

Conference Budget Language  
FY 2009-10 Budget

	Agency	Description	Summary	Senate	Senate Doc #	House	House Doc #
	<b>General Government &amp; Government Operations</b>						
1	DBPR	Transfer Surveyors and Mappers to DACS	Language necessary to facilitate transfer of the Board of Surveyors and Mappers from the Department of Business and Professional Regulation to the Department of Agriculture.	Conforming	1		
2	DFS	Unclaimed Property Valued under \$250	Requires that state funding not be used to initiate direct contact or mailings for unclaimed property valued under \$250, but encourages the department to utilize more cost effective methods including coordinating with businesses who currently perform this service.	Proviso	2		
3	DFS/OIR	Request for Proposal for Insurance Assets Transparency Data	Provides funding for OIR to issue and RFP for the creation of an internet portal to provide insurance assets transparency data for potential sellers of life insurance policies.	Proviso	3		
4	DBPR	Hospitality Education Program Realignment	Realignment of Hospitality Education Program Funds to implement new mission of the program	Proviso	4		
5	DBPR	Unlawful Practice of Interior Design	Language which clarifies that funds may not be used to prosecute individuals for the unlawful practice of interior design who sell, design, layout or install food service equipment, cubicle workstations or similar equipment	Proviso	5		
6	DBPR	Harbor Pilots - OPPAGA Study	Language directing a review of the efficacy, fiscal impacts and national trends of the harbor pilotage industry in Florida.	Proviso	6		
7	DMS	Procurement of Commodities and Contractual Services	Allows agencies to purchase any commodity or contractual service at the lowest available price.	Imp Bill	7		
8	DMS	State Utilities	Allows the department to request additional budget authority for payment of utilities in the Florida Facility Pool in the event costs exceed the amount appropriated.	Proviso	8		
9	DFS	Treasury Investments	Increases the maximum percentage of funds that can be invested by the CFO in securities with non-specific rating criteria.	Conforming	9		
10	DFS	Reproduction of Public Records and assessed fees	Decreases the cost for copies of documents on file in the department from \$.50 for \$.15 per page and that advanced written notice be provided to a requestor of public documents when additional charges are to be assessed for staff time in the preparation of records.	Implementing Bill	10		
11	DOR	Clerk of Court Trust Fund	Language necessary for transfer of Clerks of Court Trust Fund from the Department of Revenue to the Justice Administration Commission	Proviso	11		
12	DOR	Aerial Photography	Changes time period that aerial photography must be obtained from 3 to 5 years to allow small counties to pay for photos over a longer period of time.	Conforming	12		
13	DBPR	FES Stormwater Management	Authorizes the establishment of a task force to develop legislative recommendations relating to stormwater management system design in the state.			Proviso	1
14	DBPR DFS PSC	Acquisition of Motor Vehicles	Allows the acquisition of one or more motor vehicles when the mileage of the replacement vehicle is in excess of 200,000 miles, or based on an emergency or unforeseen circumstances as provided for in s. 287.14(3), F.S. The restriction does not apply to the DFS-Insurance Fraud or DBPR-Alcohol, Beverage & Tobacco units.			Proviso	2
15	OIR	Florida Public Hurricane Loss Model	Provides for the maintenance and service of the Florida Public Hurricane Loss Model every odd year.			Conforming Proviso	3

 **DRAFT**

**Senate #1 - Department of Agriculture and Consumer Services/  
Department of Business and Professional Regulation**

**Board of Surveyors and Mappers**

1                   A bill to be entitled  
2     An act relating to surveyors and mappers; providing  
3     for a type two transfer of the licensing and  
4     regulation of Professional Surveyors and Mappers from  
5     the Division of Professions within the Department of  
6     Business and Professional Regulation to the Department  
7     of Agriculture and Consumer Services; amending s.  
8     20.165, F.S.; conforming provisions to changes made by  
9     the act; amending s. 472.005, F.S.; revising a  
10    definition; creating s. 472.006, F.S.; setting forth  
11    the powers and duties of the Department of Agriculture  
12    and Consumer Services relating to surveyors and  
13    mappers; amending s. 472.007, F.S.; providing for the  
14    Board of Professional Surveyors and Mappers to be  
15    located within the Department of Agriculture and  
16    Consumer Services; providing for the appointment of  
17    members to the board; requiring each board member to  
18    be accountable to the Commissioner of Agriculture;  
19    creating s. 472.0075, F.S.; providing that the board  
20    may be contacted through the department; amending s.  
21    472.008, F.S.; authorizing the board to adopt rules;  
22    authorizing the department to challenge any rule of  
23    the board; creating s. 472.0101, F.S.; authorizing the  
24    participation of foreign-trained professionals under  
25    certain specified circumstances; amending s. 472.011,  
26    F.S.; requiring that fees collected pursuant to ch.  
27    472, F.S., be deposited into a specified trust fund;  
28    authorizing the board to assess and collect certain  
29    fees; creating s. 472.0131, F.S.; requiring the  
30    department to prepare for professional examinations;

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31    creating s. 472.0132, F.S.; declaring that the  
32    wrongful taking or copying of an examination is a  
33    felony of the third degree; creating s. 472.0135,  
34    F.S.; providing for educational competencies; amending  
35    s. 472.015, F.S.; requiring any person desiring to be  
36    licensed to apply to the department in writing on a  
37    form prepared and furnished by the department;  
38    authorizing the department to collect a license fee;  
39    creating s. 472.016, F.S.; requiring that members of  
40    the Armed Forces be kept in good standing and not be  
41    charged dues and fees while on active duty; creating  
42    s. 472.0165, F.S.; providing qualifications and  
43    standards for immigrants who desire to be licensed as  
44    a surveyor or mapper; amending s. 472.018, F.S.;  
45    providing for continuing education; requiring the  
46    board to establish the criteria and course content for  
47    continuing education courses; creating s. 472.0201,  
48    F.S.; providing for access to public records;  
49    providing for certain specified exceptions; creating  
50    s. 472.02011, F.S.; prohibiting persons from  
51    disseminating confidential information; creating s.  
52    472.0202, F.S.; prohibiting a person from practicing  
53    the profession without an active status license;  
54    setting forth the permissible activities of an  
55    inactive licensee; creating s. 472.0203, F.S.;  
56    requiring the department to send a notice of renewal  
57    to the licensee; creating s. 472.0204, F.S.; requiring  
58    each licensee to notify the department in writing of  
59    the licensee's current mailing address and place of  
60    practice; amending s. 472.033, F.S.; providing for  
61    disciplinary proceedings; providing for

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492.  
~~13. Board of Professional Surveyors and Mappers, created~~  
~~under chapter 472.~~  
~~13.14. Board of Veterinary Medicine, created under chapter~~  
474.  
Section 3. Subsection (2) of section 472.005, Florida  
Statutes, is amended, and subsection (14) is added to that  
section, to read:  
472.005 Definitions.—As used in ss. 472.001-472.037:  
(2) "Department" means the Department of Agriculture and  
Consumer Services ~~Business and Professional Regulation~~.  
(14) "Commissioner" means the Commissioner of Agriculture.  
Section 4. Section 472.006, Florida Statutes, is created to  
read:  
472.006 Department; powers and duties.—The department  
shall:  
(1) Adopt rules establishing a procedure for the biennial  
renewal of licenses. However, the department may issue up to a  
4-year license to selected licensees notwithstanding any other  
law to the contrary. Fees for such renewal may not exceed the  
fee caps for individual professions on an annualized basis as  
authorized by law.  
(2) Appoint the executive director of the board, subject to  
the approval of the board.  
(3) Submit an annual budget to the Legislature at a time  
and in the manner provided by law.  
(4) Develop a training program for persons newly appointed  
to membership on the board. The program shall familiarize such  
persons with the substantive and procedural laws and rules and  
fiscal information relating to the regulation of the profession  
and with the structure of the department.

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(5) Adopt rules pursuant to ss. 120.536(1) and 120.54 to  
administer this chapter. The department also is authorized to  
join with, or withhold approval of, rules proposed for adoption  
by the board.  
(6) Establish uniform application and other forms,  
including certificates of licensure, necessary to administer the  
provisions of this chapter. This subsection does not authorize  
the department to vary any substantive requirements, duties, or  
eligibilities for licensure or certification as provided by law.  
(7) Establish by rule procedures by which the department  
shall use the expert or technical advice of the board for the  
purposes of investigation, inspection, evaluation of  
applications, other duties of the department, or any other areas  
the department may deem appropriate.  
(8) Require all proceedings of the board or panel thereof  
and all formal or informal proceedings conducted by the  
department, an administrative law judge, or a hearing officer  
with respect to licensing or discipline to be electronically  
recorded in a manner sufficient to ensure the accurate  
transcription of all matters so recorded.  
(9) Select only those investigators, or consultants who  
undertake investigations, who meet criteria established with the  
advice of the board.  
(10) Have authority to:  
(a) Close and terminate deficient license application files  
2 years after the board or the department notifies the applicant  
of the deficiency; and  
(b) Approve applications for professional licenses that  
meet all statutory and rule requirements for licensure.  
(11) Provide legal counsel for the board by contracting  
with the Department of Legal Affairs, by retaining private

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member in question to become void, and the position shall be considered vacant. The board shall define unexcused absences by rule.

(5) Unless otherwise provided by law, a board member or former board member serving on a probable cause panel must be compensated \$50 for each day in attendance at an official meeting of the board and for each day participating in any other business involving the board. The board shall adopt a rule defining the phrase "other business involving the board." However, the phrase may not routinely be defined to include telephone conference calls. A board member is also entitled to reimbursement for expenses pursuant to s. 112.061. Travel out of state requires the prior approval of the commissioner or the commissioner's designee.

(6) The department and the board may advise licensees periodically, through the publication of a newsletter, of information that the department or the board determines is of interest to the industry. Unless otherwise prohibited by law, the department and the board shall publish a summary of final orders resulting in fines, suspensions, or revocations, and any other information the department or the board determines is of interest to the public.

(7)(a) Each board member is accountable to the commissioner for the proper performance of his or her duties as a member of the board. The commissioner shall investigate any legally sufficient complaint or unfavorable written report received by the commissioner or by the department or the board concerning the actions of the board or its individual members. The commissioner may suspend from office any board member for malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform the member's

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official duties, or commission of a felony.

(b) Each board member and each former board member serving on a probable cause panel is exempt from civil liability for any act or omission committed while acting in the member's official capacity. The department shall defend any member in any action against the board or a member of the board. In addition, the department may defend the member's company or business in any action against the company or business if the department determines that the actions from which the suit arises are actions taken by the member in the member's official capacity and were within the scope of the member's statutory authority. In providing such defense, the department may employ or use the legal services of the Department of Legal Affairs or outside counsel retained pursuant to s. 287.059. Fees and costs of providing legal services under this subsection shall be paid from the General Inspection Trust Fund, subject to ss. 215.37 and 472.011.

Section 6. Section 472.0075, Florida Statutes, is created to read:

472.0075 Contacting board through department.--The board may be contacted through the headquarters of the department in the City of Tallahassee.

Section 7. Section 472.008, Florida Statutes, is amended to read:

472.008 Rules of the board.--

(1) The board has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter conferring duties upon it. This specific grant of rulemaking authority to the board shall be exercised only through proceedings pursuant to ss. 120.536(1) and 120.54 and with the prior approval of the department.

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course of study that will prepare the applicant for the examination offered under subsection (2). The department shall develop rules for the approval of such programs for the board.

(2) Upon request of a person who meets the requirements of subsection (1) and submits an examination fee, the department, for the board, shall conduct a written practical examination that tests the person's current ability to practice the profession competently in accordance with the actual practice of the profession. Evidence of meeting the requirements of subsection (1) shall be treated by the department as evidence of the applicant's preparation in the academic and preprofessional fundamentals necessary for successful professional practice, and the applicant may not be examined by the department on such fundamentals.

(3) The fees charged for the examinations offered under subsection (2) shall be established by the department, for the board, by rule and shall be sufficient to develop or to contract for the development of the examination and its administration, grading, and grade reviews.

(4) The department shall examine any applicant who meets the requirements of subsections (1) and (2). Upon passing the examination and the issuance of the license, a licensee is subject to the administrative requirements of this chapter. Each applicant so licensed is subject to all provisions of this chapter.

(5) Upon a request by an applicant otherwise qualified under this section, the examinations offered under subsection (2) may be given in the applicant's native language if any translation costs are borne by the applicant.

(6) The department, for the board, may not issue an initial license to, or renew a license of, any applicant or licensee who

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is under investigation or prosecution in any jurisdiction for an action that would constitute a violation of this chapter until such time as the investigation or prosecution is complete, at which time the provisions of this chapter shall apply.

Section 9. Subsections (10) through (16) are added to section 472.011, Florida Statutes, to read:

472.011 Fees.—

(10) All funds collected under this section, and the amount paid for licenses, fines, and fees, shall be deposited into the General Inspection Trust Fund of the Department of Agriculture and Consumer Services.

(11) If sufficient action is not taken by the board within 1 year after notification by the department that license fees are projected to be inadequate, the department shall set license fees on behalf of the board to cover anticipated costs and to maintain the required cash balance. Further, it is the legislative intent that this regulated profession not operate with a negative cash balance. The department may provide by rule for the advancement of sufficient funds if this profession is operating with a negative cash balance. Such advancement may be for a period not to exceed 2 consecutive years and shall require interest to be paid by the regulated profession. Interest shall be calculated at the current rate earned on General Inspection Trust Fund investments. Interest earned shall be allocated to the various funds in accordance with the allocation of investment earnings during the period of the advance.

