



State Budget Conference Chairs

Senate Policy and Steering Committee on Ways and Means

**House Full Appropriations Council on General Government and
Health Care**

**House Full Appropriations Council on Education and Economic
Development**

Conforming Bill Provisions

**May 5, 2009
11:00 a.m.
412 Knott Building**

HEALTH CARE APPROPRIATIONS COMMITTEE/HEALTH AND HUMAN SERVICES APPROPRIATIONS
CONFORMING BILL – FY 2009-2010
Agency for Health Care Administration

CS/HB 5105	CS/SB 1658
Section 4. (s. 409.904, F.S.) Extends the sunset date to June 30, 2010 for the Medicaid Aged and Disabled and Medically Needy programs restoring coverage with non-recurring funding.	Section 5. (s. 409.904, F.S.) Identical to Section 4, except sunset date is extending to December 31, 2010.
The house bill does not include this provision.	Section 7. (s. 409.908, F.S.) Prohibits inpatient hospitals, outpatient hospitals, nursing homes, county health departments, community intermediate care facilities for the developmentally disabled, prepaid health plans, and nursing home diversion programs from receiving an increase in Medicaid reimbursement rates due to a change in unit cost, unless the increase is specifically appropriated in the General Appropriations Act.
Section 13. (s. 409.912, F.S.) Specifies that the implementation of an integrated fixed payment service delivery system (Florida Senior Care) for Medicaid recipients age 60 and older is subject to a specific appropriation.	Section 15. (s. 409.912, F.S.) Repeals the requirements for the AHCA to implement an integrated fixed payment delivery system (Florida Senior Care).

New Provisions

641.407 Minimum surplus.--

Each prepaid health clinic licensed on or before July 1, 2009 shall have and maintain minimum surplus in accordance with the following schedule: On January 1, 1996 2010, \$150,000 225,000 or 10 percent of total liabilities, whichever is greater- ; on January 1, 2011, \$300,000 or 10 percent of total liabilities, whichever is greater. A prepaid health clinic is licensed after July 1, 2009 shall have and maintain a surplus of \$300,000 or 10 percent of total liabilities, whichever is greater. A prepaid health clinic licensed on or before January 1, 2004 and that has active membership on July 1, 2009 shall have and maintain a minimum surplus of \$150,000 or 10 percent of total liabilities, whichever is greater.

409.916 Grants and Donations Trust Fund

(4) Funds received from Medicaid providers as ~~nursing home~~ quality assessment fees shall be deposited into the Grants and Donations Trust Funds and used for purposes established by law and the General Appropriations Act.

Agency for Persons with Disabilities

SB 1660	HB 5111
<p>Section 1. (s. 393.065, F.S.) Requires the agency to assign and provide priority to clients waiting for waiver services; specifies the order of priority, and authorizes AHCA and APD to adopt rules.</p>	<p>Section 1. (s. 393.23, F.S.) Revises how moneys in trust accounts in developmental disabilities centers may be spent.</p>
<p>Section 2. (s. 393.0661, F.S.) Deletes a provision that permits all developmental services to be available in all tiers; deletes a provision that limits an increase in the number of waiver services; directs the agency to eliminate redundancies in certain services and reduce supported employment services for certain clients; the expiration date related to the calculation of the amount of cost plan adjustment.</p>	<p>Section 2. (s. 393.0661, F.S.) Deletes a provision that permits all developmental services to be available in all tiers; deletes a provision that limits an increase in the number of waiver services; directs the agency to eliminate redundancies in certain services and reduce supported employment services for certain clients.</p>
<p>Section 3. (s. 393.23, F.S.) Revises how moneys in trust accounts in developmental disabilities centers may be spent.</p>	<p>Section 3. (s. 393.0661, F.S.) Deletes the expiration date related to the calculation of the amount of cost plan adjustment.</p>
<p>Section 4. Effective date is July 1, 2009.</p>	<p>Section 4. Effective date is July 1, 2008, except as other expressly provided in the act.</p>

New Provisions

Revises 393.0661, F.S., to delete language that would have reduced the geographical differential for residential habilitation services, effective July 1, 2009, for Miami-Dade, Broward, Palm Beach and Monroe County.

Revises s. 393.065, F.S., relating to the prioritization of clients on the wait list to require implementation on July 1, 2010 to allow for rule promulgation during fiscal year 2009-10.

Adds language relating to the creation of the Prepaid Services for Parents of Children with Developmental Disabilities Study Group to evaluate the creation of a prepaid service plan for children with disabilities.

HUMAN SERVICES APPROPRIATIONS

FY 2009-2010

Department of Health

SB 1662	HB 5107
<p>Section 1. (s. 154.02) Authorizes an additional use for funds from the County Health Department Trust Fund; deletes a provision requiring an increase in the emergency reserve based on the Consumer Price Index.</p> <p>Section 2. (s. 216.2625) Repeals this section of statute related to an exemption from positions authorized in the General Appropriations Act.</p> <p>Section 3. Effective date July 1, 2009.</p>	<p>Section 1. (s. 154.02) Authorizes an additional use for funds from the County Health Department Trust Fund; deletes a provision requiring an increase in the emergency reserve based on the Consumer Price Index.</p> <p>Section 2. (s. 216.2625) Repeals this section of statute related to an exemption from positions authorized in the General Appropriations Act.</p> <p>Section 3. Effective date July 1, 2009.</p>

New Provision

Requires the department to establish and maintain laboratories, pharmacy services programs and establish an Office of Vital Statistics.

