~~basis. In return, the Florida Trade Data Center shall make~~
1651 ~~available to each foreign office, and to Enterprise Florida,~~
1652 ~~Inc., the Florida Commission on Tourism, the Florida Ports~~
1653 ~~Council, the Department of State, the Department of Citrus, and~~

586-03784-11

20111346c2

1654 ~~the Department of Agriculture and Consumer Services, trade~~
1655 ~~industry, commodity, and opportunity information.~~ This
1656 information shall be provided ~~to such offices and entities~~
1657 either free of charge or on a fee basis with fees set only to
1658 recover the costs of providing the information.

1659 (e) Provision of access for Florida businesses to ~~the~~
1660 ~~services of the Florida Trade Data Center,~~ international trade
1661 assistance services provided by state and local entities,
1662 seaport and airport information, and other services identified
1663 by the Office of Tourism, Trade, and Economic Development.

1664 Section 57. Paragraph (a) of subsection (3) of section
1665 311.07, Florida Statutes, is amended to read:

1666 311.07 Florida seaport transportation and economic
1667 development funding.—

1668 (3) (a) Program funds shall be used to fund approved
1669 projects on a 50-50 matching basis with any of the deepwater
1670 ports, as listed in s. 403.021(9)(b), which is governed by a
1671 public body or any other deepwater port which is governed by a
1672 public body and which complies with the water quality provisions
1673 of s. 403.061, the comprehensive master plan requirements of s.
1674 163.3178(2)(k), and the local financial management and reporting
1675 provisions of part III of chapter 218. However, program funds
1676 used to fund projects that involve the rehabilitation of
1677 wharves, docks, berths, bulkheads, or similar structures shall
1678 require a 25-percent match of funds. Program funds also may be
1679 used by the Seaport Transportation and Economic Development
1680 Council to develop ~~with the Florida Trade Data Center such~~ trade
1681 data information products which will assist Florida's seaports
1682 and international trade.

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1683 Section 58. Section 402.35, Florida Statutes, is amended to
1684 read:

1685 402.35 Employees.—All personnel of the Department of
1686 Children and Family Services shall be governed by rules and
1687 regulations adopted and promulgated by the Department of
1688 Management Services relative thereto except the director and
1689 persons paid on a fee basis. The Department of Children and
1690 Family Services may participate with other state departments and
1691 agencies in a joint merit system. ~~No federal, state, county, or~~
1692 ~~municipal officer shall be eligible to serve as an employee of~~
1693 ~~the Department of Children and Family Services.~~

1694 Section 59. This act shall take effect July 1, 2011.