(12) The board may, by rule, assess and collect a one-time fee from each active and each voluntary inactive licensee in an amount necessary to eliminate a cash deficit or, if there is not a cash deficit, in an amount sufficient to maintain the financial integrity of this profession as required in this

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relative weight to be assigned in grading each criterion, and the score necessary to achieve a passing grade. When a mandatory standardization exercise for a practical examination is required by law, the board may conduct such exercise. Board members may serve as examiners at a practical examination with the consent of the board.

(d) The board may approve by rule the use of any national examination which the department has certified as meeting requirements of national examinations and generally accepted testing standards under department rules. Providers of examinations, which may be profit or nonprofit entities, seeking certification by the department shall pay the actual costs incurred by the department in making a determination regarding the certification of the vendor. The department shall use any national examination that is available, certified by the department, and approved by the board. The name and number of a candidate may be provided to a national contractor for the limited purpose of preparing the grade tape and information to be returned to the board or department or, to the extent otherwise specified by rule, the candidate may apply directly to the vendor of the national examination. The department may delegate to the board the duty to provide and administer the examination. Any national examination approved by the board prior to October 1, 1997, is deemed certified under this paragraph. Any licensing or certification examination that is not developed or administered by the department in-house or provided as a national examination shall be competitively bid.

(e) The department shall adopt rules regarding the security and monitoring of examinations. In order to maintain the security of examinations, the department may employ the procedures set forth in s. 472.033 to seek fines and injunctive

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relief against an examinee who violates s. 472.0132 or the rules adopted under this paragraph. The department, or any agent thereof, may, for the purposes of investigation, confiscate any written, photographic, or recording material or device in the possession of the examinee at the examination site which the department deems necessary to enforce such provisions or rules.

(f) If the board concurs, the department may, for a fee, share with any other state's licensing authority an examination developed by or for the department unless prohibited by a contract entered into by the department for development or purchase of the examination. The department, with the concurrence of the board, shall establish guidelines that ensure security of a shared exam and shall require that any other state's licensing authority comply with those guidelines. Those guidelines shall be approved by the board. All fees paid by the user shall be applied to the department's examination and development program under this chapter.

(2) For each examination developed by the department or a contracted vendor, the board shall make rules providing for reexamination of any applicant who failed an examination. If both a written and a practical examination are given, an applicant is required to retake only the portion of the examination for which he or she failed to achieve a passing grade, if the applicant successfully passes that portion within a reasonable time, as determined by rule of the board, of his or her passing the other portion.

(3) Except for national examinations approved and administered pursuant to paragraph (1)(d), the department shall provide procedures for applicants who have taken and failed an examination developed by the department or a contracted vendor to review their examination questions, answers, papers, grades.

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licensure purposes, the board shall establish the minimal competencies that such student must demonstrate in order to be licensed. The demonstration of such competencies may be substituted for specific classroom clock-hour requirements established in statute or rule which are related to instructional programs for licensure purposes. Student demonstration of the established minimum competencies shall be certified by the educational institution.

(2) Notwithstanding any other law, educational programs and institutions which are required by statute to be accredited, but which were accredited by an agency that has since ceased to perform an accrediting function, shall be recognized until such programs and institutions are accredited by a qualified successor to the original accrediting agency, an accrediting agency recognized by the United States Department of Education, or an accrediting agency recognized by the board.

(3) The board shall consult with the Commission for Independent Education, the Board of Governors of the State University System, and the State Board of Education prior to adopting any changes to training requirements relating to entry into the profession. This consultation must allow the educational board to provide advice regarding the impact of the proposed changes in terms of the length of time necessary to complete the training program and the fiscal impact of the changes. The educational board must be consulted only when an institution offering the training program falls under its jurisdiction.

Section 13. Section 472.015, Florida Statutes, is amended to read:

472.015 Licensure.--

(1) Notwithstanding any other law, the department is the

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sole authority for determining the contents of any documents to be submitted for initial licensure and licensure renewal. Such documents may contain information including, as appropriate: demographics, education, work history, personal background, criminal history, finances, business information, complaints, inspections, investigations, discipline, bonding, signature notarization, photographs, performance periods, reciprocity, local government approvals, supporting documentation, periodic reporting requirements, continuing education requirements, and ongoing education monitoring. The application may be supplemented as needed to reflect any material change in any circumstance or condition stated in the application which takes place between the initial filing of the application and the final grant or denial of the license and which might affect the decision of the department.

~~(2)(1)~~ The department shall license any applicant who the board certifies is qualified to practice surveying and mapping.

(3) Before the issuance of any license, the department may charge an initial license fee as determined by rule of the board. Upon receipt of the appropriate license fee, except as provided in subsection (6), the department shall issue a license to any person certified by the board, or its designee, as having met the applicable requirements imposed by law or rule. However, an applicant who is not otherwise qualified for licensure is not entitled to licensure solely based on a passing score on a required examination.

~~(4)(2)~~ The board shall certify for licensure any applicant who satisfies the requirements of s. 472.013 and who has passed the licensing examination. The board may refuse to certify any applicant who has violated any of the provisions of s. 472.031.

~~(5)(3)~~ (a) The board shall certify as qualified for a

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(8) A privilege against civil liability is hereby granted to any witness for any information furnished by the witness in any proceeding pursuant to this section, unless the witness acted in bad faith or with malice in providing such information.

(9) Notwithstanding anything to the contrary, any elected official who is licensed under this chapter may hold employment for compensation with any public agency concurrent with such public service. Such dual service must be disclosed according to any disclosure required by applicable law.

(10) In any instance in which a licensee or applicant to the department is required to be in compliance with a particular provision by, on, or before a certain date, and if that date occurs on a Saturday, Sunday, or a legal holiday, the licensee or applicant is deemed to be in compliance with the specific date requirement if the required action occurs on the first succeeding day that is not a Saturday, Sunday, or legal holiday.

(11) Any submission required to be in writing may otherwise be required by the department to be made by electronic means.

(12)+5+ A licensee or business entity that meets the requirements of this section or s. 472.021 must carry professional liability insurance or provide notice to any person or entity to which surveying and mapping services are offered that the licensee or business entity does not carry professional liability insurance. The notice must consist of a sign prominently displayed in the reception area and written statements provided in a form and frequency as required by rule of the Board of Professional Surveyors and Mappers.

(13)+6+ The department may revoke the license of a licensee or business entity that fails to pay a final judgment in connection with the provision of, or failure to provide, services under this chapter.

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(14) A person may not be disqualified from practicing surveying or mapping as regulated by the state solely because he or she is not a United States citizen.

Section 14. Section 472.016, Florida Statutes, is created to read:

472.016 Members of Armed Forces in good standing with the board.-

(1) Any member of the Armed Forces of the United States who is now or in the future on active duty and who, at the time of becoming such a member of the Armed Forces, was in good standing with the board and entitled to practice or engage in surveying and mapping in the state shall be kept in good standing by the board, without registering, paying dues or fees, or performing any other act on his or her part to be performed, as long as he or she is a member of the Armed Forces of the United States on active duty and for a period of 6 months after discharge from active duty, provided that he or she is not engaged the practice of surveying or mapping in the private sector for profit.

(2) The board shall adopt rules exempting the spouses of members of the Armed Forces of the United States from licensure renewal provisions, but only in cases of absence from the state because of their spouses' duties with the Armed Forces.

Section 15. Section 472.0165, Florida Statutes, is created to read:

472.0165 Qualification of immigrants for examination to practice a licensed profession or occupation.-

(1) It is the declared purpose of this section to encourage the use of foreign-speaking residents of this state duly qualified to become licensed surveyors and mappers so that all Florida citizens may receive better services.

(2) Any person who has successfully completed, or is



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course.

(6) A continuing education provider may not be approved, and the approval may not be renewed, unless the provider agrees in writing to provide such cooperation under this section as required by the department.

(7) For the purpose of determining which persons or entities must meet the reporting, recordkeeping, and access provisions of this section, the board by rule shall adopt a definition of the term "continuing education provider" applicable to the profession's continuing education requirements. The intent of the rule is to ensure that all records and information necessary to carry out the requirements of this section are maintained and transmitted accordingly and to minimize disputes as to what person or entity is responsible for maintaining and reporting such records and information.

(8) The board shall approve the providers of continuing education. The approval of continuing education providers and courses must be for a specified period of time, not to exceed 4 years. An approval that does not include such a time limitation may remain in effect under this chapter or the rules adopted under this chapter.

(9) The department may fine, suspend, or revoke approval of any continuing education provider that fails to comply with its duties under this section. The fine may not exceed \$500 per violation. Investigations and prosecutions of a provider's failure to comply with its duties under this section shall be conducted pursuant to s. 472.033.

(10) The board shall issue an order requiring a person or entity to cease and desist from offering any continuing education programs for licensees, and fining, suspending, or revoking any approval of the provider previously granted by the

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board if the board determines that the person or entity failed to provide appropriate continuing education services that conform to approved course material. The fine may not exceed \$500 per violation. Investigations and prosecutions of a provider's failure to comply with its duties under this section shall be conducted under s. 472.033.

(11) The board may establish, by rule, a fee not to exceed \$250 for anyone seeking approval to provide continuing education courses and may establish, by rule, a biennial fee not to exceed \$250 for the renewal of providership of such courses. Such postlicensure education courses are subject to the reporting, monitoring, and compliance provisions of this section.

(12) The department and the board may adopt rules under ss. 120.536(1) and 120.54 to administer this section.

Section 17. Section 472.0201, Florida Statutes, is created to read:

472.0201 Public inspection of information required from applicants; exceptions; examination hearing.-

(1) All information required by the department of any applicant shall be a public record and shall be open to public inspection pursuant to s. 119.07, except financial information, medical information, school transcripts, examination questions, answers, papers, grades, and grading keys, which are confidential and exempt from s. 119.07(1) and shall not be discussed with or made accessible to anyone except members of the board, the department, and staff thereof, who have a bona fide need to know such information. Any information supplied to the department by any other agency which is exempt from the provisions of chapter 119 or is confidential shall remain exempt or confidential pursuant to applicable law while in the custody of the department.

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board, for active or inactive status during the licensure cycle in which a licensee becomes delinquent. Failure by a delinquent status licensee to become active or inactive before the expiration of the current licensure cycle shall render the license void without any further action by the board or the department.

(b) Notwithstanding this chapter, the board may, at its discretion, reinstate the license of an individual whose license has become void if the board determines that the individual has made a good faith effort to comply with this section but has failed to comply because of illness or unusual hardship. The individual must apply to the board for reinstatement in a manner prescribed by rules of the board and shall pay an applicable fee in an amount determined by rule. The board shall require that such individual meet all continuing education requirements prescribed by law, pay appropriate licensing fees, and otherwise be eligible for renewal of licensure under this chapter.

(7) The board, by rule, shall impose an additional delinquency fee, not to exceed the biennial renewal fee for an active status license, on a delinquent status licensee when such licensee applies for active or inactive status.

(8) The board, by rule, shall impose an additional fee, not to exceed the biennial renewal fee for an active status license, for processing a licensee's request to change licensure status at any time other than at the beginning of a licensure cycle.

(9) The board, by rule, may impose reasonable conditions, excluding full reexamination but including part of a national examination or a special purpose examination to assess current competency, necessary to ensure that a licensee who has been on inactive status for more than two consecutive biennial licensure cycles and who applies for active status can practice with the

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care and skill sufficient to protect the health, safety, and welfare of the public. Reactivation requirements may differ depending on the length of time licensees are inactive. The costs to meet reactivation requirements shall be borne by licensees requesting reactivation.

(10) Before reactivation, an inactive or delinquent licensee shall meet the same continuing education requirements, if any, imposed on an active status licensee for all biennial licensure periods in which the licensee was inactive or delinquent.

(11) The status or a change in status of a licensee does not alter the board's right to impose discipline or to enforce discipline previously imposed on a licensee for acts or omissions committed by the licensee while holding a license, whether active, inactive, or delinquent.

Section 20. Section 472.0203, Florida Statutes, is created to read:

472.0203 Renewal and cancellation notices.-

(1) At least 90 days before the end of a licensure cycle, the department shall:

(a) Forward a licensure renewal notification to an active or inactive licensee at the licensee's last known address of record with the department.

(b) Forward a notice of pending cancellation of licensure to a delinquent status licensee at the licensee's last known address of record with the department.

(2) Each licensure renewal notification and each notice of pending cancellation of licensure must state conspicuously that a licensee who remains on inactive status for more than two consecutive biennial licensure cycles and who wishes to reactivate the license may be required to demonstrate the

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1116 department may conduct an investigation without notification to  
1117 any subject if the act under investigation is a criminal  
1118 offense.