381.0202 Laboratory Services

381.0203 Pharmacy Services

382.003 Powers and duties of the department (Vital Statistics)

Health Care/Medical Research

SB 1664	HB 5109
<p>Section 1. (s. 381.84) Deletes provisions limiting certain activities of the Area Health Education Network (AHEC) and the Department of Health at the end of FY 2008-09; removes AHECs from competitive procurement; increase the amount of the grant to AHECs from \$10 million to \$11 million for a smoking cessation program.</p> <p>Section 2. (381.922, F.S.) Reduces the annual appropriation to the Bankhead-Coley Biomedical Research program from \$6.75 million to \$5 million.</p> <p>Section 3. Effective date July 1, 2009.</p>	<p>Section 1. (215.5602, F.S.) Reduces the annual appropriation to the James and Esther King Biomedical Research program from \$4.5 million to \$2 million.</p> <p>Section 2. (381.922, F.S.) Reduces the annual appropriation to the Bankhead-Coley Biomedical Research program from \$6.75 million to \$3 million.</p> <p>Section 3. Effective date July 1, 2009.</p>

New Provisions

Revises s. 381.84, F.S., to provide for an appropriation of \$10 million to the AHEC for a smoking cessation initiative for the FY 2009-10 and requires the AHEC network to apply for competitive contracts or grants after that.

Repeals s. 381.922 (5) and s. 215.5602 (12) related to the general revenue appropriation to the biomedical research trust fund in the Department of Health for Bankhead- Coley and James and Esther King research programs.

Replaces the above language with tobacco surcharge revenues transferred from the Health Care Trust Fund.

Extends the current statutory distribution to H. Lee Moffitt Cancer Center and Research Institute until June 2020.

PreK-12 Education Conforming Bill Summary (SB 1676)

- Establishes the Florida Qualified School Construction Bond Act in order for school districts in Florida to participate in federal bond programs under the American Recovery and Reinvestment Act.
- Adds an additional duty to the Office of Technology and Information Services in the Office of the Commissioner as it relates to assisting school districts in securing Internet access and telecommunications services, including those eligible for funding under the Schools and Libraries Program of the federal Universal Service Fund.
- Authorizes the Commissioner, upon requisition by a school district and other eligible users of the Florida Information Resource Network (FIRN), to purchase the nondiscounted portion of Internet access services and to identify the source of funds from which the commissioner is to make payment.
- Clarifies the distance learning duties of the Department of Education to include coordinating FIRN.
- Requires that for the 2009-2010 fiscal year school board member salaries shall be the lesser of the amount calculated pursuant to statutory methodologies or the salary of beginning teachers in the district.
- Clarifies that earned leave and benefits for contract employees, including superintendents, to not be counted in the one-year limitation on state funds for contract settlements.
- Requires funds provided in the GAA for Regional Education Consortia to be prorated among eligible consortia for 2009-2010.
- Provides that elected school district superintendents may reduce their salaries voluntarily and requires that elected superintendent salaries shall be reduced by 2 percent for the 2009-2010 fiscal year.
- Prohibits school districts from entering into contracts for a school district superintendent salary paid from state funds that is in excess of \$225,000 and encourages school districts with appointed superintendents to negotiate 5% reduction to the superintendent's salary for FY 2009-10.

- Clarifies that the Florida Virtual School shall not receive funding through the FEFP for the purpose of meeting class size reduction requirements and provides FLVS .114 bonus FTE for public school students only.
- Defines virtual instruction to be that which is provided in an interactive environment created by using some form of technology where the student and teacher are separated by space or time or both.
- Requires direct instruction by a certified teacher for 80 percent of instruction in grades 6-12 and 50 percent for grades K-5.
- Allows district to meet requirement for virtual programs through Florida Virtual School, DOE approved contract providers, multidistrict contractual agreements, or through agreements with another district – neither the multidistrict contract or agreements between districts have to be between contiguous districts
- Opens up the grades 9-12 virtual program by eliminating requirement for students in grades 9-12 to only be served in district virtual instruction programs if they are in DJJ, dropout prevention, or career and vocational programs.
- Modifies the accountability requirements for K-8 virtual instruction programs to:
 - Remove the grade requirement for school district aggregate virtual school program.
 - Require DOE to aggregate the student performance data for all students served by a particular provider to provide each K to 8 program provider a statewide grade.
 - Applies sanctions for failure to the provider rather than to the school district program.
- Modifies contract provider qualifications to have Florida-certified teachers, background screenings and requires renewal of DOE approval every 3 years.
- Clarifies the accreditation requirements for virtual instruction programs.
- Clarifies eligibility for funding of virtual instruction programs.
- Clarifies situations when a student in a Voluntary PreKindergarten Program (VPK) can withdraw and re-enroll.

