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1 A bill to be entitled
2 An act relating to joint legislative organizations;
3 repealing ss. 11.511 and 11.513, F.S., relating to the
4 Office of Program Policy Analysis and Government
5 Accountability; repealing s. 11.60, F.S., relating to the
6 Joint Administrative Procedures Committee; repealing s.
7 11.70, F.S., relating to the Legislative Committee on
8 Intergovernmental Relations; repealing s. 11.80, F.S.,
9 relating to the Joint Legislative Committee on Everglades
10 Oversight; repealing ss. 11.901-11.920, F.S., relating to
11 the Florida Government Accountability Act; repealing s.
12 163.3247(4)(g), F.S., relating to creation of a joint
13 select committee to review the findings and
14 recommendations of the Century Commission for a
15 Sustainable Florida for potential action; repealing ss.
16 216.0446, 216.163(2)(f), and 282.322, F.S., relating to
17 the review of information technology resources needs and a
18 special monitoring process for designated information
19 resources management projects; repealing s. 350.012, F.S.,
20 relating to the Committee on Public Counsel Oversight;
21 repealing ss. 450.201, 450.221, 450.231, and 450.241,
22 F.S., relating to the Legislative Commission on Migrant
23 and Seasonal Labor; amending s. 1.01, F.S.; defining the
24 terms "Administrative Procedures Committee," "Legislative
25 Auditing Committee," "Office of Program Policy Analysis
26 and Government Accountability," and "Office of Economic
27 and Demographic Research," applicable throughout the
28 statutes; amending s. 11.147, F.S.; revising provisions

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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29 relating to creation and duties of the Office of
 30 Legislative Services; amending s. 11.40, F.S.; revising
 31 duties of the Legislative Auditing Committee; conforming
 32 provisions to changes made by the act; amending s. 11.51,
 33 F.S.; revising provisions relating to creation and duties
 34 of the Office of Program Policy Analysis and Government
 35 Accountability; amending s. 409.146, F.S.; revising
 36 reporting duties of the Department of Children and Family
 37 Services with respect to the children and families client
 38 and management information system; conforming provisions
 39 to changes made by the act; amending s. 1000.01, F.S.;
 40 deleting provisions relating to creation of the Council
 41 for Education Policy Research and Improvement; amending
 42 ss. 11.45, 29.0085, 112.313, 112.3189, 112.324, 125.045,
 43 163.055, 163.3245, 166.021, 189.421, 216.181, 218.32,
 44 218.38, 287.0943, 288.7001, 350.061, 350.0614, 373.026,
 45 373.036, 373.45926, 450.261, and 590.33, F.S.; conforming
 46 provisions to changes made by the act; providing an
 47 effective date.

48

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

50

51 Section 1. Sections 11.511 and 11.513, Florida Statutes,
 52 are repealed.

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

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

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

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56 Section 5. Sections 11.901, 11.902, 11.903, 11.904,
 57 11.905, 11.9055, 11.906, 11.907, 11.908, 11.910, 11.911, 11.917,
 58 11.918, 11.919, and 11.920, Florida Statutes, are repealed.

59 Section 6. Paragraph (g) of subsection (4) of section
 60 163.3247, Florida Statutes, is repealed.

61 Section 7. Section 216.0446, paragraph (f) of subsection
 62 (2) of section 216.163, and section 282.322, Florida Statutes,
 63 are repealed.

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

65 Section 9. Sections 450.201, 450.221, 450.231, and
 66 450.241, Florida Statutes, are repealed.

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

69 1.01 Definitions.—In construing these statutes and each
 70 and every word, phrase, or part hereof, where the context will
 71 permit:

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

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

82 (18) The term "Office of Program Policy Analysis and
 83 Government Accountability" means an entity designated by joint

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84 rule of the Legislature or by agreement between the President of
 85 the Senate and the Speaker of the House of Representatives.

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

90 Section 11. Section 11.147, Florida Statutes, is amended
 91 to read:

92 11.147 Office of Legislative Services.—

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

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

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

110 (3)~~(4)~~ The Office of Legislative Services shall deliver
 111 such vouchers covering legislative expenses as required to the

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112 Chief Financial Officer and, if found to be correct, state
 113 warrants shall be issued therefor.

114 Section 12. Section 11.40, Florida Statutes, is amended to
 115 read:

116 11.40 Legislative Auditing Committee.—

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

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

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

137 (1)(4) The Legislative Auditing Committee—

138 ~~(a)~~ may take under investigation any matter within the
 139 scope of an audit, review, or examination either completed or

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140 then being conducted by the Auditor General or the Office of
141 Program Policy Analysis and Government Accountability, and, in
142 connection with such investigation, may exercise the powers of
143 subpoena by law vested in a standing committee of the
144 Legislature.