1119 (2) The department shall allocate sufficient and adequately  
1120 trained staff to expeditiously and thoroughly determine legal  
1121 sufficiency and investigate all legally sufficient complaints.  
1122 When its investigation is complete and legally sufficient, the  
1123 department shall prepare and submit to the probable cause panel  
1124 of the board the investigative report of the department. The  
1125 report shall contain the investigative findings and the  
1126 recommendations of the department concerning the existence of  
1127 probable cause. At any time after legal sufficiency is found,  
1128 the department may dismiss any case, or any part thereof, if the  
1129 department determines that there is insufficient evidence to  
1130 support the prosecution of allegations contained therein. The  
1131 department shall provide a detailed report to the appropriate  
1132 probable cause panel before dismissing any case or part thereof,  
1133 and to the subject of the complaint after dismissal of any case  
1134 or part thereof, under this section. For cases dismissed before  
1135 a finding of probable cause, such report is confidential and  
1136 exempt from s. 119.07(1). The probable cause panel shall have  
1137 access, upon request, to the investigative files pertaining to a  
1138 case before dismissing the case.

1139 (3)(a) As an alternative to subsections (1) and (2), if a  
1140 complaint is received, the department may provide a licensee  
1141 with a notice of noncompliance for an initial offense of a minor  
1142 violation. A violation is a minor violation if it does not  
1143 demonstrate a serious inability to practice the profession,  
1144 result in economic or physical harm to a person, or adversely  
1145 affect the public health, safety, or welfare or create a  
1146 significant threat of such harm. The board shall establish by

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1147 rule those violations which are minor violations under this  
1148 provision. Failure of a licensee to take action in correcting  
1149 the violation within 15 days after notice may result in the  
1150 institution of regular disciplinary proceedings.

1151 (b) The department may issue a notice of noncompliance for  
1152 an initial offense of a minor violation, notwithstanding the  
1153 board's failure to designate a particular minor violation by  
1154 rule as provided in paragraph (a).

1155 (4) The determination as to whether probable cause exists  
1156 shall be made by majority vote of a probable cause panel of the  
1157 board, or by the department, as appropriate. The board shall  
1158 provide by rule that the determination of probable cause shall  
1159 be made by a panel of its members or by the department. The  
1160 board may provide by rule for multiple probable cause panels  
1161 composed of at least two members. The board may provide by rule  
1162 that one or more members of the panel or panels may be a former  
1163 board member. The length of term or repetition of service of any  
1164 such former board member on a probable cause panel may vary  
1165 according to the direction of the board when authorized by board  
1166 rule. Any probable cause panel must include one of the board's  
1167 former or present consumer members, if one is available, willing  
1168 to serve, and is authorized to do so by the board chair. Any  
1169 probable cause panel must include a present board member. Any  
1170 probable cause panel must include a former or present  
1171 professional board member. However, any former professional  
1172 board member serving on the probable cause panel must hold an  
1173 active valid license for that profession. All proceedings of the  
1174 panel are exempt from s. 286.011 until 10 days after probable  
1175 cause has been found to exist by the panel or until the subject  
1176 of the investigation waives his or her privilege of  
1177 confidentiality. The probable cause panel may make a reasonable

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summary order.

(9) The department shall periodically notify the person who filed the complaint of the status of the investigation, whether probable cause has been found, and the status of any civil action or administrative proceeding or appeal.

(10) The complaint and all information obtained pursuant to the investigation by the department are confidential and exempt from s. 119.07(1) until 10 days after probable cause has been found to exist by the probable cause panel or by the department, or until the regulated professional or subject of the investigation waives his or her privilege of confidentiality, whichever occurs first. However, this exemption does not apply to actions against unlicensed persons pursuant to s. 472.036. Upon completion of the investigation and pursuant to a written request by the subject, the department shall provide the subject an opportunity to inspect the investigative file or, at the subject's expense, forward to the subject a copy of the investigative file. The subject may file a written response to the information contained in the investigative file. Such response must be filed within 20 days, unless an extension of time has been granted by the department. This subsection does not prohibit the department from providing such information to any law enforcement agency or to any other regulatory agency.

(11) A privilege against civil liability is granted to any complainant or any witness with regard to information furnished with respect to any investigation or proceeding pursuant to this section, unless the complainant or witness acted in bad faith or with malice in providing such information.

(1) The following acts constitute grounds for which the disciplinary actions in subsection (2) may be taken:

(a) Violation of any provision of s. 472.031 or s.

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455.227(1):

(b) Attempting to procure a license to practice surveying and mapping by bribery or fraudulent misrepresentation;

(c) Having a license to practice surveying and mapping revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country;

(d) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of surveying and mapping or the ability to practice surveying and mapping;

(e) Making or filing a report or record that the licensee knows to be false, willfully failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing, or inducing another person to impede or obstruct such filing. Such reports or records shall include only those that are signed in the capacity of a registered surveyor and mapper;

(f) Advertising goods or services in a manner that is fraudulent, false, deceptive, or misleading in form or content;

(g) Upon proof that the licensee is guilty of fraud or deceit, or of negligence, incompetency, or misconduct, in the practice of surveying and mapping;

(h) Failing to perform any statutory or legal obligation placed upon a licensed surveyor and mapper; violating any provision of this chapter, a rule of the board or department, or a lawful order of the board or department previously entered in a disciplinary hearing; or failing to comply with a lawfully issued subpoena of the department; or

(i) Practicing on a revoked, suspended, inactive, or

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1364 notification to the department. In the event the complainant and  
1365 subject fail to reach settlement terms or to record the required  
1366 acknowledgment, the department shall process the complaint  
1367 according to the provisions of s. 472.033.

1368 (3) Conduct or statements made during mediation are  
1369 inadmissible in any proceeding pursuant to s. 472.033. Further,  
1370 any information relating to the mediation of a case shall be  
1371 subject to the confidentiality provisions of s. 472.033.

1372 (4) A licensee may not go through the mediation process  
1373 more than three times without approval of the department. The  
1374 department may consider the subject and dates of the earlier  
1375 complaints in rendering its decision. The decision is not final  
1376 agency action for purposes of chapter 120.

1377 (5) The board has the continuing authority to amend its  
1378 rules adopted pursuant to this section.

1379 Section 25. Section 472.0345, Florida Statutes, is created  
1380 to read:

1381 472.0345 Authority to issue citations.-

1382 (1) Notwithstanding s. 472.033, the board or the department  
1383 shall adopt rules to permit the issuance of citations. The  
1384 citation shall be issued to the subject and shall contain the  
1385 subject's name and address, the subject's license number if  
1386 applicable, a brief factual statement, the sections of the law  
1387 allegedly violated, and the penalty imposed. The citation must  
1388 clearly state that the subject may choose, in lieu of accepting  
1389 the citation, to follow the procedure under s. 472.033. If the  
1390 subject disputes the matter in the citation, the procedures set  
1391 forth in s. 472.033 must be followed. However, if the subject  
1392 does not dispute the matter in the citation with the department  
1393 within 30 days after the citation is served, the citation  
1394 becomes a final order and constitutes discipline. The penalty

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1395 shall be a fine or other conditions as established by rule.

1396 (2) The board shall adopt rules designating violations for  
1397 which a citation may be issued. Such rules shall designate as  
1398 citation violations those violations for which there is no  
1399 substantial threat to the public health, safety, and welfare.

1400 (3) The department shall be entitled to recover the costs  
1401 of investigation, in addition to any penalty provided according  
1402 to board or department rule, as part of the penalty levied  
1403 pursuant to the citation.

1404 (4) A citation must be issued within 6 months after the  
1405 filing of the complaint that is the basis for the citation.

1406 (5) Service of a citation may be made by personal service  
1407 or certified mail, restricted delivery, to the subject at the  
1408 subject's last known address.

1409 (6) The board has continuous authority to amend its rules  
1410 adopted pursuant to this section.

1411 Section 26. Section 472.0351, Florida Statutes, is created  
1412 to read:

1413 472.0351 Grounds for discipline; penalties; enforcement.-

1414 (1) The following acts shall constitute grounds for which  
1415 the disciplinary actions specified in subsection (2) may be  
1416 taken:

1417 (a) Violation of any provision of s. 472.031;

1418 (b) Attempting to procure a license to practice surveying  
1419 and mapping by bribery or fraudulent misrepresentations;

1420 (c) Having a license to practice surveying and mapping  
1421 revoked, suspended, or otherwise acted against, including the  
1422 denial of licensure, by the licensing authority of another  
1423 state, territory, or country;

1424 (d) Being convicted or found guilty of, or entering a plea  
1425 of nolo contendere to, regardless of adjudication, a crime in

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1488 a lawfully issued subpoena of the department; or  
1489 (u) Improperly interfering with an investigation or  
1490 inspection authorized by statute, or with any disciplinary  
1491 proceeding.  
1492 (2) When the board finds any surveyor or mapper guilty of  
1493 any of the grounds set forth in subsection (1), it may enter an  
1494 order imposing one or more of the following penalties:  
1495 (a) Denial of an application for licensure.  
1496 (b) Revocation or suspension of a license.  
1497 (c) Imposition of an administrative fine not to exceed  
1498 \$1,000 for each count or separate offense.  
1499 (d) Issuance of a reprimand.  
1500 (e) Placement of the surveyor or mapper on probation for a  
1501 period of time and subject to such conditions as the board may  
1502 specify. Those conditions may include, but are not limited to,  
1503 requiring the licensee to undergo treatment, attend continuing  
1504 education courses, submit to be reexamined, work under the  
1505 supervision of another licensee, or satisfy any terms which are  
1506 reasonably tailored to the violations found.  
1507 (f) Restriction of the authorized scope of practice by the  
1508 surveyor or mapper.  
1509 (3) The department shall reissue the license of a  
1510 disciplined surveyor or mapper upon certification by the board  
1511 that he or she has complied with all of the terms and conditions  
1512 set forth in the final order.  
1513 (4) (a) In addition to any other discipline imposed pursuant  
1514 to this section, the board may assess costs and attorneys fees  
1515 related to the investigation and prosecution of the case.  
1516 (b) In any case where the board or the department imposes a  
1517 fine or assessment and the fine or assessment is not paid within  
1518 a reasonable time, such reasonable time to be prescribed in the

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1519 rules of the board or in the order assessing such fines or  
1520 costs, the department or the Department of Legal Affairs may  
1521 contract for the collection of, or bring a civil action to  
1522 recover, the fine or assessment.  
1523 (5) In addition to, or in lieu of, any other remedy or  
1524 criminal prosecution, the department may file a proceeding in  
1525 the name of the state seeking issuance of an injunction or a  
1526 writ of mandamus against any person who violates any of the  
1527 provisions of this chapter, or any provision of law with respect  
1528 to professions regulated by the department, or any board  
1529 therein, or the rules adopted pursuant thereto.  
1530 (6) If the board determines that revocation of a license is  
1531 the appropriate penalty, the revocation shall be permanent.  
1532 However, the board may establish, by rule, requirements for  
1533 reapplication by applicants whose licenses have been permanently  
1534 revoked. Such requirements may include, but shall not be limited  
1535 to, satisfying current requirements for an initial license.  
1536 Section 27. Section 472.0355, Florida Statutes, is created  
1537 to read:  
1538 472.0355 Disciplinary guidelines.-  
1539 (1) The board by rule shall adopt and periodically review  
1540 the disciplinary guidelines applicable to each ground for  
1541 disciplinary action which may be imposed by the board pursuant  
1542 to this chapter and any rule of the board or department.  
1543 (2) The disciplinary guidelines shall specify a meaningful  
1544 range of designated penalties based upon the severity and  
1545 repetition of specific offenses, it being the legislative intent  
1546 that minor violations be distinguished from those which endanger  
1547 the public health, safety, or welfare; that such guidelines  
1548 provide reasonable and meaningful notice to the public of likely  
1549 penalties which may be imposed for proscribed conduct; and that

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1612 of accepting the citation, to follow the procedure under s.  
1613 472.033. If the subject disputes the matter in the citation, the  
1614 procedures set forth in s. 472.033 must be followed. However, if  
1615 the subject does not dispute the matter in the citation with the  
1616 department within 30 days after the citation is served, the  
1617 citation shall become a final order of the department upon  
1618 filing with the agency clerk. The penalty shall be a fine of not  
1619 less than \$500 or more than \$5,000 or other conditions as  
1620 established by rule.

1621 (b) Each day that the unlicensed practice continues after  
1622 issuance of a citation constitutes a separate violation.

1623 (c) The department shall be entitled to recover the costs  
1624 of investigation, in addition to any penalty provided according  
1625 to department rule as part of the penalty levied pursuant to the  
1626 citation.

1627 (d) Service of a citation may be made by personal service  
1628 or certified mail, restricted delivery, to the subject at the  
1629 subject's last known address.

1630 (4) All fines, fees, and costs collected through the  
1631 procedures set forth in this section shall be deposited in the  
1632 General Inspection Trust Fund.

1633 (5) The provisions of this section apply only to the  
1634 provisions of this chapter.

1635 Section 29. Section 472.0365, Florida Statutes, is created  
1636 to read:

1637 472.0365 Unlicensed activities; fees; disposition.--In order  
1638 to protect the public and to ensure a consumer-oriented  
1639 department, it is the intent of the Legislature that vigorous  
1640 enforcement of regulation for professional surveying and mapping  
1641 activities is a state priority. All enforcement costs under this  
1642 chapter should be covered by the profession. Therefore, the

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1643 department shall impose, upon initial licensure and each renewal  
1644 thereof, a special fee of \$5 per licensee. Such fee shall be in  
1645 addition to all other fees collected from each licensee and  
1646 shall fund efforts to combat unlicensed activity. The board with  
1647 concurrence of the department may earmark \$5 of the current  
1648 licensure fee for this purpose, if the board is not in a deficit  
1649 and has a reasonable cash balance. The board with the  
1650 concurrence of the department may authorize the transfer of  
1651 funds from the operating fund account to the unlicensed activity  
1652 account if the operating fund account is not in a deficit and  
1653 has a reasonable cash balance. The department shall include all  
1654 financial and statistical data resulting from unlicensed  
1655 activity enforcement as a separate category in the quarterly  
1656 management report provided for in s. 472.011. For the unlicensed  
1657 activity account, a balance which remains at the end of a  
1658 renewal cycle may, with concurrence of the board and the  
1659 department, be transferred to the operating fund account of the  
1660 profession.