- Provides that student attendance in VPK may be reported on a prorata basis as a fraction of a full-time equivalent student.
- Clarifies the number of allowable paid absences in VPK programs.
- Clarifies that a VPK provider may not receive payment for absences that occur before a student's first or after a student's last day of attendance.
- Continues class size compliance at the school level for 2009-2010 and delays implementation at classroom level until 2010-11 school year; revises the compliance calculation beginning in 2010-2011 to be a reduction in the noncompliant district's class size operating categorical for each student that is over the maximum allowed; and requires that the revised compliance calculation be simulated in 2009-2010.
- Revises the establishment of the regional autism center at Florida State University within the College of Medicine.
- Requires that school districts include state allocations for school breakfast programs in the annual breakfast meal rates to offset the costs of school breakfast programs without requiring allocations from the district's operating funds. Requires universal breakfast to be provided only in schools in which 80 percent or more of students qualify for free or reduced-price meals instead of in all schools.
- Prohibits state funds appropriated to the Division of Public Schools within the DOE to be used to pay indirect costs to universities, community colleges, school districts or any other entity.
- Defines instructional materials to include electronic media and software and allows flexible use of funds after March 1st, 2010.
- Provides an alternative to CLAST, by repealing CLAST and the examination fee, and authorizes an alternative testing and remediation requirements to be established by the State Board of Education in conjunction with the Board of Governors.
- Authorizes the Commissioner of Education to employ FIRN to perform certain functions relating to workforce education.
- Restricts school districts from using public funds for out-of-state travel, cell phones or other electronic communication devices without the specific approval of the school

board, and provides that art, music, and similar programs for students have a higher funding priority than payment for employee travel and communication devices.

- Authorizes “payments” as appropriate types of electronic transactions and provides documentation requirements for electronic payments per AG recommendation.
- Provides flexibility for the number of days or the hourly equivalent of school operations for minimum requirements for participation in the FEFP.
- Clarifies definitions for full-time equivalent membership reporting for the FEFP.
- Provides that students enrolled in study shall not be reported for funding in the FEFP calculation; provides flexible use of categorical funds; and includes FEFP categorical funds in total funds for operations.
- Provides for restoration of revenue from prior year unrealized local effort.
- Requires class size reduction funds to be included in the 80% calculation of funds provided to schools within a district.
- Reduces the authorized capital improvement millage levy from 1.75 to 1.5 mills.
- Waives the three-fourths limit on use of proceeds from the capital improvement millage levy for lease-purchase agreements entered into before June 30, 2009 for the 2009-2010 fiscal year.
- Removes June 30, 2010 time limit in which school districts may pay property and casualty insurance premiums and purchase or lease driver’s education and maintenance vehicles from the revenue generated by the discretionary capital improvement millage and retains the \$100 cap on expenditures for property and casualty insurance premiums and motor vehicles.
- Authorizes the Commissioner of Education to waive penalties associated with the audit citations for districts using capital funds for purchases of software in the 2007-2008 fiscal year.
- Authorizes school districts to levy 0.25 mills for capital improvement needs in lieu of an equivalent amount of the discretionary mills for operations as provided in the General Appropriations Act.

- Authorizes district school boards, by a super majority vote, to levy an optional 0.25 mill for critical capital outlay needs or for critical operating needs. If used for operations, districts in which 0.25 mills generate less than the state average are to be provided the difference in state funds allocated through the FEFP. In order to continue this levy it must be approved by the voters of the district in the next general election.
- Allows districts to establish the total annual number of required days of service for employees.
- Contracts for principals, other school site administrators, and instructional personnel may not require more than 10 calendar months of service unless specifically approved by the district school board.
- Provides that non-recurring federal stabilization funds should not be used for new teacher professional service contracts.
- Removes the requirement that for purposes of pay, districts must recognize out-of-state years of service and provides that an employee may voluntarily waive this requirement for in-state service.
- Removes the \$100 cap on teacher certification exam fees, which will allow the State Board of Education to establish the fees at a level sufficient to offset the cost of test development and administration.
- Authorizes the Department of Education to establish a pilot program to manage the Florida Teachers Lead Program through a centralized electronic system.
- Changes criteria for charter schools to be eligible to receive PECO for capital outlay to require the governing board to have been established in the state for 3 or more years and allows charter schools to use PECO funds to purchase software and motor vehicles and pay property & casualty insurance premiums.
- Modifies the capital millage levy requirements for school districts currently participating in the Special Facility Construction Account.
- Adopts a building code revision for 2009-2010, to waive the "Green" requirements for school facility construction for one year and clarifies that districts are only required to build to current state and education building codes.

- Incorporates the FEFP by reference.

Additional Issue to be Added

- Authorize the establishment of virtual charter schools.

Higher Education Appropriations Conforming Bill Summary (SB 1696)

The bill makes the following changes to higher education funding statutes:

- Bright Futures –
 - Requires a refund of funds received for courses withdrawn or dropped by students after the end of the drop and add period.
 - Revises credit hour requirements for full-time students.
 - Removes college-related-expense awards for Academic Scholars.
 - Prohibits conversion of Gold Seal Awards to Medallion Awards.
- Florida Prepaid College Plans –
 - Establishes set per year payments from Florida Prepaid College Program to State Universities within a reasonable range based on fund reserve.
 - Authorizes new plans with incremental credit hour purchases.
- State University Excess Hours – Requires a 50% tuition surcharge after 120% of required credit hours for resident students.
- Postsecondary Education Residency Requirements– Modifies standards for converting to resident status for tuition purposes.
- State University Graduate Tuition Rate – Authorizes up to 15% annual adjustments to match professional tuition flexibility already authorized.
- Higher Education Challenge Grants –
 - Requires notice of state match delay for Community College and State University Facilities and Operating Challenge Grant Donations.
 - Allows Community Colleges and Universities to spend existing donations for facilities projects.
- Provides flexibility to state and community colleges by deleting an expenditure restriction on tuition revenue.
- Community College Baccalaureate Programs –
 - Modifies the state support and tuition language to be as provided in the General Appropriations Act.
- Clarifies current practice for scholarship programs by removing specific dollar amounts from certain scholarship programs (Critical Teacher Tuition, Reimbursement, Critical Student Loan Forgiveness, Teacher Scholarships and Loan Forgiveness, and Minority Teacher Scholars) and prorating these awards based on General Appropriations Act funding. Eliminates the unfunded “Chappie” James Most Promising Teacher Scholarship.

- Requires return of unused Minority Teacher Scholarship balances at end of the fiscal year.
- Requires FSAG-level need requirement for First Generation Scholarships.
- Repeals the Ethics in Business Scholarship Program.
- Revises eligibility to the Rosewood Family Scholarship program to include only direct descendants.
- Provides for consistent reporting requirements for private colleges and universities that receive state appropriations.
- Limits all community college and all state university employee severance payouts to one year from state funds.
- Authorizes Florida State University to exceed the statutory limit of 5% on annual increases to local fees to allow an increase in the health fee for the purposes of constructing a new health facility.
- The bill prohibits a state university from establishing a new requirement for student health insurance coverage.

Additional Issues

- Creation of the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute as a unit of the University of South Florida.

SB 1718 - Conference Court Fee Proposal - 5/5/09

Line #	Description	In SB 1718 as passed by Senate	Senate	House	Annual GR Impact	Annual Courts TF Impact			
1	Redirect portion of public defender fee	Yes	Yes	Yes	(3.6)				
2	Redirect \$80 circuit court filing fees from Clerks	Yes	Yes	Yes		44.8	Circuit	Old Fee	New Fee
3	Circuit civil filing fee increase by \$100 (less family)		Yes	Yes		43.6	Filing Fee	295	395
4	Graduated filing fee for foreclosures only	Yes	Yes	Yes		145.9	Probate	280	395
5	Probate filing fee increase by \$115		Yes	Yes		7.1	Tenant	265	180
6	Counter claim/petition glitch from SB 1790	Yes	Yes	Yes	4.5				
7	Traffic school glitch from SB 1790	Yes	Yes	Yes					
8	Reduction of tenant fee (\$265 - \$180)	Yes	Yes	Yes	(12.4)				
9	Clerk SB 2108 IT moratorium re-write and effective date fix		No	Yes					
10	County interest issue		Yes	Open					
11	DUI Immobilization fee		No	No			\$50k<	295	395
12	Other clerk fees (TBD)		No	Open			\$50-\$250k	295	900
13	Indigent fee waiver		Yes	Open	(4.0)		\$250k >	295	1,900
14	SB 1790 & SB 12-A traffic glitch (ch 320.322,F.S.)		Yes	Yes		1.3			
15	Small claims revised fee (retail federation)		Yes	Open					
16	Electronic filing for trial courts	Yes	Yes	Yes					
17	Electronic filing for 1st DCA Workers Comp		Yes	Yes					
18	Burial fee recording	Yes	No	No					
19	Senate Bill 412 - Service of Process Fix		Open	Yes					
20	Remove part-time regional conflict counsel expiration		Yes	Yes					
21	Additional compensation for county judges		Yes	Yes					
22	GR Service Charge				20.6	(20.6)			
23	Retired Judge Compensation		Open	Open					
24	Total				5.1	222.1			

**Conference Report on SB 1720 –
Capital Collateral Regional Counsel Trust Fund**

- The bill creates the Capital Collateral Regional Counsel Trust Fund.
- The source of funds is the reimbursement from the federal government when the capital collateral regional counsels provide representation to death row inmates in federal court.

Conference Report on SB 1722 – Department of Corrections

- Requires the court to sentence certain non-violent low-scoring offenders to a non-state prison sanction unless the court finds that such a sentence could endanger the public.
- Creates a state-funded diversion program operated by the Department of Corrections to allow the court to divert certain non-violent offenders from prison.
- Authorizes Division of Bond Finance to negotiate the sale of bonds for fiscal year 2009-2010.

NEW – Not in Either Senate/House Bills

- Authorizes the Department of Corrections to contract with county and municipal facilities in Florida and out-of-state public and private facilities.
- Increases the inmate copayment for non-emergency health care from \$4 to \$5.
- Establishes timeframes for submitting requests for payment of medical claims or for return of overpayment of such claims.
Contained in CS/SB 2298 and CS/HB 7085 – Adopted through substantive committees in Senate and House
- Caps payments for non-contractual inmate medical services.
- Requires all offenders who are subject to electronic monitoring to pay the department for the monitoring service. Provides

that the department may exempt a person from paying all or a part of the costs of supervision in certain instances.