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

147 (2)~~(5)~~ Following notification by the Auditor General, the
148 Department of Financial Services, or the Division of Bond
149 Finance of the State Board of Administration of the failure of a
150 local governmental entity, district school board, charter
151 school, or charter technical career center to comply with the
152 applicable provisions within s. 11.45(5)-(7), s. 218.32(1), or
153 s. 218.38, the Legislative Auditing Committee may schedule a
154 hearing to. ~~If a hearing is scheduled, the committee shall~~
155 ~~determine if the entity should be subject to further state~~
156 ~~action. If the committee determines that the entity should be~~
157 ~~subject to further state action, the committee shall:~~

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

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167 the Department of Financial Services may implement the
168 provisions of this paragraph.

169 (b) In the case of a special district, notify the
170 Department of Community Affairs that the special district has
171 failed to comply with the law. Upon receipt of notification, the
172 Department of Community Affairs shall proceed pursuant to the
173 provisions specified in s. 189.421.

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

177 (3) ~~(6)~~ (a) As used in this subsection, "independent
178 contract auditor" means a state-licensed certified public
179 accountant or firm with which a state-licensed certified public
180 accountant is currently employed or associated who is actively
181 engaged in the accounting profession.

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

190 (c) The committee shall create and maintain a list of not
191 less than 10 independent contract auditors approved to conduct
192 the required audits. Each lobbying firm selected for audit in
193 the random audit process may designate one of the independent
194 contract auditors from the committee's approved list. Upon

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195 failure for any reason of a lobbying firm selected in the random
196 selection process to designate an independent contract auditor
197 from the committee's list within 30 calendar days after being
198 notified by the committee of its selection, the committee shall
199 assign one of the available independent contract auditors from
200 the approved list to perform the required audit. No independent
201 contract auditor, whether designated by the lobbying firm or by
202 the committee, may perform the audit of a lobbying firm where
203 the auditor and lobbying firm have ever had a direct personal
204 relationship or any professional accounting, auditing, tax
205 advisory, or tax preparing relationship with each other. The
206 committee shall obtain a written, sworn certification subject to
207 s. 837.06, both from the randomly selected lobbying firm and
208 from the proposed independent contract auditor, that no such
209 relationship has ever existed.

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

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

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

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223 (g) The committee shall establish procedures for the
224 selection of independent contract auditors desiring to enter
225 into audit contracts pursuant to this subsection. Such
226 procedures shall include, but not be limited to, a rating system
227 that takes into account pertinent information, including the
228 independent contract auditor's fee proposals for participating
229 in the process. All contracts under this subsection between an
230 independent contract auditor and the Speaker of the House of
231 Representatives and the President of the Senate shall be
232 terminable by either party at any time upon written notice to
233 the other, and such contracts may contain such other terms and
234 conditions as the Speaker of the House of Representatives and
235 the President of the Senate deem appropriate under the
236 circumstances.

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

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

258 Section 13. Subsections (1) and (6) and paragraphs (a),
 259 (b), and (d) of subsection (7) of section 11.45, Florida
 260 Statutes, are amended to read:

261 11.45 Definitions; duties; authorities; reports; rules.—

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

264 (a) "Audit" means a financial audit, operational audit, or
 265 performance audit.

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

274 (c) "Financial audit" means an examination of financial
 275 statements in order to express an opinion on the fairness with
 276 which they are presented in conformity with generally accepted
 277 accounting principles and an examination to determine whether
 278 operations are properly conducted in accordance with legal and

279 regulatory requirements. Financial audits must be conducted in
 280 accordance with generally accepted auditing standards and
 281 government auditing standards as adopted by the Board of
 282 Accountancy.

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

286 (e) "Local governmental entity" means a county agency,
 287 municipality, or special district as defined in s. 189.403, but
 288 does not include any housing authority established under chapter
 289 421.