1661 Section 30. The following provisions are adopted to  
1662 minimize any interruption of service or function which may  
1663 result from implementing the type two transfer provided in this  
1664 act:

1665 (1) The Department of Agriculture and Consumer Services and  
1666 Department of Business and Professional Regulation shall  
1667 cooperate fully to complete this type two transfer not later  
1668 than October 1, 2009.

1669 (2) The Department of Business and Professional Regulation  
1670 shall transfer to the Department of Agriculture and Consumer  
1671 Services the unexpended balances of appropriations, allocations,  
1672 and all other funds applicable to the licensing and regulation  
1673 of Professional Surveyors and Mappers outstanding as of October

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1736 prior to October 1, 2009, shall as of October 1, 2009, be deemed  
1737 to be licensed in the same capacity in which they were formerly  
1738 registered, and their registration shall thereafter be deemed a  
1739 license for purposes of chapter 472, Florida Statutes.

1740 (8) No later than July 1, 2009, the Department of  
1741 Agriculture and Consumer Services and the Department of Business  
1742 and Professional Regulation shall cooperate in making available  
1743 all personnel and information necessary for a prompt and  
1744 complete transition of pending disciplinary matters, including  
1745 coordinating meetings of attorneys and investigators.

1746 (9) The Department of Agriculture and Consumer Services may  
1747 contract with the Department of Business and Professional  
1748 Regulation for the development, preparation, administration,  
1749 scoring, score reporting, and evaluation of examinations  
1750 currently scheduled to be conducted after October 1, 2009. Any  
1751 such contract shall be entered into only with the prior advice  
1752 and approval of the Board of Professional Surveyors and Mappers  
1753 and shall become effective on or after October 1, 2009. The  
1754 Department of Agriculture and Consumer Services and the  
1755 Department of Business and Professional Regulation shall confer  
1756 promptly with the board to determine at the earliest possible  
1757 time the need for the services described in this subsection.

1758 Section 31. This act shall take effect October 1, 2009.



## **Senate #2 - Department of Financial Services**

### **Unclaimed property valued at less than \$250**

Funds in Specific appropriation \_\_\_\_\_ through \_\_\_\_\_ cannot be used by the Department of Financial Services to initiate direct contact or mailings to claimants for unclaimed property valued under \$250. The department is encouraged to utilize more cost effective methods to pursue claimant contact, including coordinating with private businesses who currently perform this service.

### **Senate #3 – DFS/Office of Insurance Regulation**

#### **Insurance Assets Transparency Data RFP**

From the funds is Specific Appropriations \_\_\_\_\_, \$5,000 shall be used by the Office of Insurance Regulation to issue a request for proposal for the creation of an internet portal to provide insurance assets transparency data for potential sellers of life insurance policies. The Financial Services Commission may adopt rules to implement this provision.

## **Senate #4 – Department of Business and Professional Regulation**

### **Hospitality Education Program Realignment**

The funds in specific appropriation \_\_\_\_\_ shall be placed in a special category related to the Hospitality Education Program and the positions shall remain in reserve ,contingent upon HB 717 or similar legislation becoming law. Should HB 717 or similar legislation not become law, the funds and positions shall be restored to Specific appropriation categories \_\_\_\_\_ through \_\_\_\_\_ as provided in Chapter 2008-52, Laws of Florida.

## **Senate #5 – Department of Business and Professional Regulation**

### **Interior Design**

Funds from specific appropriation \_\_\_\_\_ through \_\_\_\_\_ cannot be used to prosecute a business or an individual for the unlawful practice of interior design for the sale, designs, drawings, layouts, specifications, or installation of commercial food service equipment or cubicle workstations, partitions, or similar items.

## **Senate #6 – Department of Business and Professional Regulation**

### **Harbor Pilots — OPPAGA Study**

The Office of Program Policy and Government Accountability (OPPAGA) shall conduct a review of chapter 310, Florida Statutes, relating to harbor pilots. The OPPAGA shall report on the efficacy, fiscal impacts and national trends of harbor pilotage considering industry and technological improvements since the statute was originally implemented. The OPPAGA shall also review harbor pilot laws in comparable states and report their findings to the legislature by November 31, 2009.

## **Senate #7 - Department of Management Services**

### **Procurement of Commodities and Contractual Services**

Section XX. New Section 287.0571, Florida Statutes, is created to read:

2873.0571 Lowest cost procurement – It is the intent of the Legislature that each agency be encouraged to make the most efficient use of its available financial resources when procuring commodities and contractual services. Each agency shall be entitled to purchase any commodity or contractual service at the lowest available price, including any commodity or contract that is available under s. 287.042 and s.287.056. If a commodity or contractual service is available from a source other than s.287.042 and s.287.056, then the agency is authorized to make the purchase from the alternative source notwithstanding the provisions of s.287.042 and s.287.056.

## **Senate #8 - Department of Management Services**

### **State Utilities**

The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation \*\*\*\*\* in the event utility costs exceed the amount of budget authority appropriated.

Senate #9 - Department of Financial Services

Treasury Investments

A bill to be entitled

An act relating to financial instruments; amending s. 17.57, F.S.; increasing the maximum percentage of funds under the control of the Chief Financial Officer to be invested in certain securities; deleting a provision relating to concurrent deposits by a unit of local government and customers of other federally insured financial institutions; requiring that the Chief Financial Officer and local governments deposit surplus funds in financial deposit instruments insured by the Federal Deposit Insurance Corporation rather than in certificates of deposit; providing for the expiration of such increase and the reversion of statutory text; creating s. 17.575, F.S.; creating the Treasury Investment Committee within the Division of Treasury; providing for membership on the committee; requiring that the committee annually elect a chair and vice chair from within its membership; providing duties of the committee; requiring that the committee submit an annual report on a specified date and annually thereafter outlining its activities and recommendations to the Chief Financial Officer and the Joint Legislative Auditing Committee; amending s. 218.415, F.S.; requiring that the Chief Financial Officer and local governments deposit surplus funds in financial deposit instruments insured by the Federal Deposit Insurance Corporation rather than in certificates of deposit; deleting a provision relating to concurrent deposits by a unit of local government and customers of other federally insured financial institutions; amending s. 532.01, F.S.; including payroll debit cards under requirements applicable to



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Treasury Investments

33 payment instruments; providing an effective date.

34  
35 Be It Enacted by the Legislature of the State of Florida:

36  
37 Section 1. Paragraph (v) of subsection (2) and subsection  
38 (7) of section 17.57, Florida Statutes, is amended to read:

39 17.57 Deposits and investments of state money.--

40 (2) The Chief Financial Officer shall make funds available  
41 to meet the disbursement needs of the state. Funds which are not  
42 needed for this purpose shall be placed in qualified public  
43 depositories that will pay rates established by the Chief  
44 Financial Officer at levels not less than the prevailing rate  
45 for United States Treasury securities with a corresponding  
46 maturity. In the event money is available for interest-bearing  
47 time deposits or savings accounts as provided herein and  
48 qualified public depositories are unwilling to accept such money,  
49 and pay thereon the rates established above, then such money  
50 which qualified public depositories are unwilling to accept  
51 shall be invested in:

52 (v) Securities not otherwise described in this subsection.  
53 However, not more than 7 percent ~~3 percent~~ of the funds under  
54 the control of the Chief Financial Officer shall be invested in  
55 securities described in this paragraph.  
56

57 These investments may be in varying maturities and may be in  
58 book-entry form. Investments made pursuant to this subsection  
59 may be under repurchase agreement or reverse repurchase  
60 agreement. The Chief Financial Officer may hire registered  
61 investment advisers and other consultants to assist in  
62 investment management and to pay fees directly from investment  
63 earnings. Investment securities, proprietary investment services  
64 related to contracts, performance evaluation services,

## Senate #9 - Department of Financial Services

### Treasury Investments

65 investment-related equipment or software used directly to assist  
66 investment trading or investment accounting operations including  
67 bond calculators, telerates, Bloombergs, special program  
68 calculators, intercom systems, and software used in accounting,  
69 communications, and trading, and advisory and consulting  
70 contracts made under this section are exempt from the provisions  
71 of chapter 287.

72 (7) In addition to the deposits authorized under this  
73 section and notwithstanding any other provisions of law, funds  
74 that are not needed to meet the disbursement needs of the state  
75 may be deposited by the Chief Financial Officer in accordance  
76 with the following conditions:

77 (a) The funds are initially deposited in a qualified public  
78 depository, as defined in s. 280.02, selected by the Chief  
79 Financial Officer.

80 (b) The selected depository arranges for depositing the  
81 deposit of the funds in financial deposit instruments insured by  
82 the Federal Deposit Insurance Corporation certificates of  
83 deposit in one or more federally insured banks or savings and  
84 loan associations, wherever located, for the account of the  
85 state.

86 (c) The full amount of the principal and accrued interest  
87 of each financial deposit instrument such certificate of deposit  
88 is insured by the Federal Deposit Insurance Corporation.

89 (d) The selected depository acts as custodian for the state  
90 with respect to each financial deposit instrument such  
91 certificates of deposit issued for its account.

92 ~~(e) At the same time the state's funds are deposited and~~  
93 ~~the certificates of deposit are issued, the selected depository~~  
94 ~~receives an amount of deposits from customers of other federally~~  
95 ~~insured financial institutions, wherever located, equal to or~~  
96 ~~greater than the amount of the funds initially invested by the~~

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Treasury Investments

~~Chief Financial Officer through the selected depository.~~

Section 2. Effective July 1, 2010, the amendment of s. 17.57(2)(v), Florida Statutes, made by this act shall expire, and the text of that paragraph shall revert to that in existence on June 30, 2009, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.

Section 3. Section 17.575, Florida Statutes, is created to read:

17.575 Administration of funds; Treasury Investment Committee.--

(1) There is created a Treasury Investment Committee within the Division of Treasury consisting of at least five members who must possess special knowledge, experience, and familiarity in finance, investments, or accounting. The members of the committee shall be appointed by and serve at the pleasure of the Chief Financial Officer. The committee shall annually elect a chair and vice chair from among its membership.

(2) The committee shall administer the Treasury Investment Program consistent with policies approved by the Chief Financial Officer for deposits and investments of public funds. The committee shall also make recommendations regarding investment policy to the Chief Financial Officer.

(3) The committee shall submit an annual report outlining its activities and recommendations to the Chief Financial Officer and the Joint Legislative Auditing Committee. The report shall be submitted on August 15, 2009, and annually thereafter.

Section 4. Paragraphs (b), (c), (d), and (e) of subsection (23) of section 218.415, Florida Statutes, are amended to read:  
218.415 Local government investment policies.--Investment

Senate #9 - Department of Financial Services

Treasury Investments

129 activity by a unit of local government must be consistent with a  
130 written investment plan adopted by the governing body, or in the  
131 absence of the existence of a governing body, the respective  
132 principal officer of the unit of local government and maintained  
133 by the unit of local government or, in the alternative, such  
134 activity must be conducted in accordance with subsection (17).  
135 Any such unit of local government shall have an investment  
136 policy for any public funds in excess of the amounts needed to  
137 meet current expenses as provided in subsections (1)-(16), or  
138 shall meet the alternative investment guidelines contained in  
139 subsection (17). Such policies shall be structured to place the  
140 highest priority on the safety of principal and liquidity of  
141 funds. The optimization of investment returns shall be secondary  
142 to the requirements for safety and liquidity. Each unit of local  
143 government shall adopt policies that are commensurate with the  
144 nature and size of the public funds within its custody.

145 (23) AUTHORIZED DEPOSITS.-In addition to the investments  
146 authorized for local governments in subsections (16) and (17)  
147 and notwithstanding any other provisions of law, a unit of local  
148 government may deposit any portion of surplus public funds in  
149 its control or possession in accordance with the following  
150 conditions:

151 (b) The selected depository arranges for depositing the  
152 deposit of the funds in financial deposit instruments insured by  
153 the Federal Deposit Insurance Corporation certificates of  
154 deposit in one or more federally insured banks or savings and  
155 loan associations, wherever located, for the account of the unit  
156 of local government.

157 (c) The full amount of the principal and accrued interest  
158 of each financial deposit instrument ~~such certificate of deposit~~  
159 ~~is insured by the Federal Deposit Insurance Corporation.~~

160 (d) The selected depository acts as custodian for the unit

Senate #9 - Department of Financial Services

Treasury Investments

161 of local government with respect to each financial deposit  
162 instrument such certificates of deposit issued for its account.