- Requires courts to use an order of supervision form provided by the department when placing an offender on community supervision.
- Allows sentencing courts to modify the sentence of a youthful offender who is successfully completing the Basic Training Program so that he or she can be placed on probation immediately after completion of the program.
- Provides a five-year statute of limitation period for the state to seek recovery of costs of incarceration, and specifies that the costs are to be determined based upon the length of the sentence imposed by the court.
- Provides that a sentencing court must retain jurisdiction to enter civil restitution lien orders until the later of the duration of the sentence or up to 5 years after the offender is released from incarceration or supervision.

Contained in CS/SB 2298 and CS/HB 7085 – Adopted through substantive committees in Senate and House

Contained in CS/SB 2298 and CS/HB 7085 – Adopted through substantive committees in Senate and House

Conference Report on SB 1726 – Drug Court

- Expands the use of drug court as part of a sentence which includes community supervision (post adjudication) with the recommendation of the state attorney and other qualifications.
- Expands who can enter drug court, but continues to exclude violent felons.
- Sets criminal history score sheet points at a maximum of 52 to enter post adjudication drug court.
- Includes language from HB 7139 modifying pre-trial drug court to admit a larger pool of defendants.
- Requires each circuit to report data on clients in drug court programs.
- Requires a study by the Legislature's Office of Program Policy Analysis and Government Accountability (OPPAGA) to determine the effectiveness of the changes to drug court.

FY 2009-10 General Government/Natural Resources/Government Operations Conforming Bill Summaries

Conference Bill #	Agency	Issue	Description	HB	SB	Conference
General Government/Natural Resources -						
1	1742	FWCC	Fish & Wildlife Conservation Commission -- Type II Transfer of the Invasive Plant Control Program	5123	1742	Identical
	1742	FWCC	Shoreline Exemption		1742	Approved
2	1744	DACS	Department of Agriculture & Consumer Services -- State Forest Receipts	5125	1744	Identical
	1744	DACS	Chemical Residue Lab Fees	5125		Approved
	1744	DACS	Fine Money Reallocation	5125		Approved
	1744	DACS	Seed Fee	5125		Approved
	1744	DACS	Fertilizer Brand Registration Fee	5125		Approved

FY 2009-10 General Government/Natural Resources/Government Operations Conforming Bill Summaries

Conference Bill #	Agency	Issue	Description	HB	SB	Conference
1744	DACS	Weights and Measures Fee	Weights and Measures New Permit - authorizes a permit fee for commercial weighing and measuring devices. Provides a \$1.9 million savings to general revenue.	5125	1744	Approved
1744	DACS	Weights and Measures Fee	Weights and Measures - reduces caps on weighing devices in a single retail establishments. Provides a 5-year sunset to weights and measures permits.	5125		Approved
1744	DACS	Transfer Surveyors and Mappers	Transfers the Board of Surveyors and Mappers from the Department of Business and Professional Regulation to the Department of Agriculture & Consumer Services.			Approved
3 1748	DOR	Department of Revenue -- Non-Compliance Taxpayer Fee	Authorizes an administrative collection processing fee of ten-percent of the amount due or \$10, whichever is greater, for non-compliance filings that are unpaid after 90 days.	5139	1748	Approved
1748	DOR	Printed Tax Forms	Removes the requirement that the Department of Revenue provide printed tax forms to the local governmental entities.	5131	1748	Approved
4 1750	DEP	Department of Environmental Protection -- Sales Tax Distribution	Redirects .02% sales tax revenue distribution from the Ecosystem Management Trust Fund to general revenue.	5121	1750	Approved
1750	DEP	Doc Stamp Distributions	Distribution of documentary stamp tax revenue to general revenue -- From Land Acquisition Trust Fund (\$6.3m), the Water Protection and Sustainability Trust Fund (\$2.33m), and the Marine Resources Conservation Trust Fund (\$60k - Oceanaria Reimbursement Assistance program). Prioritizes the payment of debt service for P2000/FL Forever and Everglades bonds for revenue distribution purposes.	5121		Approved

FY 2009-10 General Government/Natural Resources/Government Operations Conforming Bill Summaries

Conference Bill #	Agency	Issue	Description	HB	SB	Conference
NEW	DEP	Bonding for the Cleanup of Petroleum Tanks	Authorizes the Inland Protection Financing Corporation to issue bonds relating to the petroleum tank cleanup program.			
	DEP	Repealer Clause	Repeals s. 23 of ch. 2008-150, L.O.F., relating to landfill permits.		2080	Approved
	DEP	Termination of Trust Fund	Termination of the Lake Okeechobee Protection Trust Fund in the Department of Environmental Protection. There are no appropriations or recurring revenue in the fund.	5121		Approved
5	DBPR	Department of Business & Professional Regulation -- Certified Public Accountants	Repeals statutory provision requiring a laws and rules examination for licensure and renewal, if the licensee has successfully passed other requirements.	5135	1754	Identical
	DBPR	Animal Medical Research	Repeals statutory requirement of using fines for funding animal medical research and eliminates the requirement for the Parmacokinetic Research contract.	5133		Approved
6	DFS	Department of Financial Services -- Distribution of Surplus Lines	Redirects all surplus lines insurance premium taxes to general revenue.		1758	Approved
	DFS	Treasury Investments	Increases the maximum percentage of funds that can be invested by the CFO in securities with non-specific rating criteria from 3% to 5%, for one year, and establishes a Treasury Investment Committee for the Treasury's Investment Program.		732	Approved
	DFS	Reproduction of Public Records and Notification	Decreases the cost of copies for public record documents from \$.50 to \$.15 per page within the Department of Financial Services. Provides advanced notification to a requestor of public documents when additional charges are to be assessed for staff time in the preparation of records.		XX	Approved