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

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

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

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- 307 | 1. Economy, efficiency, or effectiveness of the program.
 308 | 2. Structure or design of the program to accomplish its
 309 | goals and objectives.
 310 | 3. Adequacy of the program to meet the needs identified by
 311 | the Legislature or governing body.
 312 | 4. Alternative methods of providing program services or
 313 | products.
 314 | 5. Goals, objectives, and performance measures used by the
 315 | agency to monitor and report program accomplishments.
 316 | 6. The accuracy or adequacy of public documents, reports,
 317 | or requests prepared under the program by state agencies.
 318 | 7. Compliance of the program with appropriate policies,
 319 | rules, or laws.
 320 | 8. Any other issues related to governmental entities as
 321 | directed by the Legislative Auditing Committee.
 322 | (i) "Political subdivision" means a separate agency or
 323 | unit of local government created or established by law and
 324 | includes, but is not limited to, the following and the officers
 325 | thereof: authority, board, branch, bureau, city, commission,
 326 | consolidated government, county, department, district,
 327 | institution, metropolitan government, municipality, office,
 328 | officer, public corporation, town, or village.
 329 | (j) "State agency" means a separate agency or unit of
 330 | state government created or established by law and includes, but
 331 | is not limited to, the following and the officers thereof:
 332 | authority, board, branch, bureau, commission, department,
 333 | division, institution, office, officer, or public corporation,
 334 | as the case may be, except any such agency or unit within the

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335 legislative branch of state government other than the Florida
 336 Public Service Commission.

337 (6) REQUEST BY A LOCAL GOVERNMENTAL ENTITY FOR AN AUDIT BY
 338 THE AUDITOR GENERAL.—Whenever a local governmental entity
 339 requests the Auditor General to conduct an audit of all or part
 340 of its operations and the Auditor General conducts the audit
 341 under his or her own authority or at the direction of the
 342 Legislative Auditing Committee, the expenses of the audit shall
 343 be paid by the local governmental entity. The Auditor General
 344 shall estimate the cost of the audit. Fifty percent of the cost
 345 estimate shall be paid by the local governmental entity before
 346 the initiation of the audit and deposited into the General
 347 Revenue Fund of the state. After the completion of the audit,
 348 the Auditor General shall notify the local governmental entity
 349 of the actual cost of the audit. The local governmental entity
 350 shall remit the remainder of the cost of the audit to the
 351 Auditor General for deposit into the General Revenue Fund of the
 352 state. If the local governmental entity fails to comply with
 353 paying the remaining cost of the audit, the Auditor General
 354 shall notify the Legislative Auditing Committee. ~~The committee~~
 355 ~~shall proceed in accordance with s. 11.40(5).~~

356 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

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

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

372 (d) During the Auditor General's review of audit reports,
 373 he or she shall contact those units of local government, as
 374 defined in s. 218.403, that are not in compliance with s.
 375 218.415 and request evidence of corrective action. The unit of
 376 local government shall provide the Auditor General with evidence
 377 of corrective action within 45 days after the date it is
 378 requested by the Auditor General. If the unit of local
 379 government fails to comply with the Auditor General's request,
 380 the Auditor General shall notify the Legislative Auditing
 381 Committee. ~~The committee shall proceed in accordance with s.~~
 382 ~~11.40(5).~~

383 Section 14. Section 11.51, Florida Statutes, is amended to
 384 read:

385 11.51 Office of Program Policy Analysis and Government
 386 Accountability.—

387 ~~(1) There is hereby created the Office of Program Policy~~
 388 ~~Analysis and Government Accountability as a unit of the Office~~
 389 ~~of the Auditor General appointed pursuant to s. 11.42. The~~
 390 ~~office shall perform independent examinations, program reviews,~~

391 ~~and other projects as provided by general law, as provided by~~
 392 ~~concurrent resolution, or as directed by the Legislative~~
 393 ~~Auditing Committee, and shall provide recommendations, training,~~
 394 ~~or other services to assist the Legislature.~~

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

399 ~~(3) The Office of Program Policy Analysis and Government~~
 400 ~~Accountability shall maintain a schedule of examinations of~~
 401 ~~state programs.~~

402 (1)~~(4)~~ The Office of Program Policy Analysis and
 403 Government Accountability is authorized to examine all entities
 404 and records listed in s. 11.45(3).

405 (2)~~(5)~~ At the conclusion of an examination, the designated
 406 representative of ~~the director of~~ the Office of Program Policy
 407 Analysis and Government Accountability shall discuss the
 408 examination with the official whose office is examined and
 409 submit to that official the Office of Program Policy Analysis
 410 and Government Accountability's preliminary findings. If the
 411 official is not available for receipt of the preliminary
 412 findings, clearly designated as such, delivery thereof is
 413 presumed to be made when it is delivered to his or her office.
 414 Whenever necessary, the Office of Program Policy Analysis and
 415 Government Accountability may request the official to submit his
 416 or her written statement of explanation or rebuttal within 15
 417 days after the receipt of the findings. If the response time is
 418 not requested to be within 15 days, the official shall submit

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419 his or her response within 30 days after receipt of the
 420 preliminary findings.