163 ~~(c) At the same time the unit of local government's funds~~  
164 ~~are deposited and the certificates of deposit are issued, the~~  
165 ~~selected depository receives an amount of deposits from~~  
166 ~~customers of other federally insured financial institutions,~~  
167 ~~wherever located, equal to or greater than the amount of the~~  
168 ~~funds initially invested by the unit of local government through~~  
169 ~~the selected depository.~~

170 Section 5. Section 532.01, Florida Statutes, is amended to  
171 read:

172 532.01 Payment by check, draft, or other order for  
173 payment. Any order, check, draft, note, memorandum, payroll  
174 debit card, or other acknowledgment of indebtedness issued in  
175 payment of wages or salary due or to become due must be  
176 negotiable and payable in cash, on demand, without discount, at  
177 some established place of business in the state, the name and  
178 address of which must appear on the instrument or in the payroll  
179 debit card issuing materials, and at the time of its issuance,  
180 and for a reasonable time thereafter, which must be at least 30  
181 days, the maker or drawer must have sufficient funds or credit,  
182 arrangement, or understanding with the drawee for its payment.  
183 Section 6. This act shall take effect July 1, 2009.

184  
185 ===== T I T L E A M E N D M E N T =====  
186 And the title is amended as follows:

187 Delete everything before the enacting clause  
188 and insert:

## Senate #10 - Department of Financial Services

### **Reproduction of Public Records and assessed fees**

**624.501 Filing, license, appointment, and miscellaneous fees.--**The department, commission, or office, as appropriate, shall collect in advance, and persons so served shall pay to it in advance, fees, licenses, and miscellaneous charges as follows:

(19) Miscellaneous services:

(a) For copies of documents or records on file with the department, commission, or office, per page ..... ~~\$--50~~ \$ .15

### **119.071 General exemptions from inspection or copying of public records.--**

(1) AGENCY ADMINISTRATION.--

d)1. A public record that was prepared by an agency attorney (including an attorney employed or retained by the agency or employed or retained by another public officer or agency to protect or represent the interests of the agency having custody of the record) or prepared at the attorney's express direction, that reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the agency, and that was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings, or that was prepared in anticipation of imminent civil or criminal litigation or imminent adversarial administrative proceedings, is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the conclusion of the litigation or adversarial administrative proceedings. In the event the agency chooses to redact those portions of a record characterized herein as exempt and provide the balance of the information, the entity making the request shall be notified in advance in writing that redacted records will be provided and that there will be an additional charge for staff time to redact the requested record. The party making the request must affirm, in writing his or her desire to receive the redacted records. For purposes of capital collateral litigation as set forth in s. 27.7001, the Attorney General's office is entitled to claim this exemption for those public records prepared for direct appeal as well as for all capital collateral litigation after direct appeal until execution of sentence or imposition of a life sentence.

## **Senate #11 - Department of Revenue**

### **Clerk of the Court Trust Fund**

Of the funds in Specific Appropriation XXXX, \$31,500,000 from the Clerks of the Court Trust Fund is contingent upon Senate Bill 2108, relating to the transfer of the Clerk of the Court Trust Fund to the Justice Administration Commission, not becoming a law.

**Senate #12 - Department of Revenue**

**CS/SB 1748 - Aerial Photography - Department of Revenue**

Section 1. Effective July 1, 2009, section 195.022, Florida Statutes, is amended to read:

195.022 Forms to be prescribed by Department of Revenue.— The Department of Revenue shall prescribe all forms to be used by property appraisers, tax collectors, clerks of the circuit court, and value adjustment boards in administering and collecting ad valorem taxes. The department shall prescribe a form for each purpose. ~~For counties with a population of 100,000 or fewer, the Department of Revenue shall furnish the forms. For counties with a population greater than 100,000, The county officer shall reproduce forms for distribution at the expense of his or her office. A county officer may use a form other than the form prescribed by the department upon obtaining written permission from the executive director of the department; however, a county officer may not ~~shall~~ use a form if the substantive content of the form varies from ~~which is at variance~~ with the form prescribed by the department for the same or a similar purpose. If the executive director finds good cause to grant such permission he or she may do so. The county officer may continue to use the ~~such~~ approved form until the law that ~~which~~ specifies the form is amended or repealed or until the officer receives written disapproval from the executive director. Otherwise, all such officers and their employees shall use the forms, and follow the instructions applicable to the forms, which are prescribed by the department. ~~The department,~~ Upon request of any property appraiser or, in any event, at least once every 3 years in counties with a population greater than 75,000, or 5 years in counties with a population fewer than 75,000, the department shall prescribe and furnish such aerial~~



From the funds in Specific Appropriation 2212A, a task force shall be established to develop legislative recommendations relating to stormwater management system design in the state. The Board of Landscape Architecture, the Board of Professional Engineers, the Florida Engineering Society, the Florida Chapter of the American Society of Landscape Architects, the Secretary of Environmental Protection, the Secretary of Transportation, and the Secretary of the Department of Business Professional Regulation shall each appoint one member to the taskforce. The task force shall: Review the Joint Professional Engineers and Landscape Architecture Committee Report conducted pursuant to s. 17, chapter 88-347, Laws of Florida, and determine the current validity of the report and the need to revise any of the conclusions or recommendations. Determine how a licensed and registered professional might demonstrate competency for stormwater management system designing. Determine how the Board of Professional Engineers and the Board of Landscape Architecture might administer certification tests or continuing education requirements for stormwater management system design. Members of the task force may not be reimbursed for travel per diem, or any other costs associated with serving in the task force. The task force shall meet a minimum of four times either in person or via teleconference; however, a minimum of two meetings shall be public hearings with testimony. The task force shall provide its findings and legislative recommendations to the President of the Senate and the Speaker of the House of Representatives by November 1, 2009.

House # 2

#### Proviso – Acquisition of Motor Vehicles

From the funds provided in Specific Appropriation \*\*\*\*\*, the department may purchase one or more motor vehicles when the mileage of the replacement vehicle is in excess of 200,000 miles, or based on an emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

House # 3

The funds in Specific Appropriation 2486 shall be placed in reserve should legislation become law requiring the Florida Public Hurricane Loss Model to be updated every odd year rather than annually.

BILL

ORIGINAL

YEAR

A bill to be entitled  
An act relating to ; providing an effective date.

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

Section 1. 627.0628 Florida Commission on Hurricane Loss  
Projection Methodology; public records exemption; public  
meetings exemption.--

(1) LEGISLATIVE FINDINGS AND INTENT.--

(a) Reliable projections of hurricane losses are necessary  
in order to assure that rates for residential property insurance  
meet the statutory requirement that rates be neither excessive  
nor inadequate. The ability to accurately project hurricane  
losses has been enhanced greatly in recent years through the use  
of computer modeling. It is the public policy of this state to  
encourage the use of the most sophisticated actuarial methods to  
assure that consumers are charged lawful rates for residential  
property insurance coverage.

(b) The Legislature recognizes the need for expert  
evaluation of computer models and other recently developed or  
improved actuarial methodologies for projecting hurricane  
losses, in order to resolve conflicts among actuarial  
professionals, and in order to provide both immediate and  
continuing improvement in the sophistication of actuarial  
methods used to set rates charged to consumers.

(c) It is the intent of the Legislature to create the  
Florida Commission on Hurricane Loss Projection Methodology as a  
panel of experts to provide the most actuarially sophisticated

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29 guidelines and standards for projection of hurricane losses  
 30 possible, given the current state of actuarial science. It is  
 31 the further intent of the legislature that such standards and  
 32 guidelines must be used by the State Board of Administration in  
 33 developing reimbursement premium rates for the Florida Hurricane  
 34 Catastrophe Fund, and, subject to paragraph (3)(c), must be used  
 35 by insurers in rate filings under s. 627.062 unless the way in  
 36 which such standards and guidelines were applied by the insurer  
 37 was erroneous, as shown by a preponderance of the evidence.

38 (d) It is the intent of the legislature that such  
 39 standards and guidelines be employed as soon as possible, and  
 40 that they be subject to continuing review thereafter.

41 (e) The legislature finds that the authority to take final  
 42 agency action with respect to insurance ratemaking is vested in  
 43 the Office of Insurance Regulation and the Financial Services  
 44 Commission, and that the processes, standards, and guidelines of  
 45 the Florida Commission on Hurricane Loss Projection Methodology  
 46 do not constitute final agency action or statements of general  
 47 applicability that implement, interpret, or prescribe law or  
 48 policy; accordingly, chapter 120 does not apply to the  
 49 processes, standards, and guidelines of the Florida Commission  
 50 on Hurricane Loss Projection Methodology.

51 (2) COMMISSION CREATED.--

52 (a) There is created the Florida Commission on Hurricane  
 53 Loss Projection Methodology, which is assigned to the State  
 54 Board of Administration. For the purposes of this section, the  
 55 term "commission" means the Florida Commission on Hurricane Loss  
 56 Projection Methodology. The commission shall be administratively

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57 housed within the State Board of Administration, but it shall  
58 independently exercise the powers and duties specified in this  
59 section.

60 (b) The commission shall consist of the following 11  
61 members:

- 62 1. The insurance consumer advocate.
- 63 2. The senior employee of the State Board of
- 64 Administration responsible for operations of the Florida
- 65 Hurricane Catastrophe Fund.

66 3. The Executive Director of the Citizens Property  
67 Insurance Corporation.

68 4. The Director of the Division of Emergency Management of  
69 the Department of Community Affairs.

70 5. The actuary member of the Florida Hurricane Catastrophe  
71 Fund Advisory Council.

72 6. An employee of the office who is an actuary responsible  
73 for property insurance rate filings and who is appointed by the  
74 director of the office.

75 7. Five members appointed by the Chief Financial Officer,  
76 as follows:

77 a. An actuary who is employed full time by a property and  
78 casualty insurer which was responsible for at least 1 percent of  
79 the aggregate statewide direct written premium for homeowner's  
80 insurance in the calendar year preceding the member's  
81 appointment to the commission.

82 b. An expert in insurance finance who is a full-time  
83 member of the faculty of the State University System and who has  
84 a background in actuarial science.

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YEAR

85 c. An expert in statistics who is a full-time member of  
86 the faculty of the State University System and who has a  
87 background in insurance.

88 d. An expert in computer system design who is a full-time  
89 member of the faculty of the State University System.

90 e. An expert in meteorology who is a full-time member of  
91 the faculty of the State University System and who specializes  
92 in hurricanes.

93 (c) Members designated under subparagraphs (b)1.-5. shall  
94 serve on the commission as long as they maintain the respective  
95 offices designated in subparagraphs (b)1.-5. The member  
96 appointed by the director of the office under subparagraph (b)6.  
97 shall serve on the commission until the end of the term of

98 office of the director who appointed him or her, unless removed  
99 earlier by the director for cause. Members appointed by the  
100 Chief Financial Officer under subparagraph (b)7. shall serve on  
101 the commission until the end of the term of office of the Chief  
102 Financial Officer who appointed them, unless earlier removed by  
103 the Chief Financial Officer for cause. Vacancies on the  
104 commission shall be filled in the same manner as the original  
105 appointment.

106 (d) The State Board of Administration shall annually  
107 appoint one of the members of the commission to serve as chair.

108 (e) Members of the commission shall serve without  
109 compensation, but shall be reimbursed for per diem and travel  
110 expenses pursuant to s. 112.061.

111 (f) The State Board of Administration shall, as a cost of  
112 administration of the Florida Hurricane Catastrophe Fund,

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113 provide for travel, expenses, and staff support for the  
114 commission.

115 (g) There shall be no liability on the part of, and no  
116 cause of action of any nature shall arise against, any member of  
117 the commission, any member of the State Board of Administration,  
118 or any employee of the State Board of Administration for any  
119 action taken in the performance of their duties under this  
120 section. In addition, the commission may, in writing, waive any  
121 potential cause of action for negligence of a consultant,  
122 contractor, or contract employee engaged to assist the  
123 commission.

124 (3) ADOPTION AND EFFECT OF STANDARDS AND GUIDELINES.--

125 (a) The commission shall consider any actuarial methods,  
126 principles, standards, models, or output ranges that have the  
127 potential for improving the accuracy of or reliability of the  
128 hurricane loss projections used in residential property  
129 insurance rate filings. The commission shall, from time to time,  
130 adopt findings as to the accuracy or reliability of particular  
131 methods, principles, standards, models, or output ranges.

132 (b) The commission shall consider any actuarial methods,  
133 principles, standards, or models that have the potential for  
134 improving the accuracy of or reliability of projecting probable  
135 maximum loss levels. The commission shall adopt findings as to  
136 the accuracy or reliability of particular methods, principles,  
137 standards, or models related to probable maximum loss  
138 calculations.

139 (c) In establishing reimbursement premiums for the Florida  
140 Hurricane Catastrophe Fund, the State Board of Administration



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141 must, to the extent feasible, employ actuarial methods,  
142 principles, standards, models, or output ranges found by the  
143 commission to be accurate or reliable.

144 (d) With respect to a rate filing under s. 627.062, an  
145 insurer shall employ and may not modify or adjust actuarial  
146 methods, principles, standards, models, or output ranges found  
147 by the commission to be accurate or reliable in determining  
148 hurricane loss factors for use in a rate filing under s.

149 627.062. An insurer shall employ and may not modify or adjust  
150 models found by the commission to be accurate or reliable in  
151 determining probable maximum loss levels pursuant to paragraph  
152 (b) with respect to a rate filing under s. 627.062 made more  
153 than 60 days after the commission has made such findings.