FY 2009-10 General Government/Natural Resources/Government Operations Conforming Bill Summaries

Conference Bill #	Agency	Issue	Description	HB	SB	Conference
1758	DFS	Florida Hurricane Loss Model	Provides that the maintenance and service of the Florida Hurricane Loss Model will be updated every odd-year rather than annually.	XX		Approved
7	DMS	Leasing and Surplusing of State Property	Authorizes the state to offer to state agencies and universities the opportunity to lease state-owned buildings or parcels of land before it offers to sell or lease to others. Agencies are directed to notify the Department of Management Services 30 days prior to the execution of a lease for space less than 5,000 square feet. It directs the DMS to create a database of all state-owned real property and to immediately begin the disposition of certain surplus buildings.		1804	
1804	DMS	Leasing and Surplusing of State Property	Removes the DMS rule requirement regarding leases less than 5,000 sq/ft.	XX		
8		Child Support Enforcement	Adopts federal requirements related to health insurance obligations in Title IV-D cases to allow the continued draw-down of federal funds for Child Support Enforcement program in the Department of Revenue.	HB 5129		Approved

CS/CS SENATE BILL 1778 (HB 5011)

PROPOSED CONFERENCE	Chapter Law	Senate Bill Section	House Bill Section	Chapter Law	Description
1, 2 and 3	17.61 215.20	1			Terminates the DUI Programs Coordination Trust Fund Removes the DUI Programs Coordination Trust Fund from the funds subject to the provisions of 17.61 and 215.20 (interests earnings appropriated to GR and 0.3 percent GR service charge)
4	316.066	4		316.066	Fee for a copy of a crash report Current fee of \$2 is increased to \$10
5	318.15	6	1	318.15	Service charge for the reinstatement of a driver's license suspended for failure to timely pay a fine, attend driver improvement school or appear at a scheduled hearing, is increased from \$47.50 to \$60
6	319.23	7		319.23	Fee for failure to apply for a transfer of title within 30 days of transfer is increased from \$10 to \$20
7	319.32	8	2	319.32	Fee Original/Duplicate Certificate of Title is increased from \$24 to \$70 and \$3 increased to \$49
					Fee for reinspection of a rebuilt title of \$20
					Service Charge for Processing Paper Title - \$2.50
8	319.323	9		319.323	Fee for Expedited Service/Title is increased from \$7 to \$10
9	319.324	10		319.324	Provides for the revenue distribution of the expedited service title fee.
10	320.023	14		320.023	Provides for the distribution of revenue for voluntary contributions on motor vehicle registrations application
11	320.03	16	3	320.03	Fee on license registrations to cover costs of Florida Real Time Vehicle Information System (FRVIS) from 50 cents to \$1.25
12	320.04	18	4	320.04	Service charge for handling a registration is increased from \$2.50 to \$5 Service charge for the issuance of a validation sticker is increased from \$1 to \$3
13	320.06	21	6	320.06	License plates life cycle is increased from 6 years to 10 years Original License Plate fee increased from \$12 to \$28 License Plate annual advanced replacement fee is increased from \$2 to \$2.80 Reflectorization fee is increased from 50 cents to \$1
14	320.0607	22	7	320.0607	Conforms to language to section 13.
15	320.072		8	320.072	Initial Vehicle Registration Fee increased from \$100 to \$225
16	320.08	26	9	320.08	Annual license tax for the operation of a motor vehicle is increased by 35% including CWT.
17	320.0801		10	320.0801	Commercial motor vehicle surcharge on GVW for 10,000 pounds or more is increased from \$5 to \$10

PROPOSED CONFERENCE	Chapter Law	Senate Bill Section	House Bill Section	Chapter Law	Description
18	320.0804		11	320.0804	Surcharge on license tax is increased from \$2 to \$4
19	320.0846	28		320.08046	Surcharge on license tax General Revenue Fund is increased from \$1 to \$5.50.
20	320.08048		12	320.08048	Sample license plate fee is increased to conform to section 13 from \$10 to \$28.
21	320.0805	29	13	320.0805	Processing Fee for Personalized License Plates from \$2 to \$5
22	320.08056	30	14	320.08056	Processing Fee for Specialty License Plates from \$2 to \$5
23	320.08058		15	320.08058	Redirects the distribution of the Florida Golf license plate annual use fee to the Dade Amateur Golf Association and provides for the allocation of fees
24	320.081	32		320.081	Clarifies the collection and distribution of revenues on the annual license tax imposed on mobile homes.
25	320.13			320.13	Allows an importer or distributor of motor vehicles to purchase dealer or manufacturer license plates.
26	320.203		18	320.203	Technical conforming language.
27	320.204				Annual transfer of \$5 million from the Highway Safety Operating Trust Fund to the Transportation Disadvantaged Trust fund beginning July 1, 2011.
28	320.642		19	320.642	Assesses a \$75 fee to cover the cost of publication and a service charge of \$2.50 for each publication handled in connection with the establishment of an additional motor vehicle dealership or the relocation of an existing dealer as outlined in this section.
29	321.23	46		321.23	Fee for copy of a crash reports increased from \$2 to \$10
30	321.23	47		321.23	Technical conforming language.
31	322.081	48		322..081	Provides for the distribution of revenue for voluntary contributions on drivers license applications
32	322.12	49	20	322.12	Fee for a drivers license knowledge reexamination is increased from \$5 to \$10 and the fee for a skill reexamination is increased from \$10 to \$20
33	322.135			322.135	Tax Collector's Service Fee is increased from \$5.25 to \$6.25 for all driver's license services.
34	322.02	50	21	322.20	Records – Division of Drivers Licenses
					3 Year History - \$ 2.10 increased to \$8
					7 Year History - \$3.10 increased to \$10