421 ~~(3)(6)~~ No later than 18 months after the release of a
 422 report of the Office of Program Policy Analysis and Government
 423 Accountability, the agencies that are the subject of that report
 424 shall provide data and other information that describes with
 425 specificity what the agencies have done to respond to the
 426 recommendations contained in the report. The Office of Program
 427 Policy Analysis and Government Accountability may verify the
 428 data and information provided by the agencies. If the data and
 429 information provided by the agencies are deemed sufficient and
 430 accurate, the Office of Program Policy Analysis and Government
 431 Accountability shall report to the Legislative Auditing
 432 Committee and to the legislative standing committees concerned
 433 with the subject areas of the audit. The report shall include a
 434 summary of the agencies' responses, the evaluation of those
 435 responses, and any recommendations deemed to be appropriate.

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

438 29.0085 Annual statement of certain revenues and
 439 expenditures.—

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

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447 of the services outlined in s. 29.008.

448 Section 16. Paragraph (a) of subsection (9) of section
449 112.313, Florida Statutes, is amended to read:

450 112.313 Standards of conduct for public officers,
451 employees of agencies, and local government attorneys.—

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

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

459 2. As used in this paragraph:

460 a. "Employee" means:

461 (I) Any person employed in the executive or legislative
462 branch of government holding a position in the Senior Management
463 Service as defined in s. 110.402 or any person holding a
464 position in the Selected Exempt Service as defined in s. 110.602
465 or any person having authority over policy or procurement
466 employed by the Department of the Lottery.

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

471 (III) ~~The executive director of the Legislative Committee~~
472 ~~on Intergovernmental Relations and the executive director and~~
473 ~~deputy executive director of the Commission on Ethics.~~

474 (IV) An executive director, staff director, or deputy

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

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

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

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

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

501 3. No member of the Legislature, appointed state officer,
502 or statewide elected officer shall personally represent another

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

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

518 5. Any person violating this paragraph shall be subject to
519 the penalties provided in s. 112.317 and a civil penalty of an
520 amount equal to the compensation which the person receives for
521 the prohibited conduct.

522 6. This paragraph is not applicable to:

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

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

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

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

534 e. Any appointed state officer whose term of office began
 535 before January 1, 1995, unless reappointed to that office on or
 536 after January 1, 1995.

537 Section 17. Paragraph (c) of subsection (9) of section
 538 112.3189, Florida Statutes, is amended to read:

539 112.3189 Investigative procedures upon receipt of whistle-
 540 blower information from certain state employees.-

541 (9)

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

548 Section 18. Subsection (8) of section 112.324, Florida
 549 Statutes, is amended to read:

550 112.324 Procedures on complaints of violations; public
 551 records and meeting exemptions.-

552 (8) If, in cases pertaining to complaints other than
 553 complaints against impeachable officers or members of the
 554 Legislature, upon completion of a full and final investigation
 555 by the commission, the commission finds that there has been a
 556 violation of this part or of s. 8, Art. II of the State
 557 Constitution, it shall be the duty of the commission to report
 558 its findings and recommend appropriate action to the proper

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559 disciplinary official or body as follows, and such official or
 560 body shall have the power to invoke the penalty provisions of
 561 this part, including the power to order the appropriate
 562 elections official to remove a candidate from the ballot for a
 563 violation of s. 112.3145 or s. 8(a) and (i), Art. II of the
 564 State Constitution:

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

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

574 (c) The President of the Senate, in any case concerning an
 575 employee of the Senate; the Speaker of the House of
 576 Representatives, in any case concerning an employee of the House
 577 of Representatives; or the President and the Speaker, jointly,
 578 in any case concerning an employee of a committee of the
 579 Legislature whose members are appointed solely by the President
 580 and the Speaker or in any case concerning an employee of the
 581 Public Counsel, Public Service Commission, Auditor General, or
 582 Office of Program Policy Analysis and Government Accountability, ~~7~~
 583 ~~or Legislative Committee on Intergovernmental Relations.~~

584 (d) Except as otherwise provided by this part, the
 585 Governor, in the case of any other public officer, public
 586 employee, former public officer or public employee, candidate or

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587 former candidate, or person who is not a public officer or
 588 employee, other than lobbyists and lobbying firms under s.
 589 112.3215 for violations of s. 112.3215.