154 (e) The commission shall adopt revisions to previously  
155 adopted actuarial methods, principles, standards, models, or  
156 output ranges every odd year ~~at least annually~~.

157 (f)1. A trade secret, as defined in s. 812.081, that is  
158 used in designing and constructing a hurricane loss model and  
159 that is provided pursuant to this section, by a private company,  
160 to the commission, office, or consumer advocate appointed  
161 pursuant to s. 627.0613, is confidential and exempt from s.  
162 119.07(1) and s. 24(a), Art. I of the State Constitution.

163 2. That portion of a meeting of the commission or of a  
164 rate proceeding on an insurer's rate filing at which a trade  
165 secret made confidential and exempt by this paragraph is  
166 discussed is exempt from s. 286.011 and s. 24(b), Art. I of the  
167 State Constitution.

BILL

ORIGINAL

YEAR

168	3. This paragraph is subject to the Open Government Sunset
169	Review Act in accordance with s. 119.15, and shall stand
170	repealed on October 2, 2010, unless reviewed and saved from
171	repeal through reenactment by the legislature.
172	Section 2. This act shall take effect July 1, 2009.

PTPCLP01 LAS/PBS SYSTEM  
BUDGET PERIOD: 1999-2010  
STATE OF FLORIDA

SENATE/HOUSE BUDGET PROVISIO COMPARISON

Senate Offer #1  
SF 11 04/30/2009 15:47 PAGE: 6  
TEXT & PROVISIO COMPARISON REPORT  
BOTH DIFFERENCES AND SAME

SB 2600 1E

HOUSE BILLS (5001, 5101)

KEY CODES

BUSINESS/PROFESSIONAL REG  
PGM: OFFICE/SEC & ADMIN  
INFORMATION TECHNOLOGY

The Department of Business and Professional Regulation shall work with the Agency for Enterprise Information Technology and the Northwood Shared Resource Center in the development and submission of a transition plan that will relocate the department's computing resources to the Northwood Shared Resource Center by November 30, 2010. The department shall have one trustee with one vote on the board of the Northwood Shared Resource Center during Fiscal Year 2009-2010.

The Department of Business and Professional Regulation shall submit a plan by October 1, 2009 to the Southwood Shared Resource Center (SSRC), the Northwood Shared Resource Center (NSRC), Agency for Enterprise Information Technology, Executive Office of the Governor, the chair of the Senate Policy and Steering Committee on Ways and Means, and the chair of the House Full Appropriations Council on General Government & Health Care, providing for the efficient transfer of all data center service resources allocated to data center functions within the department to the SSRC and the NSRC, pursuant to section 17, Chapter 2008-116, Laws of Florida.

PGM: PROFESSIONAL REG  
COMPLIANCE AND ENFORCEMENT

From the funds in Specific Appropriations 2201 through 2204, the Department of Business and Professional Regulation shall submit reports on a quarterly basis to the Executive Office of the Governor, the chair of the Senate Policy and Steering Committee on Ways and Means and the chair of the House Full Appropriations Council on General Government and Health Care, related to its responsibilities defined in section 455.225, Florida Statutes. At a minimum, the reports shall contain the following data related to the protection of the public and the integrity of the regulated professions: the number of determinations of legal sufficiency and the number of investigations of legally sufficient complaints pursuant to section 455.225, Florida Statutes. The department shall also include in its reports the number of all complaints received and investigated, findings of probable cause and no probable cause, administrative complaints filed, disposition of administrative complaints, disciplinary actions, and the amounts of fines assessed and collected for each profession.

Senate  
06 79010300 000000 5000  
\*\*TEXT SETS DIFFERENT\*\*

House  
06 79050100 000000 5000  
\*\*TEXT SETS DIFFERENT\*\*

SB 2600 1E

HOUSE BILLS (S001, S101)

KEY CODES

EXPENSES

Funds from Specific Appropriation ***** may not be used by the Pilot Rate Review Board to conduct any meeting that will address a proposed rate increase.	Funds from Specific Appropriation ***** may not be used by the Pilot Rate Review Board to conduct any meeting that will address a proposed rate increase.	06 79050100 040000 5000
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*Identical*

ACQUISITION/MOTOR VEHICLES

The funds in Specific Appropriation ***** shall be placed in reserve. The department is authorized to submit budget amendments for the release of funds based on emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.	06 79050100 100021 5000 **TEXT SETS DIFFERENT**
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*Senate*

UNLICENSED ACTIVITIES

From the funds in Specific Appropriation *****, up to \$400,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to prevent, combat, and publicize the dangers of unlicensed real estate activity in Florida. The department shall develop, implement, and maintain an unlicensed activity campaign in consultation with a corporation that is registered under chapter 617, Florida Statutes, as a not-for-profit corporation and qualified under the Internal Revenue Service Code as a 501(c)(6) corporation, and that represents the largest number of licensed Florida real estate professionals. The campaign shall encompass media production, advertising, and other techniques that the department may wish to utilize after first consulting with the not-for-profit corporation. Special emphasis shall be placed on the investigation and prosecution of unlicensed real estate activities. To further the purpose of the unlicensed activity campaign, the department shall be authorized to accept in-kind contributions of services, media production, or advertising materials from the not-for-profit corporation. Any advertising, media, or materials produced as a result of contributions shall carry acknowledgements of joint production and sponsorship. The department may not allocate overhead charges to these unlicensed activity campaign funds.	From the funds in Specific Appropriation *****, up to \$400,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to prevent, combat, and publicize the dangers of unlicensed real estate activity in Florida. The department shall develop, implement, and maintain an unlicensed activity campaign in consultation with a corporation that is registered under chapter 617, Florida Statutes, as a not-for-profit corporation and qualified under the Internal Revenue Service Code as a 501(c)(6) corporation, and that represents the largest number of licensed Florida real estate professionals. The campaign shall encompass media production, advertising, and other techniques that the department may wish to utilize after first consulting with the not-for-profit corporation. Special emphasis shall be placed on the investigation and prosecution of unlicensed real estate activities. To further the purpose of the unlicensed activity campaign, the department shall be authorized to accept in-kind contributions of services, media production, or advertising materials from the not-for-profit corporation. Any advertising, media, or materials produced as a result of contributions shall carry acknowledgements of joint production and sponsorship. The department may not allocate overhead charges to these unlicensed activity campaign funds.	06 79050100 100399 5000 **TEXT SETS DIFFERENT**
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*Identical*

From the funds in Specific Appropriation *****, up to \$200,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to institute an unlicensed activity campaign for the purpose of informing and educating the public: (1) that public accounting is a regulated profession with requirements of licensure pursuant to chapter 473, Florida Statutes; (2) that some services provided by unlicensed individuals, although legal, are regulated when provided by a licensed Florida Certified Public Accountant; and (3) that certain services may only be performed by a	From the funds in Specific Appropriation *****, up to \$200,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to institute an unlicensed activity campaign for the purpose of informing and educating the public: (1) that public accounting is a regulated profession with requirements of licensure pursuant to chapter 473, Florida Statutes; (2) that some services provided by unlicensed individuals, although legal, are regulated when provided by a licensed Florida Certified Public Accountant; and (3) that certain services may only
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SB 2600 1E

HOUSE BILLS (5001, 5101)

KEY CODES

licensed Florida Certified Public Accountant. The department shall develop the campaign in consultation with a corporation that is registered under chapter 617, Florida Statutes, as a not-for-profit corporation and qualified under the Internal Revenue Service Code as a 501(c)(6) corporation, and that represents the largest number of licensed Florida Certified Public Accountants. Any advertising, media, or materials produced as a result of contributions shall carry acknowledgements of joint production and sponsorship. The department may not allocate overhead charges to these unlicensed activity campaign funds.

be performed by a licensed Florida Certified Public Accountant. The department shall develop the campaign in consultation with a corporation that is registered under chapter 617, Florida Statutes, as a not-for-profit corporation and qualified under the Internal Revenue Service Code as a 501(c)(6) corporation, and that represents the largest number of licensed Florida Certified Public Accountants. Any advertising, media, or materials produced as a result of contributions shall carry acknowledgements of joint production and sponsorship. The department may not allocate overhead charges to these unlicensed activity campaign funds.

06 79050100 100399 5000

From the funds in Specific Appropriation \*\*\*\*\*, the Department of Business and Professional Regulation shall submit a report to the chair of the Senate Policy and Steering Committee on Ways and Means and the chair of the House Full Appropriations Council on General Government and Health Care by December 15, 2009, detailing the unlicensed activity functions performed by the department during Fiscal Year 2008-2009. The report shall contain a detailed breakout of activities, revenues, and expenditures by board and/or profession, and include any relevant information to indicate the department's compliance with section 455.2281, Florida Statutes.

From the funds in Specific Appropriation \*\*\*\*\*, the Department of Business and Professional Regulation shall submit a report to the chair of the House Government Operations Appropriations Committee and the chair of the Senate General Government Appropriations Committee by December 15, 2009, detailing the unlicensed activity functions performed by the department during Fiscal Year 2008-2009. The report shall contain a detailed breakout of activities, revenues, and expenditures by board and/or profession, and include any relevant information to indicate the department's compliance with section 455.2281, Florida Statutes.

*Identical*

FGM: PARI-MUTUEL WAGERING  
PARI-MUTUEL WAGERING  
OTHER PERSONAL SERVICES

From the funds in Specific Appropriations \*\*\*\*\* through 2233, \$86,261 shall be placed in reserve for the increased workload associated with the regulation of an additional Quarter Horse facility. The Department of Business and Professional Regulation may submit budget amendments for the release of funds, pursuant to chapter 216, Florida Statutes.

06 79100400 030000 5000  
\*\*TEXT SETS DIFFERENT\*\*

ACQUISITION/MOTOR VEHICLES

The funds in Specific Appropriation \*\*\*\*\* shall be placed in reserve. The department is authorized to submit budget amendments for the release of funds based on emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

06 79100400 100021 5000  
\*\*TEXT SETS DIFFERENT\*\*

CONTRACTED SERVICES

From the funds in Specific Appropriation \*\*\*\*\*, \$100,000 from the Pari-Mutuel Wagering Trust Fund is provided for research that will provide specific recommendations regarding the elimination of performance altering drugs in pari-mutuel industries.

*House*  
06 79100400 100777 5000  
\*\*TEXT SETS DIFFERENT\*\*

SB 2600 IE

HOUSE BILLS (5001, 5101)

KEY CODES

SLOT MACHINE REGULATION  
SALARIES AND BENEFITS

*House*

From positions and funds in specific appropriations \*\*\*\*\* through 2252, \$336,502 in salary rate, ten positions and \$535,336 are provided and shall be placed in reserve for the Slot Machine Regulatory Program. Upon receipt of an application fee for licensure by a slot machine facility in Miami-Dade County, the Department of Business and Professional Regulation is authorized to submit a budget amendment for the release of positions and funds pursuant to chapter 216, Florida Statutes.

06 79100500 010000 5000  
\*\*TEXT SETS DIFFERENT\*\*

ACQUISITION/MOTOR VEHICLES

*Senate*

The funds in Specific Appropriation \*\*\*\*\* shall be placed in reserve. The department is authorized to submit budget amendments for the release of funds based on emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

06 79100500 100021 5000  
\*\*TEXT SETS DIFFERENT\*\*

GAMBLING PREVENTION CONT

*House*

The Department of Business and Professional Regulation is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation \*\*\*\*\* in the event a slot machine facility in Miami-Dade County applies for licensure and submits the compulsive gambling prevention fee.

06 79100500 100051 5000  
\*\*TEXT SETS DIFFERENT\*\*

TR/DMS/HR SVCS/STW CONTRCT

*House*

From the positions and funds in Specific Appropriations 2242 through \*\*\*\*\*, 11 Full Time Equivalent Positions, 365,809 in salary rate, and \$1,074,815 shall be placed in reserve for the increased staffing needed to support the regulation of slot machine facilities in Miami-Dade County. The department may submit budget amendments for the release of positions, salary rate, and funds, pursuant to chapter 216, Florida Statutes.

06 79100500 107040 5000  
\*\*TEXT SETS DIFFERENT\*\*

PGM: HOTELS & RESTAURANTS  
COMPLIANCE AND ENFORCEMENT  
HOSPITALITY ED-SCH TO CAR

*House*

The funds in Specific Appropriation \*\*\*\*\* shall be placed in a special appropriation category related to the Hospitality Education Program and the positions shall remain in reserve contingent upon House Bill 717 or

06 79200100 090704 5000  
\*\*TEXT SETS DIFFERENT\*\*

PTFCLP01 LAS/PBS SYSTEM  
BUDGET PERIOD: 1999 2010  
STATE OF FLORIDA

SENATE/HOUSE BUDGET PROVISIO COMPARISON

SP 11 04/30/2009 15:47 PAGE: 10  
TEXT & PROVISIO COMPARISON REPORT  
BOTH DIFFERENCES AND SAME

SB 2600 1E

HOUSE BILLS (5001, 5101)

KEY CODES

similar legislation becoming law. Should House Bill 717 or similar legislation not become law, the funds and positions shall be restored to the Specific Appropriations categories 2334 through 2343 as provided in chapter 2008-52, Laws of Florida. 06 79200100 090704 5000

PGM: ALCOHOL REV & TOBACCO  
COMPLIANCE AND ENFORCEMENT  
ACQUISITION/MOTOR VEHICLES

*Senate*

The funds in Specific Appropriation \*\*\*\*\* from the Alcoholic Beverages and Tobacco Trust Fund, shall be placed in reserve. The department is authorized to submit budget amendments for the release of funds based on emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes. 06 79400100 100021 5000  
\*\*TEXT SETS DIFFERENT\*\*

PTPCLP01 LAS/FBS SYSTEM  
BUDGET PERIOD: 1999-2010  
STATE OF FLORIDA

SENATE/HOUSE BUDGET PROVISIO COMPARISON

SP 11 04/30/2009 15:47 PAGE: 12  
TEXT & PROVISIO COMPARISON REPORT  
BOTH DIFFERENCES AND SAME

SB 2600 1E

HOUSE BILLS (5001, 5101)

KEY CODES

FINANCIAL SERVICES  
PGM: FIN ACCT/PUBLIC FUNDS  
ST FINAN INFO/ST AGY ACCTG  
CONTRACTED SERVICES

*Identical*

From the funds in Specific Appropriation \*\*\*\*\*, up to \$50,000 shall be used to contract for the independent verification of tobacco settlement receipts received by the state.