CS/CS SENATE BILL 1778 (HB 5011)

PROPOSED CONFERENCE	Chapter Law	Senate Bill Section	House Bill Section	Chapter Law	Description
35		51		322.201	Revises provisions relating to the certification of records with machine imprint
36		52	22	322.21	Driver's License Fees/Late Fees/Reinstatements License and Reinstatements -
					Delinquent fee for renewal after 12 months - \$1 increased to \$15
					Commercial Drivers License- \$67 increased to \$75
					Original Class E - \$27 increased to \$48
					Renewal - \$20 increased to \$48
					Replacement - \$10 increased \$25
					Commercial Drivers License Renewal - \$67 increased to \$75
					Original/Renewal /Replacement ID/ - \$10 to \$20
					Drivers License Reinstatement -\$35 increased to \$45 or \$47.50 increased to \$60
					Revocation fee/Service fee reinstatement Commercial Drivers License \$60 increased to \$75
					DUI Administrative Fee - \$115 increased to \$130
					Establish Fee for Administrative Review Hearings - \$12.00 or \$25.00
37	322.2715	53		322.2715	Ignition Interlock Device - \$12
38	322.29	54	23	322.29	Driver's License Reinstatement Service Charge - \$47.50 increased to \$60
39		55		322.292	Provides that a private probation service provider may not refer probationers to any DUI program owned by that probation service provider
40		56		322.293	DUI Programs - Deletes reference to DUI Programs Trust Fund
			24	322.293	Increases the assessment for person enrolling in a DUI program - \$12 increased to \$15
41		57	25		Effective date - September 1
HOUSE PROPOSES					Change "retroreflectivity" to "retroreflection"
HOUSE PROPOSES					Autism License Plate

Conference Report SB 1780 – Department of State

The conference report provisions:

Cultural Grant Program:

- creates a consolidated cultural grants program and adds definitions for clarification.

Division of Corporations:

- eliminates requirement for DOS to provide a second-notice for failure to file annual reports, provides a date and time for administrative dissolution or revocation of authority to conduct business in the state for failure to file annual reports;
- deletes the requirement that a fictitious name renewal notice be sent to the registered owner and requires that the expiration of a fictitious name be sent to the owner or registrant;
- authorizes the DOS to collect electronic addresses and to provide notices by electronic transmission if e-mail address is available.

New provision of the conference report:

Uniform Commercial Code

- requires an additional \$10 fee for filing an initial financing statement under the Uniform Commercial Code and requires that 100% of the fee be deposited into the General Revenue Fund.

The bill is effective upon becoming a law.

The budget:

- includes a recurring GR saving of \$145,566 related to the consolidation of the cultural grants program;
- reduces \$500,000 in recurring GR costs related to the notice changes in the Division of Corporations;

The additional filing fee for financing statements results in an additional \$1.4 million deposited annually into the General Revenue Fund.

Conference Report SB 1782 - **Unemployment Compensation Claims and Benefits**

The bill creates s. 443.113, FS, to provide substantive statutory authority for the replacement of the UC Claims and Benefits technology system.

The statutory provision establishes and defines the project's:

- governance structure,
- planned scope,
- main business objectives that must be achieved, and
- completion timeframes.

The effective date of the bill is July 1, 2009.

The budget provides \$2 million from non-recurring federal funds to develop the requirements definition and procurement support for the new system. This is phase 2 of a multiple year project. Phase 1 was the completion of the feasibility study.

HB 5013-An Act Relating to Transportation

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for House Bill 5013, relating to the Department of Transportation, specifically the bill:

- Revises the definition of roadside beautification to include conservation, enhancement, and stabilization and requires the purchase of plant materials from in-state commercial nurseries.
- Removes the funding cap for design and build projects funded under the American Recovery Reinvestment Act of 2009.
- Recognizes that construction aggregate materials mining is an industry of critical importance and that the mining of construction aggregate materials is in the public interest.
- Revises eligibility and prioritization criteria for the Small County Outreach Program.
- Revises requirements for the logo sign program on the interstate highway system; authorizes a rotation-based logo program; requires the department to adopt rules that set reasonable rates for annual permit fees; caps the annual permit fee for signs locations inside an urban area at \$5,000, and for sign locations outside the defined urban area at \$2,500.
- Authorizes the Hillsborough County Expressway Authority to make and issue bonds for the purpose of financing all or part of the improvement or extension of the expressway system.