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

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

597 125.045 County economic development powers.—

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

610 (5) (a) By January 15, 2011, and annually thereafter, each
 611 county shall report to the Office of Economic and Demographic
 612 Research ~~Legislative Committee on Intergovernmental Relations or~~
 613 ~~its successor entity~~ the economic development incentives in
 614 excess of \$25,000 given to any business during the county's

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615 previous fiscal year. The Office of Economic and Demographic
616 Research ~~Legislative Committee on Intergovernmental Relations or~~
617 ~~its successor entity~~ shall compile the information from the
618 counties into a report and provide the report to the President
619 of the Senate and the Speaker of the House of Representatives
620 ~~the Office of Tourism, Trade, and Economic Development~~. Economic
621 development incentives include:

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

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

631 3. Fee-based or tax-based incentives, including, but not
632 limited to, credits, refunds, exemptions, and property tax
633 abatement or assessment reductions.

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

635 (b) A county shall report its economic development
636 incentives in the format specified by the Office of Economic and
637 Demographic Research ~~Legislative Committee on Intergovernmental~~
638 ~~Relations or its successor entity~~.

639 (c) The Office of Economic and Demographic Research
640 ~~Legislative Committee on Intergovernmental Relations or its~~
641 ~~successor entity~~ shall compile the economic development
642 incentives provided by each county in a manner that shows the

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643 total of each class of economic development incentives provided
 644 by each county and all counties.

645 Section 20. Subsections (4), (5), (6), and (9) of section
 646 163.055, Florida Statutes, are amended to read:

647 163.055 Local Government Financial Technical Assistance
 648 Program.—

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

651 (a) Be a public agency or private, nonprofit corporation,
 652 association, or entity.

653 (b) Use existing resources, services, and information that
 654 are available from state or local agencies, universities, or the
 655 private sector.

656 (c) Seek and accept funding from any public or private
 657 source.

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

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

664 (e)~~(f)~~ Provide for an annual independent financial audit
 665 of the program, if the program receives funding.

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

669 (g)~~(h)~~ Develop a needs assessment to determine where
 670 assistance should be targeted, and to establish a priority

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671 system to deliver assistance to those jurisdictions most in need
672 through the most economical means available.

673 (h)~~(i)~~ Provide financial emergency assistance upon
674 direction from the Executive Office of the Governor pursuant to
675 s. 218.503.

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

682 (b) The Chief Financial Officer shall review each contract
683 proposal submitted.

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

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

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

694 2. The number of municipalities and special districts to
695 be served under the proposal.

696 3. The cost of the program as specified in a proposed
697 budget.

698 4. The short-term and long-term benefits of the assistance

699 to municipalities and special districts.

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

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

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

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

716 163.3245 Optional sector plans.—

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

722 Section 22. Paragraphs (d) and (e) of subsection (9) of
 723 section 166.021, Florida Statutes, are amended to read:

724 166.021 Powers.—

725 (9)

726 (d) A contract between the governing body of a

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

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

752 a. Direct financial incentives of monetary assistance
 753 provided to a business from the municipality or through an
 754 organization authorized by the municipality. Such incentives

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755 include, but are not limited to, grants, loans, equity
 756 investments, loan insurance and guarantees, and training
 757 subsidies.

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

762 c. Fee-based or tax-based incentives, including, but not
 763 limited to, credits, refunds, exemptions, and property tax
 764 abatement or assessment reductions.

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

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

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

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

778 189.421 Failure of district to disclose financial
 779 reports.—

780 (3) Pursuant to s. 11.40 (2) ~~(5)~~ (b), the Legislative
 781 Auditing Committee shall notify the department of those
 782 districts that failed to file the required report. Within 30

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

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

798 216.181 Approved budgets for operations and fixed capital
 799 outlay.—

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

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

813 Section 25. Paragraph (f) of subsection (1) of section
 814 218.32, Florida Statutes, is amended to read:

815 218.32 Annual financial reports; local governmental
 816 entities.-

817 (1)

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

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

826 218.38 Notice of bond issues required; verification.-

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

833 Section 27. Paragraph (b) of subsection (2) of section
 834 287.0943, Florida Statutes, is amended to read:

835 287.0943 Certification of minority business enterprises.-

836 (2)

837 (b) The task force shall be regionally balanced and
 838 comprised of officials representing the department, counties,

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839 municipalities, school boards, special districts, and other
 840 political subdivisions of the state who administer programs to
 841 assist minority businesses in procurement or development in
 842 government-sponsored programs. The following organizations may
 843 appoint two members each of the task force who fit the
 844 description above:

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

853
 854 In addition, the Office of Supplier Diversity shall appoint
 855 seven members consisting of three representatives of minority
 856 business enterprises, one of whom should be a woman business
 857 owner, two officials of the office, and two at-large members to
 858 ensure balance. ~~The chairperson of the Legislative Committee on~~
 859 ~~Intergovernmental Relations or a designee shall be a member of~~
 860 ~~the task force, ex officio.~~ A quorum shall consist of one-third
 861 of the current members, and the task force may take action by
 862 majority vote. Any vacancy may only be filled by the
 863 organization or agency originally authorized to appoint the
 864 position.

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

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867 288.7001 Small Business Regulatory Advisory Council.—
 868 (4) PERIODIC REVIEW OF RULES.—
 869 (a) ~~In coordination with the sunset review schedule~~
 870 ~~provided in s. 11.905,~~ The council may periodically review rules
 871 of agencies ~~subject to sunset review~~ to determine whether the
 872 rules should be continued without change or should be amended or
 873 repealed to reduce the impact of the rules on small businesses,
 874 subject to the requirement that the recommendations of the
 875 council must be feasible and consistent with the stated
 876 objectives of the rules.
 877 (b) In reviewing agency rules to reduce the impact on
 878 small businesses, the council, in coordination with the agency,
 879 shall consider the following factors:
 880 1. Continued need for the rule;
 881 2. The nature of complaints or comments received from the
 882 public concerning the rule;
 883 3. The complexity of the rule;
 884 4. The extent to which the rule overlaps, duplicates, or
 885 conflicts with other federal, state, and local government rules;
 886 and
 887 5. The length of time since the rule has been evaluated or
 888 the degree to which technology, economic conditions, or other
 889 factors have changed in the topical area affected by the rule.
 890 (c) ~~Within 6 months after the agency report is submitted~~
 891 ~~to the Joint Legislative Sunset Committee pursuant to s. 11.907,~~
 892 The council shall ~~provide a report~~ its conclusions upon
 893 completion of any review under paragraph (a) to the Governor,
 894 the President of the Senate, and the Speaker of the House of

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895 Representatives, ~~and the Joint Legislative Sunset Committee~~ that
 896 includes recommendations and evaluations of agency rules and
 897 programs regarding regulatory fairness for small businesses. A
 898 component of the report shall be a rating system, developed by
 899 the council, entitled "Small Business Friendliness and
 900 Development Scorecard."

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

903 350.061 Public Counsel; appointment; oath; restrictions on
 904 Public Counsel and his or her employees.—

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

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

920 350.0614 Public Counsel; compensation and expenses.—

921 (2) The Legislature declares and determines that the
 922 Public Counsel is under the legislative branch of government

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923 within the intention of the legislation as expressed in chapter
 924 216, and no power shall be in the Executive Office of the
 925 Governor or its successor to release or withhold funds
 926 appropriated to it, but the same shall be available for
 927 expenditure as provided by law ~~and the rules or decisions of the~~
 928 ~~Committee on Public Counsel Oversight.~~

929 Section 31. Paragraph (b) of subsection (8) of section
 930 373.026, Florida Statutes, is amended to read:

931 373.026 General powers and duties of the department.—The
 932 department, or its successor agency, shall be responsible for
 933 the administration of this chapter at the state level. However,
 934 it is the policy of the state that, to the greatest extent
 935 possible, the department may enter into interagency or
 936 interlocal agreements with any other state agency, any water
 937 management district, or any local government conducting programs
 938 related to or materially affecting the water resources of the
 939 state. All such agreements shall be subject to the provisions of
 940 s. 373.046. In addition to its other powers and duties, the
 941 department shall, to the greatest extent possible:

942 (8)

943 (b) To ensure to the greatest extent possible that project
 944 components will go forward as planned, the department shall
 945 collaborate with the South Florida Water Management District in
 946 implementing the comprehensive plan as defined in s.
 947 373.470(2)(b), the Lake Okeechobee Watershed Protection Plan as
 948 defined in s. 373.4595(2), and the River Watershed Protection
 949 Plans as defined in s. 373.4595(2). Before any project component
 950 is submitted to Congress for authorization or receives an