From the funds in Specific Appropriation \*\*\*\*\*, up to \$50,000 shall be used to contract for the independent verification of tobacco settlement receipts received by the state. 06 43200100 100777 5000

TR/PRISON INDUSTRY ENH PRG

*Identical*

Funds in Specific Appropriation \*\*\*\*\* are provided for transfer to the Prison Industries Enhancement Program. Funds in the Prison Industries Trust Fund may be expended by the corporation for allowable expenditures under sections 946.522 and 946.523, Florida Statutes. Such funds may be paid by warrants drawn by the Chief Financial Officer upon receipt of a corporate resolution that has been duly authorized by the board of directors of the corporation, authorized under part II of chapter 946, Florida Statutes.

06 43200100 108005 2385  
\*\*TEXT SETS DIFFERENT\*\*

TR/PRISON INDUSTRY ENH PRG

Funds in Specific Appropriation \*\*\*\*\* are provided for transfer to the Prison Industries Enhancement Program. Funds in the Prison Industries Trust Fund may be expended by the corporation for allowable expenditures under sections 946.522 and 946.523, Florida Statutes. Such funds may be paid by warrants drawn by the Chief Financial Officer upon receipt of a corporate resolution that has been duly authorized by the board of directors of the corporation, authorized under part II of chapter 946, Florida Statutes.

06 43200100 108005 5000  
\*\*TEXT SETS DIFFERENT\*\*

PROGRAM: FIRE MARSHAL  
COMPLIANCE & ENFORCEMENT  
ACQUISITION/MOTOR VEHICLES

*Senate*

The funds in Specific Appropriation \*\*\*\*\* shall be placed in reserve. The department is authorized to submit budget amendments for the release of funds based on emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

06 43300200 100021 5000  
\*\*TEXT SETS DIFFERENT\*\*

FIRE & ARSON INVESTIGATION  
ACQUISITION/MOTOR VEHICLES

*Senate*

The funds in Specific Appropriation \*\*\*\*\* shall be placed in reserve. 06 43300300 100021 5000



FTPCLP01 LAS/PBS SYSTEM  
BUDGET PERIOD: 1999-2010  
STATE OF FLORIDA

SENATE/HOUSE BUDGET PROVISO COMPARISON

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TEXT & PROVISO COMPARISON REPORT  
BOTH DIFFERENCES AND SAME

SB 2600 1E

HOUSE BILLS (5001, 5101)

KEY CODES

The department is authorized to submit budget amendments for the release of funds based on emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes. 06 43300300 100021 5000

PGM: LICENSNG/CNSMER PROTEC  
LICENSURE, SALES/APPT/OVST  
ACQUISITION/MOTOR VEHICLES

*Senate*

The funds in Specific Appropriation \*\*\*\*\* shall be placed in reserve. The department is authorized to submit budget amendments for the release of funds based on emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes. 06 43500200 100021 5000  
\*\*TEXT SETS DIFFERENT\*\*

INSURANCE FRAUD  
TRANS TO JAC FOR PIP FRAUD

*House*

Funds provided in Specific Appropriation \*\*\*\*\* from the Insurance Regulatory Trust Fund are provided for transfer to the Justice Administrative Commission for the specific purpose of funding attorneys and paralegals dedicated solely to the prosecution of insurance fraud cases in Duval, Orange, Miami-Dade, Hillsborough, Palm Beach and Broward counties. These funds may not be used for any purpose other than the funding of positions and activities that prosecute crimes of insurance fraud. 06 43500300 100522 2393  
\*\*TEXT SETS DIFFERENT\*\*

CONSUMER ASSISTANCE  
TR TO FL CAT CENT AT FSU

*Senate*

Funds in Specific Appropriation \*\*\*\*\*, are provided to meet the requirements set forth in section 1004.647, Florida Statutes. 06 43500400 100500 2393  
\*\*TEXT SETS DIFFERENT\*\*

PGM: WORKERS' COMPENSATION  
WORKERS' COMPENSATION  
TR DIST CT OF AP-WORK COMP

*House*

Funds in Specific Appropriation \*\*\*\*\* are provided for transfer to the First District Court of Appeal for workload associated with workers' compensation appeals and the workers' compensation appeals unit. 06 43600100 100507 2795  
\*\*TEXT SETS DIFFERENT\*\*

TR/DMS-1ST DIST CT HOUSE

*House*

The funds in Specific Appropriation \*\*\*\*\* are provided for transfer to the Department of Management Services to fund the debt service on bond 06 43600100 100517 2795  
\*\*TEXT SETS DIFFERENT\*\*

PTFCLP01 LAS/PBS SYSTEM  
BUDGET PERIOD: 1999-2010  
STATE OF FLORIDA

SENATE/HOUSE BUDGET PROVISIO COMPARISON

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TEXT & PROVISIO COMPARISON REPORT  
BOTH DIFFERENCES AND SAME

SB 2600 1E

HOUSE BILLS (5001, 5101)

KEY CODES

proceeds used for the First District Court of Appeals building currently under construction. 06 43600100 100517 2795

TR JAC - PROS WRKS COMP FR

The funds provided in Specific Appropriation \*\*\*\*\* from the Workers' Compensation Administrative Trust Fund are provided for transfer to the Justice Administrative Commission for the specific purpose of funding attorneys and paralegals in the Ninth and Eleventh Judicial Circuits for the prosecution of workers' compensation insurance fraud. These funds may not be used for any purpose other than the funding of positions and activities that prosecute crimes of workers' compensation fraud. 06 43600100 100526 5000  
\*\*TEXT SETS DIFFERENT\*\*

House

PGM: FINANCIAL SVCS COMM  
OFFICE OF FINANCIAL REG  
FINANCE REGULATION

From positions and funds in specific appropriations 2515 through 2524, \$77,332 in salary rate, two positions and \$107,779 shall be placed in reserve for the licensing workload associated with the federal Nationwide Mortgage Licensing System. The Office of Financial Regulation may submit budget amendments in accordance with chapter 216, Florida Statutes, requesting the release of positions and funds upon submission of an operational work plan and spending plan indicating the need for release. 06 43900560 000000 5000  
\*\*TEXT SETS DIFFERENT\*\*

Senate

SB 2600 1E

HOUSE BILLS (5001, 5101)

KEY CODES

LOTTERY, DEPARTMENT OF THE  
PGM: LOTTERY OPERATIONS

*Senate*

06 36010000 000000 5000  
\*\*TEXT SETS DIFFERENT\*\*

The Department of Lottery shall submit a plan by October 1, 2009, to the Southwood Shared Resource Center (SSRC), Agency for Enterprise Information Technology, Executive Office of the Governor, the chair of the Senate Policy and Steering Committee on Ways and Means, and the chair of the House Full Appropriations Council on General Government and Health Care, providing for the efficient transfer of all data center service resources allocated to data center functions within the department to the SSRC, pursuant to Section 17, chapter 2008-116, Laws of Florida.

SALARIES AND BENEFITS

*House*

From the funds provided in Specific Appropriation \*\*\*\*\*, the Office of Program Policy Analysis and Government Accountability (OPPAGA) shall conduct a study to examine the cost effectiveness of alternatives for providing field support services, including outsourcing field support operations and the impact, at a minimum, on the department's staffing, fleet vehicles, district offices, retailer network, and services. The study shall include advantages and disadvantages of each option reported; the fiscal impact of each option if ascertainable; and other relevant information. The study shall be provided to the chair of the Senate Committee on General Government Appropriations and the chair of the House Government Operations Appropriations Committee no later than January 31, 2010.

06 36010000 010000 5000  
\*\*TEXT SETS DIFFERENT\*\*

EXPENSES

*House*

From the funds provided in Specific Appropriation \*\*\*\*\*, the Department of the Lottery is directed to continue to develop a plan to consolidate its lease of office space where economical and sublet excess office and warehouse space to suitable tenants. In addition, the department shall continue to report its progress, at least annually, to the chair of the Senate Committee on General Government Appropriations, the chair of the House Government Operations Appropriations Committee, the Office of Program Policy Analysis and Government Accountability, and the Joint Legislative Auditing Committee.

06 36010000 040000 5000  
\*\*TEXT SETS DIFFERENT\*\*

INSTANT TICKET PURCHASE

*Identical*

The Department of Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation \*\*\*\*\* in the event instant ticket sales are greater than

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation \*\*\*\*\* in the event instant ticket sales are greater than

06 36010000 101740 5000  
\*\*TEXT SETS DIFFERENT\*\*

SB 2600 IE

HOUSE BILLS (5001, 5101)

KEY CODES

the projected sales used to calculate the amount appropriated.

the projected sales used to calculate the amount appropriated.

06 36010000 101740 5000

From the funds provided in Specific Appropriation \*\*\*\*\*, the Department of the Lottery is directed to study the retailer commission structure for all games and to develop alternatives for rewarding retailers performance. One of the alternatives shall include a fixed fee payment structure based on the number of tickets sold and an incentive for exceeding performance targets to attract and retain quality retailers who help the Lottery maximize the dollars transferred to education. The study shall include a benchmark analysis of U.S. lotteries and consider alternatives that provide retailers commission increases commensurate with increases in inflation since 2000-01. The study shall be provided to the chair of the Senate Committee on General Government Appropriations and the chair of the House Government Operations Appropriations Committee no later than January 31, 2010.

House

COMPULSIVE GAMBLING PROG

From the funds provided in Specific Appropriation \*\*\*\*\*, the Department of the Lottery shall contract with an appropriate Florida organization to conduct a compulsive gambling program.

06 36010000 102379 5000

\*\*TEXT SETS DIFFERENT\*\*

Senate

PAID ADVERTISING/PROMOTION

From the funds in Specific Appropriation \*\*\*\*\*, the Department of Lottery shall expend no more than \$3,486,945 for any advertising agency or consultant for strategic planning, marketing communications, public relations, account management and services, media planning, media negotiation and placement, and sales promotions.

From the funds in Specific Appropriation \*\*\*\*\*, the Department of Lottery shall not expend in excess of \$200,000 for the development, publication and distribution of any report by the department for the purpose of carrying out the provisions of section 24.1215, Florida Statutes.

From the funds in Specific Appropriation \*\*\*\*\*, the Department of Lottery shall competitively solicit for advertising contracts pursuant to section 287.057, Florida Statutes. The department may not extend or renew the current contracts and shall initiate any competitive solicitations prior to the termination of all current advertising contracts.

From the funds in Specific Appropriation \*\*\*\*\*, the Department of the Lottery is authorized to utilize up to \$1,300,000 for the purpose of contracting with an appropriate Florida organization to conduct a

From the funds provided in Specific Appropriation \*\*\*\*\*, the Office of Program Policy Analysis and Government Accountability (OPPAGA) shall conduct a study to examine the effectiveness of major advertising and promotion campaigns for lottery games. The study will determine the return on investment for advertising purchases whenever possible and also include an analysis of sales, advertising and player data by game and type of media outlet. The study shall be provided to the chair of the Senate Committee on General Government Appropriations and the chair of the House Government Operations Appropriations Committee no later than January 31, 2010.

06 36010000 102380 5000

\*\*TEXT SETS DIFFERENT\*\*

House

From the funds provided in Specific Appropriation \*\*\*\*\*, the Department of the Lottery shall not expend in excess of \$200,000 for the development, publication and distribution of any report by the department for the purpose of carrying out the provisions of section 24.1215, Florida Statutes.

House

SB 2600 1E

HOUSE BILLS (5001, 5101)

KEY CODES

compulsive gambling program.

06 36010000 102380 5000

ONLINE GAMES CONTRACT

The Department of Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation \*\*\*\*\* in the event on-line sales are greater than the projected sales used to calculate the amount appropriated.

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation \*\*\*\*\* in the event on-line sales are greater than the projected sales used to calculate the amount appropriated.

06 36010000 102381 5000  
\*\*TEXT SETS DIFFERENT\*\*

*Identical*

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation \*\*\*\*\* to acquire up to 500 additional ticket terminals. Prior to the submission of any budget amendment that increases the size of the lottery retailer network, the Revenue Estimating Conference shall determine if sales will increase sufficiently to cover the cost of the machines, offset any losses to the existing network, and generate additional revenue that benefits the state. The budget amendments will be contingent upon the agency's submission of a plan that includes not only a positive Revenue Estimating Conference impact analysis, but also identifies the specific terminal needs and a plan for distribution of the additional terminals.