New Issue:

- Northwest Florida Transportation Corridor Authority –
 - Authorizes the NWFTCA to conduct a study of transportation construction projects.
- Energy Economic Pilot Project
 - Creates green infrastructure and jobs

The Conference Committee Amendment for CS/CS/SB 1796 relating to Transparency Florida Act:

This bill requires a website be established for public access to government entity financial information. The initial phase will include appropriations data and expenditure data for all branches of state government. The Joint Legislative Auditing Committee will oversee the website and will propose additional phases of information to be made available. The committee will provide a proposal by March 1, 2010, to be submitted to the Speaker of the House and the President of the Senate, that will include a schedule of additional phases of information by the type of information to be provided for specific governmental entities, including local government units, community colleges, state universities and other government entities that receive state appropriations. The proposal will include timeframes for additional phases as well as a proposed development entity for the additional information.

PROPOSED CONFERENCE REPORT ON CS/SB 1798 – Collective Bargaining Resolution

1. Generally, all noneconomic issues remaining at impasse will be resolved by maintaining the status quo.
2. Exceptions:
 - a. AFSCME and the State of Florida – Article 8 “Workforce Reduction” resolved pursuant to the state’s last offer dated April 7, 2009. (this would add “length of service” as one of the criteria to consider pursuant to the statute and rule when addressing a “reduction in force.”)

PROPOSED CONFERENCE REPORT ON CS/SB 1802 – Retirement Contributions

This bill sets the employer contribution rates for the Florida Retirement System.

1. Maintains current level of employer contributions in effect for FY 2008-2009. (Same as both bills).
2. New issue – Directs DMS to include in the 2009 Valuation of the Florida Retirement System
 - a. Treating DROP participants as retired members of the respective class with no contributions made during the DROP period, except for contributions attributed to an unfunded actuarial liability.
 - b. Treating DROP participants as active members of the respective class with employer contributions made during the DROP period at the same rate as the applicable class.

PROPOSED CONFERENCE REPORT ON CS/SB 1806 – General Revenue Service Charge

This bill increases the current service charge imposed on most trust funds by 1%. These charges are deposited into the General Revenue Fund to fund the general operations of state government.

1. Generally, increase the service charge to 8% (currently assessed 7% or 7.3%)
2. Department of Citrus and Department of Agriculture and Consumer Services trust funds currently assessed either 3% or 3.3% will be increased to 4%.
3. Generates \$ 30.1 million.

The Conference Committee Amendment for CS/SB 2574 relating to Data Center Consolidation:

This original bill clarifies a number of existing statutes which address the duties of the Agency for Enterprise Information Technology. This agency was created in 2007. In 2008 the agency was assigned the task of consolidating state data centers and developing policy for the State Data Center System. Since passage of last year's bill a number of changes are required including to make the system operate more effectively. These changes include:

- Changing the membership of Primary data center boards. Previously if an agency had 3 members, it will now have one member but with 3 votes.
- Changing submittal dates of various reports.
- Provides that any of the state's primary data centers now has custody of equipment for purposes of Chapter 273.
- Clarifies the exception process for customers who want to terminate or transfer services from a primary data center.

The bill also creates two new enterprise information technology services for which the AEIT will set policy for, including Information Security and Statewide Email and requires implementation plans for each. The bill also reorganizes the statutes separating the portions of Ch. 282 which are DMS related statutes from the AEIT related statutes.

	PRIMARY PROVISIONS OF SB 2694	House Staff Recommendation
1	Limits agencies' 5 % transfer authority	Remove from bill
2	Limitations on types of contracts	
2a	Liquidated damages and early termination clauses	Agree
2b	Interest payments when the agency does not have sufficient budget authority in current year	Agree
2c	Agreements to allow a party other than the state to collect and retain revenues that otherwise would be deposited into the State Treasury	Agree
2d	Agreements to pay in a future year the costs incurred by a vendor in the current year	Agree
2e	Leases/lease purchase agreements of tangible personal property in excess of \$500,000 payable in more than 1 fiscal year	Agree
3	30 Day notification to the Governor and Legislature	
3a	Any contract or series of contracts with a single vendor in excess of \$5 million during one calendar or fiscal year	Increase threshold to \$10 million
3b	Any contract that requires minimal or no payments by the state or authorizes the other party to make expenditures in anticipation of revenues	Agree
3c	Any contract that requires initial expenditures by the vendor with no payment contemplated by the state within 180 days.	Agree
4	Specific contract provisions	
4a	Must identify the specific appropriation from which the contract will be funded during the first year	Agree
4b	Must contain current "contingent upon an annual appropriation by the legislature"	Agree
4c	Must contain a new clause putting the contractor on notice that the contract may be terminated if a deficit is certified and the funding for the contract is eliminated by a deficit reduction plan or by an act of the legislature	Agree
4d	If the contract exceeds \$25,000, it must be signed by the agency head	Allow agency head to delegate responsibility to Senior Management level staff within the agency
4e	If the contract exceeds a term of 12 months, the agency head must certify compliance with the law	Agree
4f	If the contract exceeds \$250,000, acceptance or rejection of deliverables must be in writing, not be default.	Agree
5	Deferred payment commodity contract and consolidated financing agreements in excess of \$500,000 must be expressly authorized by the legislature	agree