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951 appropriation of state funds, the department must approve, or
952 approve with amendments, each project component within 60 days
953 following formal submittal of the project component to the
954 department. Prior to the release of state funds for the
955 implementation of the comprehensive plan, department approval
956 shall be based upon a determination of the South Florida Water
957 Management District's compliance with s. 373.1501(5). Once a
958 project component is approved, the South Florida Water
959 Management District shall provide to the President of the Senate
960 and the Speaker of the House of Representatives ~~Joint~~
961 ~~Legislative Committee on Everglades Oversight~~ a schedule for
962 implementing the project component, the estimated total cost of
963 the project component, any existing federal or nonfederal
964 credits, the estimated remaining federal and nonfederal share of
965 costs, and an estimate of the amount of state funds that will be
966 needed to implement the project component. All requests for an
967 appropriation of state funds needed to implement the project
968 component shall be submitted to the department, and such
969 requests shall be included in the department's annual request to
970 the Governor. Prior to the release of state funds for the
971 implementation of the Lake Okeechobee Watershed Protection Plan
972 or the River Watershed Protection Plans, on an annual basis, the
973 South Florida Water Management District shall prepare an annual
974 work plan as part of the consolidated annual report required in
975 s. 373.036(7). Upon a determination by the secretary of the
976 annual work plan's consistency with the goals and objectives of
977 s. 373.4595, the secretary may approve the release of state

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978 funds. Any modifications to the annual work plan shall be
 979 submitted to the secretary for review and approval.

980 Section 32. Paragraph (e) of subsection (7) of section
 981 373.036, Florida Statutes, is amended to read:

982 373.036 Florida water plan; district water management
 983 plans.—

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

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

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

990 2. The Everglades annual progress reports specified in s.
 991 373.4592(4)(d)5., (13), and (14).

992 3. The Everglades restoration annual report required by s.
 993 373.470(7).

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

996 ~~5.~~ The Everglades Trust Fund annual expenditure report
 997 required by s. 373.45926(3).

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

1000 373.45926 Everglades Trust Fund; allocation of revenues
 1001 and expenditure of funds for conservation and protection of
 1002 natural resources and abatement of water pollution.—

1003 (3) The South Florida Water Management District shall
 1004 furnish, as part of the consolidated annual report required by
 1005 s. 373.036(7), a detailed copy of its expenditures from the

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1006 Everglades Trust Fund to the Governor, the President of the
 1007 Senate, and the Speaker of the House of Representatives, and
 1008 shall make copies available to the public. ~~The information shall~~
 1009 ~~be provided in a format approved by the Joint Legislative~~
 1010 ~~Committee on Everglades Oversight. At the direction of the Joint~~
 1011 ~~Legislative Committee on Everglades Oversight, an audit may be~~
 1012 ~~made from time to time by the Auditor General, and such audit~~
 1013 ~~shall be within the authority of said Auditor General to make.~~

1014 (7) Annually, no later than January 1, the South Florida
 1015 Water Management District shall report to the President of the
 1016 Senate and the Speaker of the House of Representatives ~~Joint~~
 1017 ~~Committee on Everglades Oversight:~~

1018 (a) The unencumbered balance which remains in the
 1019 Everglades Trust Fund at the end of each fiscal year.

1020 (b) The revenues deposited in the Everglades Trust Fund
 1021 pursuant to this section, by source, and the record of
 1022 expenditures from the Everglades Trust Fund.

1023 Section 34. Subsection (9) of section 409.146, Florida
 1024 Statutes, is amended to read:

1025 409.146 Children and families client and management
 1026 information system.—

1027 (9) The Department of Children and Family Services shall
 1028 provide an annual report to President of the Senate and the
 1029 Speaker of the House of Representatives ~~the Joint Information~~
 1030 ~~Technology Resources Committee. The committee shall review the~~
 1031 ~~report and shall forward the report, along with its comments, to~~
 1032 ~~the appropriate substantive and appropriations committees of the~~
 1033 ~~House of Representatives and the Senate delineating the~~

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1034 ~~development status of the system and other information necessary~~
 1035 ~~for funding and policy formulation.~~ In developing the system,
 1036 the Department of Children and Family Services shall consider
 1037 and report on the availability of, and the costs associated with
 1038 using, existing software and systems, including, but not limited
 1039 to, those that are operational in other states, to meet the
 1040 requirements of this section. The department shall also consider
 1041 and report on the compatibility of such existing software and
 1042 systems with an integrated management information system. The
 1043 report shall be submitted no later than December 1 of each year.