*House*

ADVERTISING AGENCY FEES

From the funds provided in Specific Appropriation \*\*\*\*\*, the Department of the Lottery shall provide to the Legislative Budget Commission on or before July 1, 2009, a proposed Invitation to Negotiate or a Request for Proposals as defined in s. 287.012, F.S., to be used by the department to competitively solicit and contract for general market advertising services, and the department may request the release of up to \$895,185 of the funds in Specific Appropriation \*\*\*\*\*. The remaining funds of \$1,790,371 in Specific Appropriation \*\*\*\*\* shall remain in reserve until the department submits to the Legislative Budget Commission a contract awarded pursuant to the Invitation to Negotiate or a Request for Proposals as presented to the Legislative Budget Commission on or before July 1, 2009. The department shall not exercise any provision of law or administrative rule to otherwise exempt or exclude the use of an Invitation to Negotiate or a Request for Proposals to contract for general market advertising services.

06 36010000 200027 5000  
\*\*TEXT SETS DIFFERENT\*\*

*Senate*

SB 2600 IE

HOUSE BILLS (5001, S101)

KEY CODES

MANAGEMENT SVCS, DEPT OF  
PGM: ADMINISTRATION PGM  
EXECUTIVE DIR/SUPPORT SVCS

*Senate*

06 72010100 000000 5000  
\*\*TEXT SETS DIFFERENT\*\*

The Department of Management Services shall submit a plan by October 1, 2009, to the Southwood Shared Resource Center (SSRC), Agency for Enterprise Information Technology, Executive Office of the Governor, the chair of the Senate Policy and Steering Committee on Ways and Means, and the chair of the House Full Appropriations Council on General Government and Health Care, providing for the efficient transfer of all data center service resources allocated to data center functions within the department to the SSRC, pursuant to Section 17, chapter 2008-116, Laws of Florida.

PGM: FACILITIES PROGRAM  
FACILITIES MANAGEMENT  
DEBT SERVICE

*House*

From the funds in Specific Appropriation \*\*\*\*\*, the amount of \$2,494,088 from the Public Facilities Financing Trust Fund is provided to the Department of Management Services to satisfy debt service requirements on bond proceeds for the First District Court of Appeals facility as authorized by the Legislature in chapter 2007-196, Laws of Florida, section 64.

06 72400100 089070 5000  
\*\*TEXT SETS DIFFERENT\*\*

MASTER LEASE TI FUNDS

*House*

Funds provided in Specific Appropriation \*\*\*\*\* shall be placed in reserve until the department submits to the Legislature an updated project plan that includes, but is not limited to, all expenditures related to the proposed projects and the associated funding sources. The plan shall also include: a prioritization of all outstanding requests by agencies for improvement projects in spaces leased under the Tallahassee area private sector master leases; identify all out-year projects required to improve and maintain the leased space for the duration of the 15-year leases; and provide an explanation of why improvements are required or not required for each fiscal year. No earlier than 14 days after submission of the plan to the legislature, the department may request the release of the funds pursuant to the provisions of chapter 216, Florida Statutes.

Funds provided in Specific Appropriation \*\*\*\*\* shall be placed in reserve until the department submits to the chair of the Senate Committee on General Government Appropriations and the chair of the House Government Operations Appropriations Committee an updated project plan that includes, but is not limited to, all expenditures related to the proposed projects and the associated funding sources. The plan shall also include: a prioritization of all outstanding requests by agencies for improvement projects in spaces leased under the Tallahassee area private sector master leases; identify all out-year projects required to improve and maintain the leased space for the duration of the 15-year leases; and provide an explanation of why improvements are required or not required for each fiscal year. No earlier than 14 days after submission of the plan to the legislative committees the department may request the release of the funds pursuant to the provisions of chapter 216, Florida Statutes.

06 72400100 101209 5000  
\*\*TEXT SETS DIFFERENT\*\*

From the funds provided in Specific Appropriation \*\*\*\*\*, \$1,000,000 shall be used for the Northwood Data Center UPS supply upgrade project.

*Senate*

SB 2000 1E

HOUSE BILLS (5001, 5101)

KEY CODES

BUILDING CONSTRUCTION

Funds in Specific Appropriations 2742 through 2747 from the Architects Incidental Trust Fund are based on an assessment against each fixed capital outlay appropriation in which the Department of Management Services serves as the owner-representative on behalf of the state. The assessments for appropriations made for the 2009-2010 fiscal year shall be calculated in accordance with the formula submitted by the department to the Executive Office of the Governor on October 7, 1991, as required by chapter 91-193, Laws of Florida.

Funds provided in Specific Appropriations 2742 through 2748 from the Architects Incidental Trust Fund are based on an assessment against each fixed capital outlay appropriation in which the Department of Management Services serves as the owner-representative on behalf of the state. The assessments for appropriations made for the 2009-2010 fiscal year shall be calculated in accordance with the formula submitted by the department to the Executive Office of the Governor on October 7, 1991, as required by chapter 91-193, Laws of Florida.

*Senate*  
06 72400200 000000 5000  
\*\*TEXT SETS DIFFERENT\*\*

PGM: SUPPORT PROGRAM  
PURCHASING OVERSIGHT  
WEB-BASED E PROCUREMENT SYS

The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation \*\*\*\*\* in the event revenues available for payment under the MyFloridaMarketPlace contract exceed the amount of budget authority appropriated.

*House*  
06 72600400 104502 5000  
\*\*TEXT SETS DIFFERENT\*\*

WORKFORCE PROGRAMS  
PGM: HUMAN RESOURCE MGT  
SALARIES AND BENEFITS

Funds in Specific Appropriations \*\*\*\*\* through 2803 from the State Personnel System Trust Fund are based upon a human resources services assessment to state entities at the following rates:

Funds provided in Specific Appropriations 2791 through 2803 from the State Personnel System Trust Fund are based upon a human resources services assessment to state entities at the following rates:

FTE	\$400.93
OPS	\$131.66
Justice Administrative Commission	\$287.48
State Court System	\$248.85
County Health Department	\$287.48

FTE	\$400.93
OPS	\$131.66
Justice Administrative Commission	\$287.48
State Court System	\$248.85
County Health Department	\$287.48

*Identical*  
06 72750100 010000 5000  
\*\*TEXT SETS DIFFERENT\*\*

PGM: INS BENEFITS ADMIN  
CONTRACTED SERVICES

The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation \*\*\*\*\* in the event benefits administration consulting needs exceed the amount of budget authority appropriated.

*Senate*  
06 72750200 100777 5000  
\*\*TEXT SETS DIFFERENT\*\*

PTPCLE01 LAS/PBS SYSTEM  
BUDGET PERIOD: 1999-2010  
STATE OF FLORIDA

SENATE/HOUSE BUDGET PROVISIO COMPARISON

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TEXT & PROVISIO COMPARISON REPORT  
BOTH DIFFERENCES AND SAME

SB 2600 1E

HOUSE BILLS (5001, S101)

KEY CODES

PGM: RETIRE BENEFITS ADMIN  
SALARIES AND BENEFITS

*Identical*

Funds in Specific Appropriations \*\*\*\*\* through 2827 from the Optional Retirement Program Trust Fund are based on an assessment of .01 percent of the participants' salaries and shall be used only for administration of the Optional Retirement Program.

Funds provided in Specific Appropriations 2818 through 2827 from the Optional Retirement Program Trust Fund are based on an assessment of .01 percent of the participants' salaries and shall be used only for administration of the Optional Retirement Program.

06 72750300 010000 5000  
\*\*TEXT SETS DIFFERENT\*\*

PGM: TECHNOLOGY PROGRAM  
WIRELESS SERVICES  
DOMESTIC SECURITY

*House*

Funds in Specific Appropriation \*\*\*\*\* from the Grants and Donations Trust Fund shall be released in full.

06 72900200 100851 5000  
\*\*TEXT SETS DIFFERENT\*\*

PRG: SOUTHWOOD RES CENTER  
SOUTHWOOD SHARED RES CTR

*Senate*

The Southwood Shared Resource Center (SSRC) shall notify and coordinate with customer agencies, provide a standard format for submitting data, and facilitate the efforts of those customer agencies who are required to develop transition plans, relating to the transfer of agency data center service resources to the primary data center, for submittal to the SSRC on October 1, 2009, pursuant to section 17, chapter 2008-116, Laws of Florida. Not later than November 15, 2009, the SSRC shall submit a transition plan for absorbing the transfer of customer agency data center resources to the SSRC by July 1, 2010. The plan shall include Fiscal Year 2010-11 legislative budget request adjustments submitted from each customer agency as well as budget adjustments required by the SSRC to accomplish the efficient transfer of the data center service resources, pursuant to section 17, chapter 2008-116, Laws of Florida. The plan shall describe and make recommendations relating to issues that must be resolved to accomplish the transfer. The plan shall be provided to the Agency for Enterprise Information Technology, the Executive Office of the Governor, the chair of the Senate Policy and Steering Committee on Ways and Means, and the chair of the House Full Appropriations Council on General Government and Health Care.

06 72910100 000000 5000  
\*\*TEXT SETS DIFFERENT\*\*

SALARIES AND BENEFITS

From the positions and funds provided in Specific Appropriation \*\*\*\*\*, four full time equivalent positions and \$300,000 in Working Capital Trust Funds associated with the mainframe consolidation in the Southwood Shared Resource Center, are funded through June 30, 2010.

*Senate*

06 72910100 010000 5000  
\*\*TEXT SETS DIFFERENT\*\*



PTFCLP01 LAS/PBS SYSTEM  
BUDGET PERIOD: 1999 2010  
STATE OF FLORIDA

SENATE/HOUSE BUDGET PROVISIO COMPARISON

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TEXT & PROVISIO COMPARISON REPORT  
BOTH DIFFERENCES AND SAME

SB 2600 1E

HOUSE BILLS (5001, 5101)

KEY CODES

PUBLIC SERVICE COMMISSION  
PGM: UTIL REG/CONSUM ASST

The Public Service Commission shall submit a plan by October 1, 2009 to the Southwood Shared Resource Center (SSRC), Agency for Enterprise Information Technology, Executive Office of the Governor, the chair of the Senate Policy and Steering Committee on Ways and Means, and the chair of the House Full Appropriations Council on General Government and Health Care, providing for the efficient transfer of all data center service resources allocated to data center functions within the department to the SSRC, pursuant to section 17, chapter 2008-116, Laws of Florida.

*Senate*

06 61010000 000000 5000  
\*\*TEXT SETS DIFFERENT\*\*

ACQUISITION/MOTOR VEHICLES

The funds in Specific Appropriation \*\*\*\*\* shall be placed in reserve. The department is authorized to submit budget amendments for the release of funds based on emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

*Senate*

06 61010000 100023 5000  
\*\*TEXT SETS DIFFERENT\*\*

PIPCLP01 LAG/PES SYSTEM  
BUDGET PERIOD: 1999 2010  
STATE OF FLORIDA

SENATE/HOUSE BUDGET PROVISIO COMPARISON

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TEXT & PROVISIO COMPARISON REPORT  
BOTH DIFFERENCES AND SAME

SB 2600 1E

HOUSE BILLS (5001, 5101)

KEY CODES

REVENUE, DEPARTMENT OF  
PGM: GENERAL TAX ADMIN PGM  
COMPLIANCE DETERMINATION  
SALARIES AND BENEFITS

Of the funds in Specific Appropriation \*\*\*\*\*, \$2,100,000 from the  
Operating Trust Fund is contingent upon Senate Bill 1748 or similar  
legislation, relating to the paperless filing fee, becoming a law.

*House*

06 73401200 010000 5000  
\*\*TEXT SETS DIFFERENT\*\*

COMPLIANCE RESOLUTION  
SALARIES AND BENEFITS

Of the funds in Specific Appropriation \*\*\*\*\*, \$6,284,361 from the  
Operating Trust Fund is contingent upon Senate Bill 1748 or similar  
legislation, relating to the noncompliant taxpayer fee, becoming a law.

*Senate*

06 73401300 010000 5000  
\*\*TEXT SETS DIFFERENT\*\*

PGM: INFO SERVS PROGRAM  
INFORMATION TECHNOLOGY

The Department of Revenue shall submit a plan by October 1, 2009, to  
data centers in which it has computing equipment including the Southwood  
Shared Resource Center (SSRC), the Northwood Shared Resource Center  
(NSRC) and the Northwest Regional Data Center, providing for the  
efficient transfer of all data center service resources allocated to  
data center functions within the department to the Southwood Shared  
Resource Center, the Northwood Shared Resource Center, and the Northwest  
Regional Data Center (NWRDC). All data center functions performed,  
managed, operated, or supported by the Department of Revenue with  
resources and equipment currently located in one of the data centers,  
excluding application development, shall be transferred to the data  
center where its equipment is located by July 1, 2010. The department  
shall submit issues in its legislative budget request for Fiscal Year  
2010-2011 to accomplish these transfers. These plans shall also be  
provided to the Agency for Enterprise Information Technology, Executive  
Office of the Governor, The chair of the Senate Policy and Steering  
Committee on Ways and Means, and the chair of the House Full  
Appropriations Council on General Government and Health Care.

*Senate*

06 73710100 000000 5000  
\*\*TEXT SETS DIFFERENT\*\*