1044 Section 35. Section 450.261, Florida Statutes, is amended
 1045 to read:

1046 450.261 Interstate Migrant Labor Commission; Florida
 1047 membership.—In selecting the Florida membership of the
 1048 Interstate Migrant Labor Commission, the Governor may designate
 1049 the secretary of the Department of Community Affairs as his or
 1050 her representative. ~~The two legislative members shall be chosen~~
 1051 ~~from among the members of the Legislative Commission on Migrant~~
 1052 ~~Labor, and at least one of the two members appointed by the~~
 1053 ~~Governor shall be chosen from among the members of the advisory~~
 1054 ~~committee to that commission.~~

1055 Section 36. Section 590.33, Florida Statutes, is amended
 1056 to read:

1057 590.33 State compact administrator; compact advisory
 1058 committee.—In pursuance of art. III of the compact, the director
 1059 of the division shall act as compact administrator for Florida
 1060 of the Southeastern Interstate Forest Fire Protection Compact
 1061 during his or her term of office as director, and his or her

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1062 successor as compact administrator shall be his or her successor
1063 as director of the division. As compact administrator, he or she
1064 shall be an ex officio member of the advisory committee of the
1065 Southeastern Interstate Forest Fire Protection Compact, and
1066 chair ex officio of the Florida members of the advisory
1067 committee. There shall be four members of the Southeastern
1068 Interstate Forest Fire Protection Compact Advisory Committee
1069 from Florida. Two of the members from Florida shall be members
1070 of the Legislature of Florida, one from the Senate designated by
1071 the President of the Senate and one from the House of
1072 Representatives designated by the Speaker of the House, and the
1073 terms of any such members shall terminate at the time they cease
1074 to hold legislative office, and their successors as members
1075 shall be named in like manner. The Governor shall appoint the
1076 other two members from Florida, one of whom shall be associated
1077 with forestry or forest products industries. The terms of such
1078 members shall be 3 years and such members shall hold office
1079 until their respective successors shall be appointed and
1080 qualified. Vacancies occurring in the office of such members
1081 from any reason or cause shall be filled by appointment by the
1082 Governor for the unexpired term. The director of the division as
1083 compact administrator for Florida may delegate, from time to
1084 time, to any deputy or other subordinate in his or her
1085 department or office, the power to be present and participate,
1086 including voting as his or her representative or substitute at
1087 any meeting of or hearing by or other proceeding of the compact
1088 administrators or of the advisory committee. The terms of each
1089 of the initial four memberships, whether appointed at said time

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1090 or not, shall begin upon the date upon which the compact shall
 1091 become effective in accordance with art. II of said compact. Any
 1092 member of the advisory committee may be removed from office by
 1093 the Governor upon charges and after a hearing.

1094 Section 37. Paragraph (a) of subsection (5) of section
 1095 1000.01, Florida Statutes, is amended to read:

1096 1000.01 The Florida K-20 education system; technical
 1097 provisions.—

1098 (5) EDUCATION GOVERNANCE TRANSFERS.—

1099 (a) Effective July 1, 2001:

1100 1. The Board of Regents is abolished.

1101 2. All of the powers, duties, functions, records,
 1102 personnel, and property; unexpended balances of appropriations,
 1103 allocations, and other funds; administrative authority;
 1104 administrative rules; pending issues; and existing contracts of
 1105 the Board of Regents are transferred by a type two transfer,
 1106 pursuant to s. 20.06(2), to the State Board of Education.

1107 3. The State Board of Community Colleges is abolished.

1108 4. All of the powers, duties, functions, records,
 1109 personnel, and property; unexpended balances of appropriations,
 1110 allocations, and other funds; administrative authority;
 1111 administrative rules; pending issues; and existing contracts of
 1112 the State Board of Community Colleges are transferred by a type
 1113 two transfer, pursuant to s. 20.06(2), from the Department of
 1114 Education to the State Board of Education.

1115 5. The Postsecondary Education Planning Commission is
 1116 abolished.

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1117 ~~6. The Council for Education Policy Research and~~
 1118 ~~Improvement is created as an independent office under the Office~~
 1119 ~~of Legislative Services.~~

1120 ~~7. All personnel, unexpended balances of appropriations,~~
 1121 ~~and allocations of the Postsecondary Education Planning~~
 1122 ~~Commission are transferred to the Council for Education Policy~~
 1123 ~~Research and Improvement.~~

1124 6.8. The Articulation Coordinating Committee and the
 1125 Education Standards Commission are transferred by a type two
 1126 transfer, pursuant to s. 20.06(2), from the Department of
 1127 Education to the State Board of Education.

1128 Section 38. This act shall take effect upon becoming a
 1129 law.